

GLENORCHY PLANNING AUTHORITY

AGENDA

MONDAY, 10 DECEMBER 2018



GLENORCHY CITY COUNCIL

QUALIFIED PERSON CERTIFICATION

The General Manager certifies that, in accordance with section 65 of the *Local Government Act 1993*, any advice, information and recommendations contained in the reports related to this agenda have been prepared by persons who have the qualifications or experience necessary to give such advice, information and recommendations.

A blue ink signature of Tony McMullen.

Tony McMullen
General Manager

5 December 2018

- * **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 K. Johnston

Hour: 5.00 p.m.

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

2. APOLOGIES/LEAVE OF ABSENCE

3. PECUNIARY INTERESTS

4. CONFIRMATION OF MINUTES

That the minutes of the Glenorchy Planning Authority Meeting held on 12 November 2018 be confirmed.

5. PROPOSED USE AND DEVELOPMENT - TWO MULTIPLE DWELLINGS (ONE NEW) AND PARTIAL CHANGE OF USE TO BUSINESS AND PROFESSIONAL SERVICES - 87 HOPKINS STREET, MOONAH

Author: Planning Officer (Angela Dionysopoulos)

Qualified Person: Planning Officer (Angela Dionysopoulos)

Property ID: 5431897

REPORT SUMMARY:

Application No.:	PLN-18-218
Applicant:	Lan & Skinner Architects
Owner:	M Wu
Zone:	General Business
Use Class	Business and Professional Services, Residential
Application Status:	Discretionary
Discretions:	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:	11 Dec 2018
Existing Land Use:	Single Dwelling
Proposal in Brief:	Two Multiple Dwellings (one new) and partial change of use to Business and Professional Services
Representations:	One non-statutory representation received
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL:**PROPOSAL**

The application proposes two multiple dwellings, one existing and one new, and a partial change of use for offices (Business and Professional Services).

The proposal includes construction of a new building, comprising two offices and a garage on the ground floor, and a two-bedroom dwelling on the first floor. The proposed building is to be located at the rear of the site, with a nil rear and side boundary setback, and has a maximum length of 10.14m, width of approximately 15.2m, and height of 8.085m.

A total floor area of 82.4m² of office space is proposed. The offices have proposed hours of operation from 9:00am to 5:00pm, Monday to Friday. Two different uses are proposed for the two offices.

Office 1, with a floor area of 41m², is proposed for use by the developer, Australian Investment & Insurance Group (AIIG). The company provides financial planning services; however, the proposed use of the site is specific to real estate investment services, including property sourcing, development, sales and rental management. The application states that the business will employ four people, with the majority of activity conducted online.

Office 2 has a 41.4m² floor area, and use for a travel agency employing two people is proposed. The travel agency business is described by the applicant as designing and delivering memorable tour experiences to local and international tourists.

The proposed new dwelling has two bedrooms and is located entirely above the ground floor, except for the access via stairs.

Six car parking spaces are proposed, of which one is located in the proposed garage, and five in an external car parking area located behind the existing residence. The proposed works include a new crossover, with a passing bay at the kerb.

Landscaping comprising 5% of the car parking area is proposed between the parking spaces at the rear of the existing dwelling, and the south-west side boundary. Lighting of the car parking area is also proposed.

A bin storage area for residential use is proposed adjoining the landscaped area.

Two existing outbuildings are proposed to be removed. An existing dwelling on the site is to be retained.

One Business Directory sign identifying the names of the office tenant businesses is proposed to be attached to the front of the existing dwelling. The sign has proposed dimensions of 1.5m height and 0.5m length, and is to be attached parallel to the wall at a height of 1.5m from the ground.

SITE and LOCALITY

The site is specified on the application plans as being a 671.4m² lot and is located on the southern side of Hopkins Street in Moonah (Figure 1). The site has a flat gradient, and contains an existing, weatherboard single dwelling.



Figure 1 - Aerial photograph of the site (highlighted) and surrounds - Council database 2015

The locality is characterised by its proximity to the Moonah CBD to the west; the cycleway and disused railway to the east; and a wide range of development and uses. Existing development in the vicinity comprises a mixture of historic residences, shops and civic buildings, and comparatively modern, small to medium-scale commercial buildings. Immediately opposite the subject site is a marble and granite workshop; a dwelling and wood yard adjoins the rear boundary; and single dwellings adjoin the side boundaries. Showrooms, offices, workshops, warehouses and multiple and single dwellings are located in the nearby area.

ZONE

The site is located in the General Business zone (Figure 2).

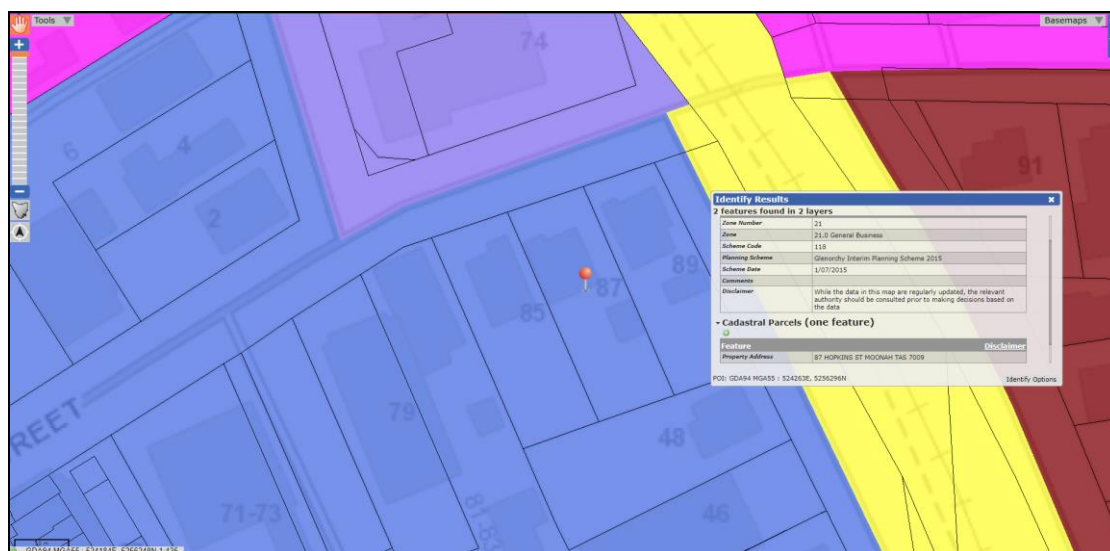


Figure 2 – The site is in the General Business zone (royal blue). Utilities (yellow) and Inner Residential (maroon) zones are located to the east; a Commercial zone (medium slate blue) is to the north; and there are Light Industrial zones (fuchsia) to the north-east and north-west – Glenorchy Interim Planning Scheme 2015

BACKGROUND

PLN-12-011 Addition to non-conforming use (Single Dwelling) and home business (storage) approved 09/07/2012, extended on 16/04/2014 and extended a second time on 9/05/2016, expiring on 9/07/2018. The permit lapsed without substantial commencement.

Plumbing records for the existing dwelling date from 1942 and continues to have existing use rights as a dwelling.

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

5.10 Signs

A general exemption is provided for signs that are exempt under clause E17.4 of the Signs Code. A Business Directory sign on the exterior of a building is exempt under the Signs Code, only if it is placed within a recessed entrance or doorway. The proposed Business Directory sign is to be placed on the external wall of the existing residence, and is not proposed to be located within a recessed entrance or doorway. The proposed sign is not exempt from requiring a permit.

Limited Exemptions

Nil.

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

No Specific Area Plan applies to the site. The Road and Railway Assets Code, Parking and Access Code and Stormwater Management Code apply, and therefore prevail over the zone provisions, where there is any conflict.

Use Class Description (Table 8.2):

Clause 8.2.5 provides that if more than one use or development is proposed, each use that is not directly associated with and subservient to another use on the same site must be individually categorised into a use class.

Two, non-associated use classes are proposed:

- **Residential**, which 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; and
- **Business and Professional Services**, which means use of land for administration, clerical, technical, professional or similar activities. Examples include a bank, call centre, consulting room, funeral parlour, medical centre, office, post office, real estate agency, travel agency and veterinary centre.

Two individual Business and Professional Services uses are proposed:

- Office for a real estate investment service; and
- Travel agency.

Other relevant definitions (Clause 4.1):

Gross floor area means the total floor area of the building measured from the outside of the external walls or the centre of a common wall.

Sensitive use means a residential use or a use involving the presence of people for extended periods except in the course of their employment, such as in a caravan park, childcare centre, dwelling, hospital or school.

For the purpose of the Parking and Access Code, **floor area** means the gross floor area, excluding the area of stairs, loading bays, access ways, or car parking areas, or any area occupied by machinery required for air conditioning, heating, power supply, or lifts.

For the purpose of the Signs Code, **Business Directory** means a sign for a building in multiple tenancies, which identifies the name of businesses and their location within the same building and does not contain any product or other advertising.

Terms not defined in the Scheme or the *Land Use Planning and Approvals Act 1993* have their ordinary meaning, in accordance with clause 4.4.1.

Office means a room or place for the transaction of business, the discharge of professional duties, or the like¹.

Real estate investment service is defined for the purpose of this assessment as sourcing, development, sales and rental management of investment property on behalf of property investors. It is distinguished from a Real estate agency, in which services are provided primarily on behalf of vendors, and which generally excludes development.

Travel agency means a business that arranges journeys and accommodation for travellers, as by procuring rickshaws, reservations, etc².

Part C: Special Provisions

¹ 2001, *Macquarie Dictionary*, Revised Third Edition, Macquarie Library, N.S.W., p. 1329.

² *Ibid*, p. 1997.

No special provisions of the Scheme apply to this proposal. In particular, Clause 9.1.1 which is for Changes to an Existing Non-conforming Use is not applicable, because Residential use that is at ground level, is a discretionary use under the planning scheme, compared to the previous planning scheme where it was prohibited.

Part D: Zones

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

Zone Purpose Statements

The purpose of the General Business zone is to:

- *Provide for business, community, food, professional and retail facilities serving a town or group of suburbs;*
- *Ensure the major centres provide for a range of convenience and goods and services as well as some community services and facilities for the municipal area and surrounds;*
- *Provide a focus for employment at the municipal level primarily in retailing, but complemented by a range of office based employment mainly in professional and personal services;*
- *Facilitate residential use above ground floor level;*
- *Ensure development is highly accessible by public transport, walking and cycling; and*
- *Provide a safe, comfortable and pleasant environment for workers, residents and visitors through the provision of high quality urban spaces and urban design.*

The proposed new development is for diverse professional services intended to employ up to six people, along with residential use for an apartment above ground floor level. The site is centrally located in the Moonah CBD area, with close proximity to the Main Road transit corridor and the Intercity Cycleway. The proposed development meets the urban design standards of the zone, as detailed later in this report. The proposal is considered to accord with the zone purpose.

Use Table

Both Residential use above ground floor level (except for access), and Business and Professional Services use, have 'Permitted' status in the zone. However, the proposal is discretionary owing to reliance on performance criteria for compliance with the number of car parking spaces standard.

Use Standards

The proposal complies with the acceptable solutions for all the applicable zone use standards, as detailed at Appendix A.

Development Standards for Buildings or Works

The proposal complies with the acceptable solutions for all the applicable zone development standards, as detailed at Appendix A.

Part E: Codes

The following codes of the Scheme apply to this proposal.

E5.0 Road and Railway Assets Code

The Road and Railway Assets Code applies to use and development of land that intensifies the use of an existing access, or that involves a sensitive use and building within 50m of a Utilities zone that is part of a rail network.

The proposed development increases on-site car parking spaces from two to six, representing a 300% increase. In addition, the proposed new residential dwelling is located approximately 20m from a Utilities zone that is part of the rail network. The code applies.

The proposal complies with the acceptable solutions for all the applicable code standards, as detailed at Appendix B.

E6.0 Parking and Access Code

The Parking and Access Code applies to all use and development.

E6.6.1 Number of Car Parking Spaces (A1)

Acceptable Solution A1 requires seven car parking spaces for the proposal, comprising one space per 30m² for office use, and two spaces for each multiple dwelling containing two or more bedrooms. Six onsite car parking spaces are proposed, representing a shortfall of one space. The proposal relies on Performance Criterion P1 for compliance with the standard.

Performance Criterion P1 requires that 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;*

The proposal indicates that the occupant of the proposed new dwelling is intended to also be employed on the site, thereby reducing the demand across the two uses.

(b) *the availability of on-street and public car parking in the locality;*

Public car parking is available at Council car parks located at 63 Hopkins Street and 60 Station Street, both of which are located approximately 135m from the subject site. On-street parking is also available on Hopkins Street and Station Street in proximity to the site.

(c) *the availability and frequency of public transport within a 400m walking distance of the site;*

The site is located approximately 195m from the Main Road transit corridor, which is serviced by high-frequency public bus services.

(d) *the availability and likely use of other modes of transport;*

The intercity cycleway is located near the site, adjoining Station Street.

(e) *the availability and suitability of alternative arrangements for car parking provision;*

No alternative arrangements for car parking are proposed, although sharing spaces is an option.

(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;*

There is some likelihood of the residential uses on the site having a greater demand on parking outside of office hours, which could provide some capacity for sharing of spaces and reduce the likelihood of regular overspill.

(g) *any car parking deficiency or surplus associated with the existing use of the land;*

There is no existing car parking deficiency or surplus identified for the site.

(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;*

No credit for prior car parking demand is identified for the 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;*

No financial contribution is deemed necessary.

(j) *any verified prior payment of a financial contribution in lieu of parking for the land;*

No financial contribution is deemed necessary.

(k) *any relevant parking plan for the area adopted by Council;*

There is no Council parking plan for the area.

(l) *the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;*

The site is not subject to the Historic 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.*

There are no listed trees on the site.

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

The proposal complies with the acceptable solutions for all the remaining applicable standards of the Parking and Access Code, as detailed at Appendix D.

E7.0 Stormwater Management Code

The Stormwater Management Code applies to all development requiring management of stormwater. The proposal includes new impervious surfaces, and the code applies.

The proposal complies with the acceptable solutions for all the applicable Stormwater Management Code standards, as detailed at Appendix D.

E17.0 Signs Code

The Signs Code applies to the construction, putting up for display or erection as development; and the continuous display as use; of all signs. A new Business Directory sign is proposed, and the code applies.

The proposal complies with the acceptable solutions for all the applicable Signs Code standards, as detailed at Appendix E.

PART F: Specific Area Plans

No Specific Area Plan applies to the site.

INTERNAL REFERRALS

Development Engineer

Council's Development Engineer has reviewed the proposal and made the following comments.

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.

Sight distance is considered adequate to satisfy Clause E5.6.4 Sight distance at accesses, junctions and level crossings.

There are no other clauses of the Road and Railway Assets Code applicable to this application.

E6.0 Parking and Access Code

This code applies to all use and development.

The applicant is proposing six carparking spaces. This results in the site overall having a shortfall of one car parking space required to satisfy the acceptable solution of standard E6.6.1 *Number of Car Parking Spaces*; therefore a variation of carparking is required for the proposed use.

Car parking is available on street and within a Council carpark close to the site at 64 Hopkins Street and with the proposed use adjacent to public transport (bus route), it is considered the deficient car parking space will not create any adverse traffic or parking issues. This is considered to satisfy the performance criteria of standard E6.6.1 *Number of Car Parking Spaces*.

A car parking space for the exclusive use of people with disabilities is required at the rate required by the Building Code of Australia in accordance with the Acceptable Solution of Clause E6.6.2 *Number of Accessible Car Parking Spaces for People with a Disability*. Room is available for this to be accommodated with some minor adjustment of the proposed carparking. It is recommended this accessible carparking space be included a condition of the planning permit

A passing area is proposed at the road frontage. This satisfies the Acceptable Solution of standard E6.7.3 *Vehicular Passing Areas Along an Access*.

The proposed car parking appears to be in accordance with AS2890 *Off Street Car Parking* as required by standard E6.7.5 *Layout of Parking Areas*. A condition of the planning permit is recommended that car parking be constructed to this standard.

The applicant has shown the car parking area to be sealed. This is adequate to satisfy the Acceptable Solution of standard E6.7.6 *Surface Treatment of Parking Areas*.

Standard E6.7.7 *Lighting of Parking Areas* has been addressed separately in the planning report to meet the acceptable solution of this clause.

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 shown how stormwater from new impervious areas can be connected to public stormwater to satisfy the Acceptable Solution of standard E7.7.1 *Stormwater Drainage and Disposal*.

Water sensitive urban design principles (stormwater treatment via bio-retention basin/swales) are required to satisfy standard E7.7.1 (A2). The applicant has shown an area for a swale drain for stormwater treatment; however, a condition of approval is recommended to require further details be provided prior to building approval to satisfy the acceptable solution of this standard.

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 are 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.

Waste Management Officer

The proposal was referred to Council's Waste Management Officer, and no objection was received.

EXTERNAL REFERRALS

TasWater

TasWater has reviewed the proposal and does not object, subject to conditions.

TasGas

TasGas has reviewed the proposal and does not object.

REPRESENTATIONS

The application was advertised for the statutory 14-day period, from 7th until 20th November 2018 (inclusive), with no representations being received during the advertising period.

One representation was received on 24th November 2018, after completion of advertising. The issues raised are as follows.

1. Use of proposed offices

The representor requests clarification of the use of the two proposed offices, noting that an earlier iteration of the proposal included three offices.

Planner's Comment:

The concern relates to clause 21.2 *Use Table*.

It is confirmed that one office is proposed to be used for real estate agency, and the other for a travel agency. Both proposed uses are classified as Business and Professional Services, which has 'Permitted' status in the zone, as detailed in the Use Table section of this report.

Use for a translation services business is no longer proposed for the site.

2. Hours of Operation

The representor requests clarification of the hours of operation for the proposed offices. The representor is concerned whether 'working days' (as proposed in the application) equates to 'weekdays.'

Planner's Comment:

The concern relates to standard 21.3.1 *Hours of Operation*.

It is confirmed that the proposed office hours of operation are 9.00am to 5.00pm, Monday to Friday inclusive, and do not include weekends. This is less than the hours allowed for in Acceptable Solution A1, which are from 6.00am to 10.00pm Mondays to Saturdays inclusive, and 7.00am to 9.00pm on Sundays and Public Holidays, except for office and administrative tasks.

3. Noise

The representor includes reference to the noise level in the area.

Planner's Comment:

The concern relates to standard 21.3.2 *Noise*.

The noise standard relates to noise emissions measured at the boundary of a residential zone. The nearest residential zone is located approximately 53m to the east, and is separated from the subject site by the adjoining General Business-zoned lot at 89 Hopkins Street, and the adjacent Utilities zone containing a disused railway. The proposed development is not considered to generate noise emissions that would impact adversely on a residential zone.

4. Height

The representor considers that the proposed building is too high, and is incompatible with the four neighbouring, single-storey dwellings.

Planner's Comment:

This concern relates to standard 21.4.1 *Building Height*.

The proposed development complies with Acceptable Solution A1 for the building height standard. The Acceptable Solution for the standard does not include consideration of compatibility with the scale of nearby buildings.

The applicant declined to reduce the height of the proposed building in response to the concerns raised in the representation.

5. Setback

The representor objects to the proposed nil setback from the side and rear boundaries. The representor is concerned about previous expenditure on the existing fence, and considers that the nil setback will create unreasonable overshadowing of the neighbouring properties.

Planner's Comment:

This concern relates to standard 21.4.2 *Setback*.

The setback standard relates to frontage setback, and setback from a residential zone. There are no standards relating to setbacks from side or rear boundaries, with respect to zones other than residential zones. The nearest residential zone is approximately 53m from the site, and does not constrain the proposed development. The proposed nil side and rear boundary setbacks are acceptable under the Scheme.

The applicant declined to increase the proposed side or rear boundary setbacks in response to the concerns raised in the representation.

6. Design

The representor queries the reason for the stepped height of the parapet on the north elevation (also evident on the south elevation).

Planner's Comment:

This concern relates to standard 21.4.3 *Design*.

The design standard does not govern the profile of building walls. This issue is not a planning issue that can be considered as part of this application.

The applicant declined to alter the profile of the proposed building in response to the concerns raised in the representation. The applicant advises that the height of the parapet is designed with consideration for safety of workers in the event that work on the roof is required, and to contribute to safe fire separation of buildings.

7. Boundary fence

The representor is concerned that the proposed development will displace the existing boundary fence, for which financial contribution has been paid. The representor considers that the owner is liable to pay compensation in relation to the fence.

Planner's Comment:

The 21.4.7 *Fencing* standard relates to the height and transparency of fences within 4.5m of the frontage, and along a common boundary with land in a residential zone.

The site does not share any boundaries with land in a residential zone. There are no Scheme standards relating to financial contributions or compensation relating to boundary fences, which are governed by the *Boundary Fences Act 1908*. The concern is not one that can be considered under the Planning Scheme.

8. Property value

The representor is concerned that neighbouring property values will be adversely impacted by the proposed development.

Planner's Comment:

There are no Scheme standards relating to impact on property value. This issue is not a planning issue that can be considered as part of this application.

9. Right to quiet enjoyment

The representor emphasises the right of existing neighbouring residential uses to ongoing quiet enjoyment of their land.

Planner's Comment:

Nearby lots include dwellings at 81-83, 85 and 89 Hopkins Street, and 48 Station Street, all within the General Business zone.

Although several of the zone standards relate to impacts on residential-zoned land, there are no standards in the zone that relate to impacts on residential use within non-residential zoned land.

Considered more broadly, the proposed uses for Business and professional services, and first-floor Residential use, have Permitted status in the zone. In contrast, Residential use at ground floor level, other than for a home-based business, has Discretionary status in accordance with the zone use table. The proposed development may therefore be considered more closely in alignment with the intent of the zone, than the neighbouring ground-floor residential uses.

Consideration of a potential common law right to quiet enjoyment is outside Planning scope and expertise, or the jurisdiction of the Planning Authority. This issue is not a planning issue that can be considered as part of this application.

10. Compliance

The representor is concerned that the development may not be intended for use as proposed, and requests Council monitoring of the use of the development.

Planner's Comment:

The representor's concern is noted, and the permit will be recommended for follow-up compliance monitoring.

CONCLUSION

The proposal relies on performance criteria for compliance with the number of car parking spaces standard. The proposal is assessed as satisfying the performance criteria and complies with the standards. The proposal is assessed as complying with all other use and development standards in the General Business zone, as well as the applicable standards of the Road and Railway Assets Code, Parking and Access Code, Stormwater Management Code and Signs Code. The application was publicly advertised for the statutory 14-day period and no statutory representations were received. One representation was received after the advertising period completed, and did not raise any issues that necessitate refusal in accordance with the Scheme. It is concluded that the proposal is consistent with the requirements of the Scheme and is satisfactory.

Recommendation:

That a permit be granted for the proposed use and development of Two Multiple Dwellings (one new) and partial change of use to Business and Professional Services at 87 Hopkins Street, Moonah subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-18-218 and Drawing No. P1 (page 4) submitted on 24/08/2018 and Drawing No. P3 submitted on 26/10/2018, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Amended Submission to Planning Authority Notice, reference No. TWDA 18/01442-GCC, dated 13/11/2018, form part of this permit.
3. The layout of the uses on the endorsed plans must not be altered without the written consent of Council. Specifically:
 - (a) The first floor dwelling must be used as a dwelling;
 - (b) The ground floor offices must be used as offices, for a real estate investment service and a travel agency;
 - (c) The ground floor garage must be kept available for vehicle parking at all times; and
 - (d) The existing dwelling must be used as a dwelling.
4. The approved hours of operation for the offices on the site are 9.00am to 5.00pm, Monday to Friday inclusive.
5. Security shutters must not be installed over windows or doors with frontage to the street or a public place.
6. The Business Directory sign must not resemble Statutory Signs in shape, size, design, colour, letter size or lighting.
7. Lighting must be provided generally as shown on the approved plans, to illuminate car parking areas and pathways, and provide well-lit public access at the ground floor level, for the duration of the uses as approved.

The lighting must be provided 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*.
8. Landscaping comprising at least 5 percent of the area of the car park must be provided generally as shown on the approved plans. The landscaped area must be finished with a non-impervious surface, must be planted with vegetation prior to the issuing of Building approval, and must be maintained in a satisfactory, vegetated condition for the life of the use as approved.

Engineering

9. 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.
10. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
11. Five (5) clearly marked car parking spaces must be provided prior to use as approved and kept available for these purposes at all times. Car parking spaces, manoeuvring areas and aisles must be provided in accordance with the Australian Standard AS 2890.1 – 2004 *Off-Street Parking*. In areas set aside for car parking, securely fixed wheel stops or kerbing must be provided to the satisfaction of Council to prevent damage to fences or landscaped areas.
12. Of the required number of car parking spaces, one (1) car parking space must be provided for the exclusive use of people with disabilities. The space must be clearly marked and sealed with an impervious dust free surface in accordance with the standard for accessible car parking laid down in Australian Standard AS/NZS 2890.6:2009 - *Off-street parking for people with disabilities*.
13. Detailed engineering drawings showing the driveway and manoeuvring areas, internal service lines and connections to existing infrastructure, surface drainage collection, pavement composition and finished levels, must be submitted with the Building Application for approval by Council's Development Engineer.
14. Driveways, car parking and turning areas must be constructed and sealed with an approved impervious surface treatment prior to use as approved. All runoff from paved and driveway areas must be retained within site boundaries and discharged into Council's stormwater system. Construction details must generally be in accordance with Council's standard requirements. 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.
15. Water-Sensitive Urban Design (WSUD) principles for the treatment and disposal of stormwater discharging from the development must be incorporated into the development. The Developer must submit detailed WSUD plans to the satisfaction of Council's Development Engineer, prior to building approval.

16. The vehicle crossing extension and associated concrete passing bay must be constructed in accordance with the *Urban Roads Typical Driveway* standard between the kerb and the property boundary. Any driveway / crossover work within Council's road reservation must be carried out by a Council-approved contractor and all work must be reinstated to match the existing adjacent footpath/nature strip profile. An inspection must be undertaken by a Council Inspector, prior to the placement of any concrete. Please contact Council to arrange a suitable time for the inspection to occur with adequate prior notice. A reinspection fee may apply to work that is not to Council standards. Appropriate traffic control and safety fencing must be provided to ensure public safety is not compromised and the works must not take longer than 48 hours to complete and be made available for safe pedestrian use.

Advice: the Urban Roads Typical Driveway standard can be found on Council's website at:

<https://www.qcc.tas.gov.au/residents/living-in-glenorchy/driveways.aspx>.

17. 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 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.

APPENDIX A

21.0 General Business

Standard	Acceptable Solution	Proposed	Complies?
21.3 Use Standards			
21.3.1 Hours of Operation	A1 Hours of operation of a use within 50 m of a residential zone must be within: (a) 6.00 am to 10.00 pm Mondays to Saturdays inclusive; (b) 7.00 am to 9.00 pm Sundays and Public Holidays. except for office and administrative tasks.	The proposed hours of operation are 10am to 5pm Monday-Friday.	Yes
21.3.2 Noise	A1 Noise emissions measured at the boundary of a residential zone must not exceed the following: (a) 5dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm; (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm to 7.00 am; (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.	Not applicable. The nearest residential zone is located approximately 53m to the east, and is separated from the subject site by the adjoining General Business lot at 89 Hopkins Street, and the adjacent Utilities zone containing a disused railway. The proposed development is not considered to generate noise emissions that would impact on a residential zone.	NA

Standard	Acceptable Solution	Proposed	Complies?
	Noise levels are to be averaged over a 15 minute time interval.		
21.3.3 External Lighting	A1 External lighting within 50 m of a residential zone must comply with all of the following: (a) be turned off between 11:00 pm and 6:00 am, except for security lighting; (b) Security lighting must be baffled to ensure they do not cause emission of light outside the zone.	Not applicable. The nearest residential zone is located approximately 53m to the east of the subject site.	NA
21.3.4 Commercial Vehicle Movements	A1 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must be within the hours of: (a) 6.00 am to 10.00 pm Mondays to Saturdays inclusive; (b) 7.00 am to 9.00 pm Sundays and public holidays.	Not applicable. The nearest residential zone is located approximately 53m to the east of the subject site.	NA
21.4 Development Standards for Buildings and Works			
21.4.1 Building Height	A1 Building height must be no more than: 12m.	A building height of 8.085m is proposed.	Yes
	A2 Building height within 10 m of a residential zone must be no more than 8.5 m.	Not applicable. The site is not within 10m of a residential zone.	NA
21.4.2 Setback	A1 Building setback from frontage must be parallel to the frontage and must be no more than:	Not applicable. The proposed buildings are located entirely behind the existing dwelling	NA

Standard	Acceptable Solution	Proposed	Complies?
	(a) nil m, if fronting Main Road: or (b) the alignment of adjoining buildings, if fronting a street other than Main Road.	on the site.	
	A2 Building setback from a residential zone must be no less than: (a) 5m; or (b) half the height of the wall, whichever is the greater.	Not applicable. The site is not within 5m of a residential zone.	NA
21.4.3 Design	A1 Building design must comply with all of the following: (a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site; (b) for new building or alterations to an existing facade provide windows and door openings at ground floor level in the front façade no less than 40% of the surface area of the ground floor level façade; (c) for new building or alterations to an existing facade ensure any single expanse of blank wall in the ground level front façade and facades facing other public spaces is not greater than 30% of the length of the facade; (d) screen mechanical plant and miscellaneous equipment such as heat pumps, air conditioning units, switchboards, hot water units or similar from view from the street and other public spaces; (e) incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof;	(a) There is no single main entrance proposed. Each of the three entrances to the proposed building are clearly visible from the proposed car park. (b) Approximately 48% of the surface area of the proposed ground floor level façade is comprised of window and door openings. (c) The maximum single expanse of blank wall is approximately 20% of the length of the proposed public-facing façade. (d) No mechanical plant or miscellaneous equipment is proposed. The proposed building is located behind the existing dwelling, and any such equipment is likely to be screened from view of the street. (e) No roof-top infrastructure is	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(f) provide awnings over the public footpath if existing on the site or on adjoining lots; (g) not include security shutters over windows or doors with a frontage to a street or public place.	proposed. (f) Not applicable. (g) No security shutters are proposed. A condition is recommended to require compliance.	
	A2 Walls of a building facing a residential zone must be coloured using colours with a light reflectance value not greater than 40 percent.	Not applicable. The development does not face a residential zone.	NA
21.4.4 Passive Surveillance	Building design must comply with all of the following: (a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site; (b) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the front façade which amount to no less than 40 % of the surface area of the ground floor level facade; (c) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the façade of any wall which faces a public space or a car park which amount to no less than 30 % of the surface area of the ground floor level facade; (d) avoid creating entrapment spaces around the building site, such as concealed alcoves near public spaces; (e) provide external lighting to illuminate car parking areas and pathways; (f) provide well-lit public access at the ground floor level from any external car park.	(a) There is no single main entrance proposed. Each of the four entrances to the proposed building are clearly visible from the proposed car park. (b) Approximately 48% of the surface area of the proposed ground floor level façade is comprised of window and door openings. (c) Approximately 48% of the surface area of the proposed ground floor level façade is comprised of window and door openings. (d) The proposed building is rectangular and adjoins the rear and side boundaries. No entrapment spaces are created by the proposal. (e) Four sensor-controlled lights are proposed to light the car parking area. (f) Two sensor-controlled lights are proposed under each corner of the first	Yes

Standard	Acceptable Solution	Proposed	Complies?
		floor walkway, which will light the access area of the building.	
21.4.5 Landscaping	A1 Landscaping is not required along the frontage in this zone.	Not applicable.	NA
	A2 Along a boundary with a residential zone landscaping must be provided for a depth no less than: 2m.	Not applicable.	NA
21.4.6 Outdoor Storage Areas	A1 Outdoor storage areas for non-residential uses must comply with all of the following: (a) be located behind the building line; (b) all goods and materials stored must be screened from public view; (c) not encroach upon car parking areas, driveways or landscaped areas.	Not applicable. No outdoor storage for non-residential use is proposed.	NA
21.4.7 Fencing	A1 Fencing must comply with all of the following: (a) fences, walls and gates of greater height than 1.5 m must not be erected within 4.5 m of the frontage; (b) fences along a frontage must be at least 50% transparent above a height of 1.2 m; (c) height of fences along a common boundary with land in a residential zone must be no more than 2.1 m and must not contain barbed wire.	Not applicable. No new fences are proposed.	NA

APPENDIX B**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.	Not applicable. The road is not a category 1 or category 2 road.	NA
	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.	Not applicable. The site is in a 50km/h zone.	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.	The application proposes six trips per day. Council's Development Engineer has reviewed the proposal and does not object on this basis.	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.	Not applicable.	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.	The proposal complies with A1.2.	Yes
	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.	The proposed new building is located within a row of existing buildings and is set back from the railway further than the immediately adjacent buildings.	Yes
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 applicable. The site is not 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.	One access is proposed.	Yes
E5.6.3 New Level Crossings	A1 No Acceptable Solutions.	Not applicable.	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.	Council's Development Officer has reviewed the proposal and does not object on this basis.	Yes

APPENDIX C**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.	Seven car parking spaces are required, comprising four spaces for the proposed offices and two spaces for each of the proposed multiple dwellings. Six car parking spaces are proposed.	No
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.	Council's Development Engineer has reviewed the proposal and does not object on this basis.	Yes

Standard	Acceptable Solution	Proposed	Complies?
E6.6.3 Number of Motorcycle Parking Spaces	A1 The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.	No on-site motorcycle parking spaces are required.	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 bicycle parking spaces are required, and none are proposed. Office use: Table E6.2 requires one space for each 250m ² floor area after the first 250m ² floor area. Less than 250m ² office floor area is proposed. Residential use (multiple dwellings): no bicycle parking spaces are required.	Yes
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.	One, existing access is proposed.	Yes

Standard	Acceptable Solution	Proposed	Complies?
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.	Council's Development Engineer has reviewed the proposal and does not object on this basis.	Yes
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.	Council's Development Engineer has reviewed the proposal and does not object on this basis.	Yes

Standard	Acceptable Solution	Proposed	Complies?
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.	Hopkins Street is not identified on Council maps as being a high traffic volume road. However, the access is to serve two offices in addition to two dwelling units, and on-site turning is therefore required. Council's Development Engineer has reviewed the proposal and does not object on this basis.	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.	Council's Development Engineer has reviewed the proposal and does not object on this basis.	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.	A sealed surface is proposed.	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.	Lighting is proposed. A condition is recommended to ensure the lighting meets the required standards.	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.	Landscaping comprising 5% of the car parking area is proposed between the car park to the rear of the existing dwelling, and the side boundary.	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.	Not applicable.	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;	Not applicable.	NA

Standard	Acceptable Solution	Proposed	Complies?
	(b) be located within 30 m of the main entrance to the building.		
	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 applicable.	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.	Not applicable.	NA
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.	All proposed parking is located behind the building line.	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:	Not applicable. No commercial vehicle facilities are proposed.	NA

Standard	Acceptable Solution	Proposed	Complies?
	(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.	Council's Development Engineer has reviewed the proposal and does not object on this basis.	Yes

APPENDIX D**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.	Gravity-fed drainage to Council stormwater mains is proposed.	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.	A landscaping area is proposed adjoining the car parking area behind the existing dwelling. Council's Development Engineer has reviewed the proposal and does not object on this basis.	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; (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.	Council's Development Engineer has reviewed the proposal and does not object on this basis.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	A4 A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.	Council's Development Engineer has reviewed the proposal and does not object on this basis.	Yes

APPENDIX E**E17.0 Signs Code**

Standard	Acceptable Solution	Proposed	Complies?
E17.6 Use Standards			
E17.6.1 Use of Signs	A1 A sign must be a permitted sign in Table E17.3	Business Directory signs are permitted signs in the General Business zone.	Yes
	A2 A sign associated with the sale of goods or services must relate directly to the use of the building or site to which it is affixed.	The proposed sign does not relate to the building to which it is to be affixed, but does relate directly to the site.	Yes
	A3 A sign must not contain flashing lights, moving parts or changing messages or graphics, except if a Statutory Sign	No lighting, movement or changing display is proposed.	Yes
	A4 An illuminated sign must not be located within 30 metres of a residential use, except if a Statutory Sign.	No illumination of the sign is proposed.	Yes
E17.7 Development Standards			
E17.7.1 Standards for Signs	A1 A sign must comply with the standards listed in Table E.17.2 and be a permitted sign in Table E17.3.	The proposed sign is a permitted sign in the zone. The standards require no more than 1 Business Directory sign per building, and maximum dimensions of 2m vertically and 0.6m horizontally. The proposed sign is 1.5m high and 0.6m long.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	A2 The number of signs per business per street frontage must comply with all of the following: (a) maximum of 1 of each sign type; (b) maximum of 1 window sign per window; (c) if the street frontage is less than 20 m in length, the maximum number of signs on that frontage is 3; (d) if the street frontage is 20 m in length or greater, the maximum number of signs on that frontage is 6. except for the following sign types, for which there is no limit; (i) Building Site, (ii) Name Plate, (iii) Newspaper Day Bill, (iv) Open/Closed, (v) Real Estate, (vi) Street Number, (vii) Temporary Sign.	One sign is proposed.	Yes
	A3 Signs must not obscure or prevent or delay a driver from seeing a Statutory Sign or a Tourist Information Sign.	The proposed sign will not impede drivers' views of any other sign.	Yes
	A4 Signs must not resemble Statutory Signs because of the same or similar shape, size, design, colour, letter size or lighting.	A condition is recommended to ensure the proposed sign does not resemble Statutory Signs.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	A5 For properties that have a common boundary with Brooker Avenue, any advertising sign must be located at least 5m from that boundary.	Not applicable.	NA
E17.7.2 Standards for signs on Heritage Places subject to the Heritage Code or within Heritage Precinct or Cultural Landscape Precincts	A1 No acceptable solution.	Not applicable.	NA

Attachments/Annexures

- 1** Attachment - 87 Hopkins Street, Moonah



**6. PROPOSED USE AND DEVELOPMENT - SINGLE DWELLING -
164 BRANSCOMBE ROAD, CLAREMONT**

Author: Planning Officer (Angela Dionysopoulos)

Qualified Person: Planning Officer (Angela Dionysopoulos)

Property ID: 2674762

REPORT SUMMARY:

Application No.:	PLN-18-229
Applicant:	Bryden Homes Pty Ltd
Owner:	A R Entresz
Zone:	General Residential
Use Class:	Residential
Application Status:	Discretionary
Discretions:	10.4.3 Site coverage and private open space for all dwellings, E6.6.1 Number of Car Parking Spaces, E11.7.1 Buildings and Works (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	11 December 2018
Existing Land Use:	Vacant land
Proposal in Brief:	Single Dwelling
Representations:	0
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL:

PROPOSAL

The application proposes construction of a new, three-bedroom dwelling on a vacant lot.

The proposed dwelling has a minimum frontage setback of approximately 5.3m (excluding steps) and a minimum side boundary setback of 2m. A maximum building height of 6.5m is proposed.

A deck with a floor level of more than 1m above natural ground level is proposed adjoining the living room on the western side of the dwelling, facing the frontage. The proposed deck has a minimum side boundary setback of approximately 3.4m.

An area is proposed to be excavated to provide a private open space at the rear of the dwelling.

One, internal car parking space is proposed in the lower floor single garage.

Seven Eucalyptus trees are proposed to be removed.

SITE and LOCALITY

The site is a 720m², vacant lot with some mature native vegetation and a steep, south-westerly gradient of approximately 1 in 3 (Figure 1).



Figure 1 – Aerial photograph of the site (highlighted) and surrounds – Council database 2015

The area is characterised by its location at the western fringe of Claremont, containing relatively recent suburban development for single and multiple dwellings to the north; a tract of Council-owned land associated with Abbotsfield Rivulet to the south; and large, privately-owned lots further to the south-west.

ZONE

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

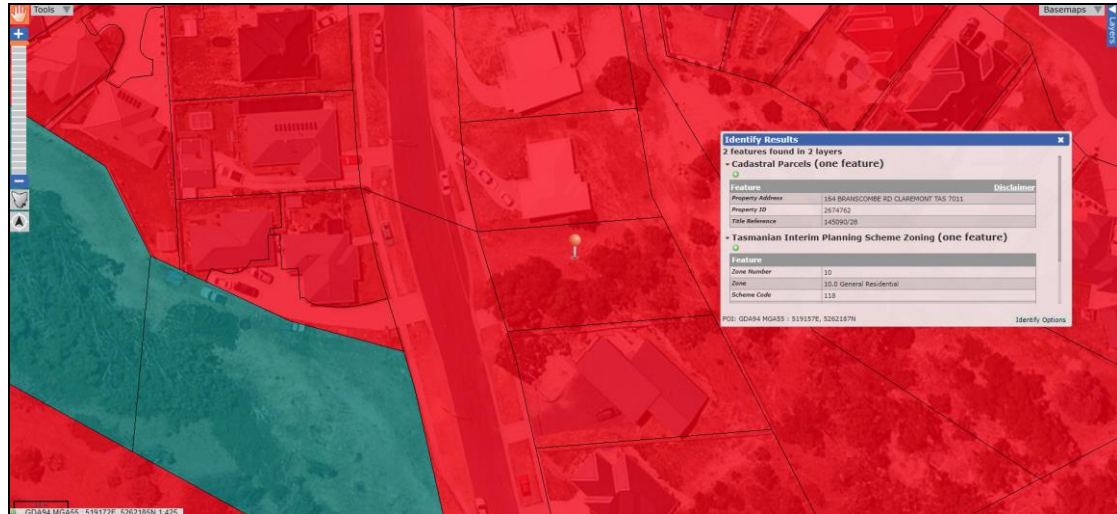


Figure 2 – The site is in the General Residential zone (red). An Environmental Management zone (teal) is located approximately 20m to the south-west of the site. - Glenorchy Interim Planning Scheme 2015

BACKGROUND

No planning background was identified in a search of Council records.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil.

Limited Exemptions

Nil.

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

No Specific Area Plan applies to the site. The Parking and Access Code and Stormwater Management Code apply, and therefore prevail over the zone provisions, in the case of any conflict.

Use Class Description (Table 8.2):

The use class is **Residential**, which 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):

Watercourse means a defined channel with a natural or modified bed and banks that carries surface water flows.

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

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

The proposal is for a single residential dwelling on a suburban lot, utilising existing mains service infrastructure. The proposal accords with the zone purpose.

Use Table

Residential use for a single dwelling has 'no permit required' status in the zone. However, the proposal is discretionary owing to reliance on performance criteria for compliance with the standards for site coverage and private open space for all dwellings, and buildings and works.

Use Standards

The use standards relate to non-residential use, local shops and visitor accommodation, and do not pertain to the proposal.

Development Standards for Residential Buildings & Works*10.4.3 Site coverage and private open space for all dwellings (A2)*

Acceptable Solution A2 requires a compliant area of private open space to be adjacent to a habitable room (other than a bedroom). The proposed area of private open space is offset from the living areas of the proposed dwelling, and the proposal relies on Performance Criterion P2 for compliance with the standard.

Performance Criterion P2 requires that 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:*

The proposed area of private open space is approximately 48m² with a minimum dimension of 6m and has a gradient of no more than 1 in 10. The area provides ample room for outdoor living activities.

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

The proposed area of private open space is located approximately 3m from a door to the open-plan living area of the proposed dwelling.

- (ii) orientated to take advantage of sunlight.*

The proposed space is located to the east of the proposed dwelling, and would receive ample sunlight during the first half of the day.

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

The proposal complies with the acceptable solutions for all the remaining applicable zone development standards, as detailed at Appendix A.

Part E: Codes

The following codes of the Scheme apply to this proposal.

E5.0 Road and Railway Assets Code

The Road and Railway Assets Code applies to use or development of land that requires a new vehicle crossing or intensifies the use of an existing access. No new vehicle crossing is proposed. The proposed development for a single dwelling is not considered to intensify the use of the existing access, and the code does not apply.

E6.0 Parking and Access Code

The Parking and Access Code applies to all use and development.

E6.6.1 Number of Car Parking Spaces (A1)

Acceptable Solution A1 requires two car parking spaces for a single dwelling with two or more bedrooms. The proposed dwelling has one car parking space, and the proposal relies on Performance Criterion P1 for compliance with the standard.

Performance Criterion P1 requires that 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;*

The development is for a three-bedroom single dwelling of a modest scale. It is reasonable to consider that the dwelling may be serviced by a single vehicle.

(b) *the availability of on-street and public car parking in the locality;*

There are no nearby public car parking areas. However, on-street parking is available at the frontage. Reasonable demand for the onsite parking from nearby dwellings is limited due to the provision of multiple on-site car parking spaces for most of those dwellings.

(c) *the availability and frequency of public transport within a 400m walking distance of the site;*

The nearest public bus route is in excess of 400m walking distance of the site.

(d) *the availability and likely use of other modes of transport;*

The occupants could potentially have access to a motorcycle, or use taxi or ride-sharing services. There are no nearby walking tracks or cycle paths; and the locality is not well-served by public transport.

(e) *the availability and suitability of alternative arrangements for car parking provision;*

No alternative arrangements for car parking provision are proposed.

(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;*

No sharing of car parking spaces is proposed.

(g) *any car parking deficiency or surplus associated with the existing use of the land;*

There is no 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;*

No credit for existing car parking demand applies.

(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;*

No financial contribution is deemed necessary.

- (j) any verified prior payment of a financial contribution in lieu of parking for the land;*

No financial contribution is deemed necessary.

- (k) any relevant parking plan for the area adopted by Council;*

There is no parking plan for the area.

- (l) the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;*

The site is not 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.*

There are no significant trees listed on the site.

Although the area is not well-served by alternative transport options, the modest scale of the development is considered likely to generate only a relatively limited demand for car parking. Nearby on-street parking is considered to have capacity to support additional demand from the site, if needed.

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

The proposal complies with the acceptable solutions for all the remaining applicable standards of the code, as detailed at Appendix B.

E7.0 Stormwater Management Code

The Stormwater Management Code applies to all development requiring management of stormwater. New impervious surfaces are proposed, and the code applies.

The proposal complies with the acceptable solutions for all the applicable standards of the code, as detailed at Appendix C.

E11.0 Waterway and Coastal Protection Code

The Waterway and Coastal Protection Code applies to development on land within a Waterway and Coastal Protection Area.

The south-west corner of the site is within a Waterway and Coastal Protection area, as shown in Figure 3.

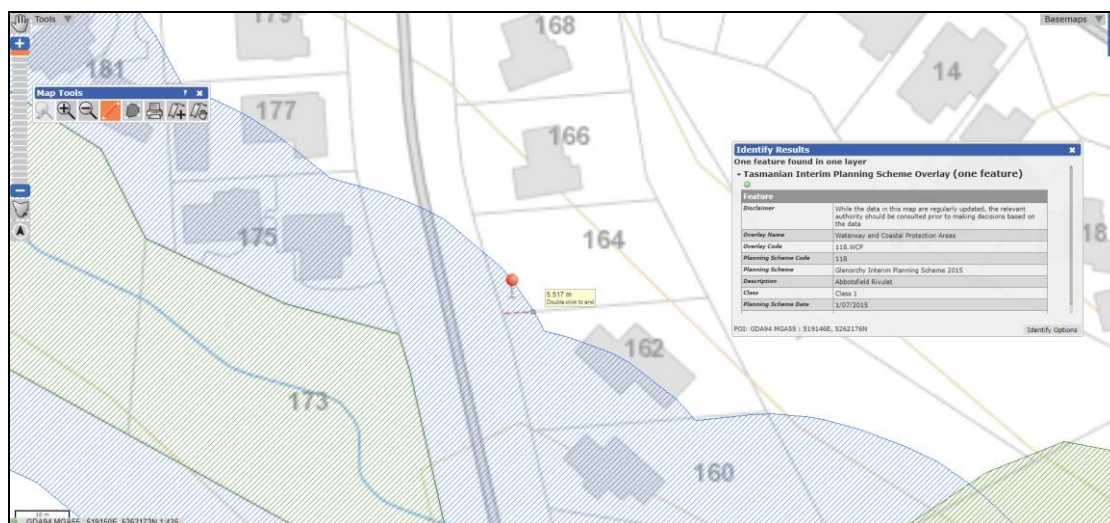


Figure 3 – The site is partially located within a Waterway and Coastal Protection Area - Glenorchy Interim Planning Scheme 2015

Driveway works and removal of one tree are proposed within the protected area, and the code applies.

E11.7.1 Buildings and Works (A1)

Acceptable Solution A1 requires buildings and works within a Waterway and Coastal Protection Area to be within a building area on a plan of subdivision approved under the planning scheme. There is no building area on the title and works involving soil disturbance and vegetation removal are proposed within the protected area. The proposal relies on Performance Criterion P1 for compliance with the standard.

Performance Criterion P1 requires building and works within a Waterway and Coastal Protection Area to satisfy all of the following:

- (a) *avoid or mitigate impact on natural values;*

One mature Eucalypt is proposed for removal within the Waterway and Coastal Protection Area. The removal of the tree is not considered to impact on the natural values of the waterway, which is separated from the subject site by a road.

- (b) *mitigate and manage adverse erosion, sedimentation and runoff impacts on natural values;*

A condition is recommended to require a Soil and Water Management Plan for the proposed development.

- (c) *avoid or mitigate impacts on riparian or littoral vegetation;*

The tree proposed for removal is separated from the waterway by a road, and effectively does not constitute riparian or littoral vegetation.

- (d) *maintain natural streambank and streambed condition, (where it exists);*

No impact on the streambank or streambed is proposed.

- (e) *maintain in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;*

No impact on the in-stream habitat is proposed.

- (f) *avoid significantly impeding natural flow and drainage;*

No impact on natural flow is proposed. Proposed drainage of stormwater from the impervious surfaces of the site is not considered to be significant.

- (g) *maintain fish passage (where applicable);*

No impact on the waterway structure is proposed.

- (h) *avoid landfilling of wetlands;*

No landfilling of wetlands is proposed.

- (i) *works are undertaken generally in accordance with 'Wetlands and Waterways Works Manual' (DPIWE, 2003) and "Tasmanian Coastal Works Manual" (DPIPWE, Page and Thorp, 2010), and the unnecessary use of machinery within watercourses or wetlands is avoided.*

No works or use of machinery within the watercourse is proposed.

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

The proposal meets the acceptable solutions for all the remaining applicable zone development standards, as detailed at Appendix A.

PART F: Specific Area Plans

No Specific Area Plan applies to the site.

INTERNAL REFERRALS

Development Engineer

Council's Development Officer has reviewed the proposal and made the following comments.

Traffic, Access & Parking

The site can be accessed off the existing vehicular access onto the site. The site is steep but will comply with AS2890.1:2004 the maximum gradients of 20% as shown on the plan received. One parking space is proposed to be located in the garage and while the driveway grade exceeds 5% the driveway area is not an approved parking area in the case; this means that there is one parking shortfall. Since, on street parking is available it is considered the shortfall is acceptable. It is therefore considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected.

GCC Services (Stormwater)

There are no GCC stormwater mains affected by this application; and the stormwater connection is available off the road frontage, the lowest point of the site.

Other

Geoscience issues

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

Flooding/Inundation issues

Small corner part of the site is over the Waterway and coastal Protection overlay (E11); however due to the location of the proposed building and the scope of the development, it is unlikely that the development will cause any inundation and runoff impacts.

Environment Officer

Council's Environment Officer has reviewed the proposal and made the following comments.

The proposed single dwelling requires the removal of seven mostly Eucalyptus trees. Only one appears to be within the Waterway and Coastal Protection Area. This tree should be retained (Figure 4 and Figure 5).



Figure 4 – Tree for protection marked within Waterway and Coastal Protection Area – Glenorchy Interim Planning Scheme 2015



Figure 5 – Tree to be retained, adjacent to footpath and real estate sign in this image - Google Street View

EXTERNAL REFERRALS

No external referrals were deemed necessary.

REPRESENTATIONS

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

CONCLUSION

The proposal relies on performance criteria for compliance with the standards for site coverage and private open space for all dwellings, and buildings and works. The proposal is assessed as satisfying the performance criteria and complies with the 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 Parking and Access Code and the Stormwater Management Code. The application was publicly advertised for the statutory 14-day period and no representations were received. It is concluded that the proposal is consistent with the requirements of the Scheme and is satisfactory.

Recommendation:

That a permit be granted for the proposed use and development of Single Dwelling at 164 Branscombe Road Claremont subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-18-229 and Pages 2-3 of Drawing No. P2 submitted on 15/10/2018, and Drawings No. P3 submitted on 23/10/2018 and 29/10/2018, except as otherwise required by this permit.
2. Works must be undertaken in accordance with the '*Wetlands and Waterways Works Manual*' (DPIWE, 2003).

Engineering

3. Prior to the issuing of a Building Approval or the commencement of works on site, (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 or demolition and must be regularly inspected and maintained during the construction and demolition period to prevent soil and other materials entering the local stormwater system, roadways or adjoining properties. The approved control measures must remain in place until such time as all construction activity likely to generate sediment has been completed or all disturbed areas have been stabilised using vegetation and/or restored or sealed to the satisfaction of the Council. The approved Soil and Water Management Plan (SWMP) forms part of this permit and must be complied with.

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

4. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
5. All internal hydraulic service works required for the development must be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor. Any alterations or works to Council mains must be undertaken by Council at the developer's cost.
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 Council's Development Engineer. Drawings showing the driveway details must be in accordance with the Australian Standard and submitted with the Building Application for approval by Council's Development Engineer, prior to the commencement of works on site. The proposed driveway and parking must comply with the following:-
 - a) Be constructed to a sealed finish and the finished gradient must not exceed the maximum gradient of 20%;

- b) Vertical alignment must 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%;
- c) All runoff from paved and driveway areas must be discharged into Council's stormwater system;
- d) The gradient of any parking areas must not exceed 5%; and
- e) Minimum carriageway width is to be no less than 3.0 metres.

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

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.

Service infrastructure

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.

Environment

The mature Eucalyptus tree adjacent to the footpath, to the north of the existing crossover, is located within a Waterway and Coastal Protection Area. It is advised that no felling, lopping, ringbarking or otherwise injuring or destroying the tree should occur, unless, based on the advice of a suitably qualified arborist, the tree is unable to be retained because either:

- The health and viability of the tree is such that it represents a danger; and/or,

- There are no reasonable mitigation or protection measures able to be implemented to minimise the impacts of the development on the health of this tree and avoid its loss within the scope of the approved development.

The tree identified for retention should be appropriately protected during construction to ensure that no damage is inflicted that may impact upon the health of the tree or cause it to die. This includes establishing and maintaining a Tree Protection zone in accordance with AS 4970-2009 (calculated as 12 x trunk diameter at 1.4m above ground level (DBH)) to exclude:

- Storing of building materials;
- Vehicular traffic;
- Placement of fill; and
- Excavation works.

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.	Not applicable.	NA
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	The dwelling has a proposed primary frontage setback of approximately 5.3m.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(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.	The proposed garage is located below the floor area of the dwelling, and has a primary frontage setback of 6.6m.	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: (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	The proposed dwelling is contained within the building envelope.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(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: (ii) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or (iii) 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	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 12% is proposed. Substantially more than 25% of the site area remains free of proposed impervious surfaces.	Yes
	A2 A dwelling must have an area of private open space that:	The proposed area of private open space is not directly adjacent to a habitable room	No

Standard	Acceptable Solution	Proposed	Complies?
	(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 (c) 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 (d) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and (e) 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 (f) 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 (g) has a gradient not steeper than 1 in 10; and (h) is not used for vehicle access or parking.	other than a bedroom.	
10.4.4 Sunlight overshadowing of all dwelling	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	Living and dining room windows with an orientation of approximately 15 degrees west of north are proposed.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	Diagram 10.4.4A).		
	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. (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.	Not applicable.	NA
	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	Not applicable.	NA

Standard	Acceptable Solution	Proposed	Complies?
	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.		
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 proposed garage has an opening width of approximately 2.4m.	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	The proposed deck has a minimum side boundary setback of more than 3m.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	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.		
	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	There are no proposed windows with a floor level of more than 1m located within 3m of a side boundary or 4m of the rear boundary.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(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.	Not applicable.	NA

Standard	Acceptable Solution	Proposed	Complies?
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).	Not applicable. No fencing is proposed.	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 m ² 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.	Not applicable.	NA

APPENDIX B**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.	Two car parking spaces are required. One space is proposed.	No
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 applicable.	NA

Standard	Acceptable Solution	Proposed	Complies?
E6.6.3 Number of Motorcycle Parking Spaces	A1 The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.	Not applicable.	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.	Not applicable.	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.	One vehicle access point is proposed.	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;	Council’s Development Engineer has reviewed the proposal and does not object on this basis.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 "Access Driveways and Circulation Roadways" of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.		
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.	Not applicable.	NA
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.	The access is to serve a single dwelling. No on-site turning is required.	Yes

Standard	Acceptable Solution	Proposed	Complies?
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.	Council's Development Engineer has reviewed the proposal and does not object on this basis.	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.	A concrete driveway with drainage to stormwater mains is proposed.	Yes
E6.7.7 Lighting of Parking Areas	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.	Not applicable.	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.	Not applicable.	NA

Standard	Acceptable Solution	Proposed	Complies?
	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.		
E6.7.9 Design of Motorcycle Parking Areas	A1 The design of motorcycle parking areas must comply with all of the following: (c) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (d) be located within 30 m of the main entrance to the building.	Not applicable.	NA
E6.7.10 Design of Bicycle Parking Facilities	A1 The design of bicycle parking facilities must comply with all the following; (c) be provided in accordance with the requirements of Table E6.2; (d) be located within 30 m of the main entrance to the building.	Not applicable.	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.	Not applicable.	NA

Standard	Acceptable Solution	Proposed	Complies?
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 applicable.	NA
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 applicable.	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: (c) 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; (d) the use is not primarily dependent on outward delivery of goods from the site.	Not applicable.	NA
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements of the road authority.	Council's Development Engineer has reviewed the proposal and does not object on this basis.	Yes

APPENDIX C**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.	Gravity-fed stormwater disposal to Council mains is proposed.	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.	Not applicable.	NA
	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	Council's Development Engineer has reviewed the proposal and does not object on this basis.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	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.	Council's Development Engineer has reviewed the proposal and does not object on this basis.	Yes

APPENDIX D**E11 Waterway and Coastal Protection Code**

Standard	Acceptable Solution	Proposed	Complies?
E11.7 Development Standards			
E11.7.1 Buildings and Works	A1 Building and works within a Waterway and Coastal Protection Area must be within a building area on a plan of subdivision approved under this planning scheme.	There is no building area on the title, and works are proposed within the Waterway and Coastal Protection Area.	No
	A2 Building and works within a Future Coastal Refugia Area must be within a building area on a plan of subdivision approved under this planning scheme.	Not applicable.	NA
	A3 Buildings and works within a Potable Water Supply Area must be within a building area on a plan of subdivision approved under this planning scheme.	Not applicable.	NA
	A4 Development must involve no new stormwater point discharge into a watercourse, wetland or lake.	No new stormwater discharge into a waterway is proposed.	Yes

Attachments/Annexures

- 1** Attachment - 164 Branscombe Road, Claremont



7. PROPOSED USE AND DEVELOPMENT - ADDITION TO COMMUNITY SHED (COMMUNITY MEETING AND ENTERTAINMENT) - 2 WINBOURNE ROAD, WEST MOONAH

Author: Planning Officer (Angela Dionysopoulos)

Qualified Person: Planning Officer (Angela Dionysopoulos)

Property ID: 5452022

REPORT SUMMARY:

Application No.:	PLN-18-249
Applicant:	West Moonah Community House
Owner:	Glenorchy City Council
Zone:	General Residential
Use Class	Community Meeting and Entertainment
Application Status:	Discretionary
Discretions:	9.1 Changes to an existing non-conforming use, 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:	11 December 2018
Existing Land Use:	Community Shed (Community Meeting and Entertainment)
Proposal in Brief:	Addition to Community Shed (Community Meeting and Entertainment)
Representations:	0
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL:

PROPOSAL

The application proposes an addition to an existing community shed (Men's Shed). The proposed addition is 12m long and 5m wide, with a maximum height of 3.33m, and is to adjoin the western façade of the existing shed, resulting in a minimum setback of approximately 10m from the Springfield Avenue frontage.

The addition will displace an existing, approximately 6m x 2m outbuilding (shipping container), which does not have prior planning approval. The shipping container will be relocated to the north of the existing shed on the site and will have a minimum setback of approximately 10m from the Winbourne Road frontage.

Approval for an existing, 2.6m x 4.5m, previously unapproved lean-to addition to the existing shed is also sought as part of this application. The existing addition has a height of 1.7m above natural ground level at a setback of approximately 0.6m from the southern side boundary.

Five on-site car parking spaces are proposed.

Removal of a redundant agricultural drain forms part of the proposal.

SITE and LOCALITY

The site is a roughly triangular, Council-owned parcel of land located at the junction of Winbourne Road and Springfield Avenue in West Moonah (Figure 1).



Figure 1 – Aerial photograph of the site (highlighted) and surrounds – Council database 2015

The site has an area of approximately 1,320m², with an average, westerly gradient of approximately 1 in 6 at the eastern side, transitioning to a northerly gradient of approximately 1 in 28 at the western side.

The site contains a community garden and a community shed with an area of 96m², along with a 11.7m² lean-to addition and a shipping container.

Stormwater and sewer mains traverse the site in proximity to the proposed development (Figure 2). A Council-owned agricultural drain is located partly within the footprint of the proposed addition.

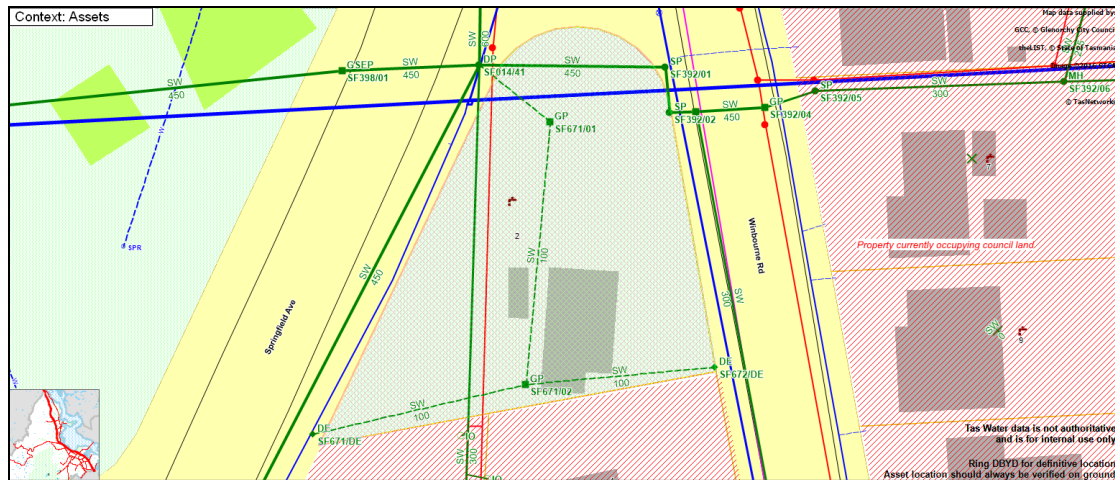


Figure 2 – Approximate location of underground infrastructure assets on the site, including stormwater mains (solid green line), agricultural drain (dashed green line), sewer mains (solid red line) and water mains (solid blue line) – Council database 2015

The locality is characterised by suburban residential development primarily for single dwellings, arrayed around an oval-shaped recreational reserve (Springfield Circle Park) located to the north-west of the subject site.

ZONE

The site is in the General Residential zone (Figure 3).

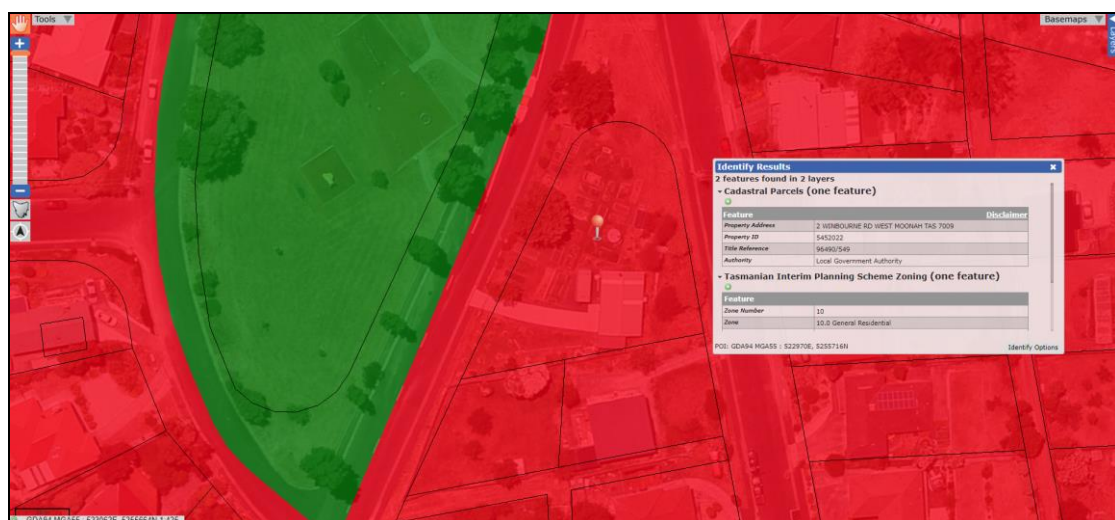


Figure 3 - The site is in the General Residential zone (red). The surrounding area is predominantly zoned General Residential, with an Open Space zone (green) to the west - Glenorchy Interim Planning Scheme 2015

BACKGROUND

- PLN-09-0328 Community garden and shed approved January 2010. Garden subsequently established but shed not constructed. The permit included advice, but no associated condition, seeking provision of one on-site accessible car parking space.
- PLN-12-081 Place of Assembly (Men's Shed) approved June 2012. Hours of Operation approved for 9.00am to 6.00pm Monday to Friday inclusive. The area of the approved shed was 96m², generating a car parking requirement of seven spaces. The proposal was approved with no parking required to be provided on-site.

Subsequent development on the site, for which no planning permit could be found, includes construction of a sealed car parking area adjacent to the driveway, and installation of a shipping container in proximity to the approved shed.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil.

Limited Exemptions

Nil.

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

No Specific Area Plan applies to the site. The Parking and Access Code and Stormwater Management Code apply, and therefore prevail over the zone provisions, in the case of any conflict.

Use Class Description (Table 8.2):

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

Other relevant definitions (Clause 4.1):

Act means the *Land Use Planning and Approvals Act 1993*.

Existing non-conforming use means a use which is prohibited under the planning scheme but is one to which ss12(1)-(7) of the Act applies.

Sections 12(1)-(7) of the Act provide that provisions of planning schemes must not prevent the use of any building that was erected before the relevant provisions of the scheme came into effect, for any purpose for which the building was lawfully being used immediately before the provision came into effect (or the maintenance or repair of such a building); provided the use has not stopped for a total of two years in any three-year period; is not being extended or transferred, when previously confined to a specific part of a parcel of land; and is not substantially intensified.

In accordance with clause 4.1.1, terms in the Scheme have their ordinary meaning unless they are defined in the Act or in the Scheme.

Men's Shed is defined by the Australian Men's Shed Association as any community-based, non-profit, non-commercial organisation that is accessible to all men and whose primary activity is the provision of a safe and friendly environment where men are able to work on meaningful projects at their own pace in their own time in the company of other men. A major objective is to advance the well-being and health of their male members.

The term '**intensifies**' is used in clause E5.2.1(b) of the E5.0 Road and Railway Assets Code but is not defined in the Scheme or the Act. The Macquarie Dictionary defines 'intensify' to mean 'to make intense or more intense'. Intense is defined in the dictionary to mean existing or occurring in a high or extreme degree; of an extreme kind; very great. In this context, an intensified use is taken to mean an increase more than the normal usage, rather than any degree of increase.

Part C: Special Provisions

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

9.1 Changes to an Existing Non-Conforming Use

The proposal is considered as a discretionary application under Special Provision 9.1, as detailed below.

The proposed development is for an existing community shed (Community Meeting and Entertainment), which use is prohibited in the General Residential zone. The use for a community shed was approved in 2012 under the *Glenorchy Planning Scheme 1992* and was then a lawfully existing use. No evidence of the use having stopped since its commencement was identified in a search of Council records. On this basis, the use constitutes an existing non-conforming use, as detailed in the Part B: Administration section of this report.

Clause 9.1.1 provides that, notwithstanding any other provision in the planning scheme, the planning authority may approve an application:

- a) *to bring an existing use of land that does not conform to the scheme into conformity, or greater conformity, with the scheme; or*

Not applicable. The proposal does not increase the degree to which the use conforms with the Scheme.

b) to extend or transfer a non-conforming use and any associated development, from one part of a site to another part of that site; or

The application proposes to extend the footprint of the existing Men's Shed and relocate an existing shipping container (outbuilding) on the site.

c) for a minor development to a non-conforming use,

Not applicable. The proposed development will substantially increase the floor area of the use and is not considered minor.

where there is:

a) no detrimental impact on adjoining uses or the amenity of the locality; and

As detailed later in this report, the proposed development complies with the Acceptable Solutions for all the applicable zone and code standards. The proposed new addition has a maximum height of 3.33m and a side boundary setback of approximately 3.5m, which is within the building envelope in the zone, and is therefore not expected to cause any loss of amenity through overshadowing; no additional vehicle movements are proposed; and the proposal will not increase the activity on the site.

b) no substantial intensification of the use of any land, building or work.

A recent decision by the Resource Management and Planning Appeal Tribunal (RMPAT) stated that what constitutes 'substantial intensification' is largely subjective, is dependent on the facts and circumstances of each case and may be informed by quantifiable aspects of a proposal³.

The proposed development, including proposed new development and previously unapproved, existing development, will increase the area of buildings on the site by a total of approximately 83.8m², which represents an 87% increase in the building footprint. However, the previously approved use applies to the whole of the site, and there will be no increase to the area of land for which the use is approved.

One person is currently employed at the site. No increase in the number of employees or participants is proposed.

A total of five car parking spaces is proposed, including two new car parking spaces in addition to an existing, unmarked area providing parking space for three cars. Although this represents a 67% increase in the number of spaces, the total number of spaces is still less than the requirement generated by the original, approved Men's Shed, as detailed in the Background section of this report.

Two vehicle movements per day is indicated in the application.

The hours of operation specified on the application form are 9.00am to 3.30pm on weekdays, which is less than the previously approved hours of operation, being from 9.00am to 5.00pm on weekdays.

³ United Petroleum Pty Ltd v West Tamar Council [2018] TASRMPAT 14 (25 June 2018)

The proposed increase in building footprint is not associated with an increase in activity on the site, and the proposal is assessed as not resulting in a substantial intensification of the use.

In exercising its discretion, the planning authority may have regard to the purpose and provisions of the zone and any applicable codes.

The proposal's conformance with the purpose and provisions of the zone and applicable codes are considered in the Part D: Zones and Part E: Codes section of this report.

Part D: Zones

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

Zone Purpose Statements

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

The proposed development for a community shed is considered to be a compatible non-residential use, as it is a community facility for residents to gather, socialise and work on projects, with an emphasis on men's health. The proposal accords with the zone purpose.

Use Table

Use for Community Meeting and Entertainment is prohibited in the zone, unless for a church, art and craft centre or public hall. The use for a community shed therefore has prohibited status in the zone. However, the proposal is discretionary in accordance with special provision 9.1 *Changes to an Existing Non-Conforming Use*, as detailed in the Part C: Special Provisions section of this report.

Use Standards

The proposal complies with the acceptable solutions for all the applicable zone use standards, as detailed at Appendix A.

Development Standards for Non-dwelling Building & Works

The proposal complies with the acceptable solutions for all the applicable zone development standards, as detailed at Appendix A.

Part E: Codes

The following codes of the Scheme apply to this proposal:

E5.0 Road and Railway Assets Code

The Road and Railway Assets Code applies to use or development of land that intensifies the use on an existing access. Two additional car parking spaces are proposed; however, this does not constitute an intensification, as detailed in the Definitions section of this report. The code does not apply.

E6.0 Parking and Access Code

The Parking and Access Code applies to all use and development.

E6.6.1 Number of Car Parking Spaces (A1)

Acceptable Solution A1 requires, for Community meeting and entertainment use, one on-site car parking space per 15m² of floor area.

The total proposed floor area of buildings on the site is approximately 180m², which generates a car parking requirement of 12 spaces.

The operation of Table E6.1(b) provides that where an existing use or development is extended or intensified, the additional number of car parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of parking spaces is not reduced.

The floor area of the proposed development, excluding the previously approved community shed, is approximately 84m². This extension generates a car parking requirement of 6 spaces.

Five spaces are proposed, representing a shortfall of seven spaces for the site, and one space for the proposed extension of the existing development. The proposal relies on Performance Criterion P1 for compliance with the standard.

Performance Criterion P1 requires that 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;

No increase in demand is anticipated, as no increase in employees or participants is proposed.

(b) the availability of on-street and public car parking in the locality;

On-street parking is available on both Springfield Avenue and Winbourne Road adjoining the site, and a public car parking area with ten spaces is located at the northern end of Springfield Circle Park, approximately 100m from the site.

(c) the availability and frequency of public transport within a 400m walking distance of the site;

A public bus stop is located opposite the site, on a route with 14 services per weekday.

(d) the availability and likely use of other modes of transport;

The site is located in a residential area and walking or use of bicycles or motorcycles is feasible.

- (e) *the availability and suitability of alternative arrangements for car parking provision;*

No alternative arrangements for car parking provision are proposed.

- (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;*

No sharing of car parking spaces by multiple uses is proposed.

- (g) *any car parking deficiency or surplus associated with the existing use of the land;*

The site has an existing, approved shortfall of seven car parking spaces. No increase in the shortfall is proposed.

- (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;*

The car parking demand generated by the existing use of the site is considered to be credited relative to the existing shortfall.

- (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;*

No financial contribution has been deemed necessary.

- (j) *any verified prior payment of a financial contribution in lieu of parking for the land;*

Not applicable.

- (k) *any relevant parking plan for the area adopted by Council;*

There is no Council parking plan for the area.

- (l) *the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;*

The site is not 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.*

There are no trees on the site that are listed on the Significant Tree Schedule, and no tree removal is proposed.

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

E7.0 Stormwater Management Code

The Stormwater Management Code applies to all development requiring management of stormwater.

The proposal complies with the acceptable solutions for all the applicable standards of the Stormwater Management Code, as detailed at Appendix C.

PART F: Specific Area Plans

No Specific Area Plan applies to the site.

INTERNAL REFERRALS

Development Engineer

Council's Development Engineer has reviewed the proposal and made the following comments.

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 road and railway assets code are not applicable to this application.

E6.0 Parking and Access Code

This code applies to all use and development.

The applicant is proposing two additional carparking spaces with a total of five carparking spaces for the site. This results in the site overall having a shortfall of eight car parking spaces required by the acceptable solution of standard E6.6.1 *Number of Car Parking Spaces*; therefore, a variation of carparking is required for the proposed use.

Unrestricted car parking is available within a Council carpark servicing a public park close to the site and adequate on-street parking is available within Springfield Avenue and Winbourne Avenue and with the proposed use being adjacent to public transport (bus route), it is considered the deficient car parking spaces will not create any adverse traffic or parking issues. This is considered to satisfy the performance criteria of standard E6.6.1 *Number of Car Parking Spaces*.

No details have been shown on the surface treatment of parking areas. It is recommended this be conditioned to satisfy the Acceptable Solution of standard E6.7.6 *Surface Treatment of Parking Areas*.

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 not shown how stormwater from new impervious areas will be connected by gravity to public stormwater infrastructure. Considering the location of the site and potential for stormwater reuse and disposing of stormwater onsite, any excess stormwater runoff will be directed to public stormwater and is not expected to create a nuisance on downstream properties. This is considered to satisfy the acceptable solution of E7.7.1 *Stormwater Drainage and Disposal* of the Scheme.

The shed extension is proposed to be constructed over an existing sub-soil drain that is a Council private owned asset (not public), shown in Figure 4. Council's Acting Hydraulics Engineer has advised this will not affect the future building approval process with respect to Section 73 (3) of the *Building Act 2016*.

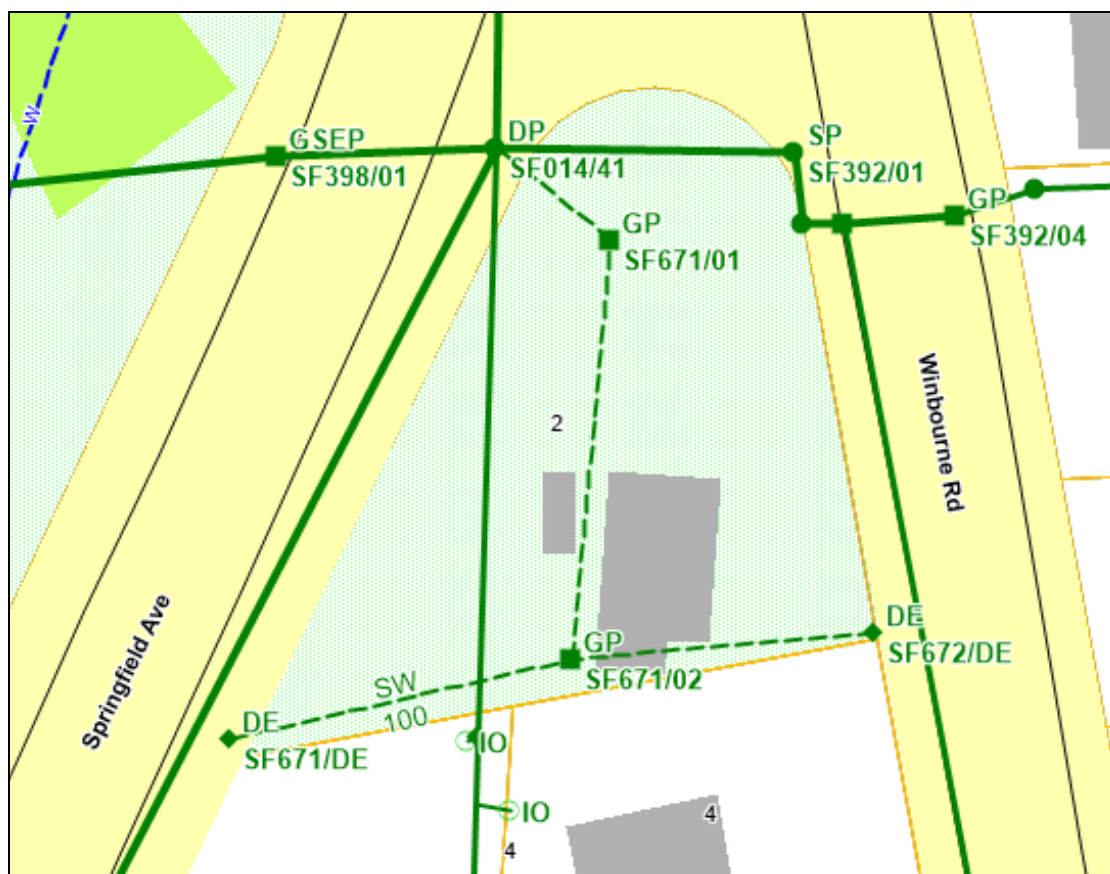


Figure 4 – Map of the site showing Council's privately-owned asset (dashed green line) – Council database 2015

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 are 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 however the proposed development is in a low area that could potentially be within in overland flow area during extreme rainfall events. It is recommended an advice clause to bring this to the applicant's attention.

EXTERNAL REFERRALS**TasWater**

TasWater has reviewed the proposal and does not object nor impose any conditions.

REPRESENTATIONS

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

CONCLUSION

The proposal relies on performance criteria for compliance with the number of car parking spaces standard. The proposal is assessed as satisfying the performance criteria and complies with the 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 Parking and Access Code and Stormwater Management Code. The application was publicly advertised for the statutory 14-day period and no representations were received. It is concluded that the proposal is consistent with the requirements of the Scheme and is satisfactory.

Recommendation:

That a permit be granted for the proposed use and development of Addition to Community Shed (Community Meeting and Entertainment) at 2 Winbourne Road West Moonah subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-18-249 and page 2 of Drawing No. P1 submitted on 25/09/2018 and Drawing No. P4 submitted on 5/11/2018, 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 2018/06138-GCC, dated 13/11/2018, form part of this permit.
3. 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.

4. Four bicycle parking spaces, with facilities to which the bicycle frame and wheels can be locked, must be provided on the site.

Engineering

5. Driveways, car parking and turning areas must be constructed and sealed with an approved impervious surface treatment prior to use as approved. Construction details must generally be in accordance with Council's standard requirements and must be provided in accordance with the "Australian Standard AS/ANZ 2890.1 – 2004 Off-Street Parking".

Advice to Applicant

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

Other Permits

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

Stormwater

The location of the shed extension as shown on the proposal plan is within an area that has the potential for overland stormwater flow in an extreme rainfall event. It is suggested the developer address this to reduce the risk of damage to property caused by the possibility of overland stormwater flow.

APPENDIX A**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.	The proposed hours of operation are 9.00am-3.30pm, weekdays.	Yes
	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.	A condition is recommended to provide for compliance with the acceptable solution.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	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.	Not applicable. No external lighting is proposed.	NA
	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; (c) nil on Sundays and Public Holidays.	Not applicable. No commercial vehicle movements are proposed.	NA
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 .	Not applicable.	NA
10.3.3 Local Shop	A1 A local shop must have a gross floor area no more than 200m ² .	Not applicable.	NA

Standard	Acceptable Solution	Proposed	Complies?
10.5 Development Standards for Non-dwelling Buildings and Works			
10.5.1 Non-dwelling Development	A1 Non-dwelling development must comply with all of the following acceptable solutions as if it were a dwelling: (a) 10.4.2 A1 and A3; (b) 10.4.3 A1 (a) and (c); (c) 10.4.7 A1	The proposed development complies with the acceptable solutions for the specified standards as if it was a dwelling, as detailed in the 10.4 Development Standards for Residential Buildings and Works section of this table (below).	Yes
10.5.2 Non-residential and Carports Garages	A1 Non-residential garages and carports must comply with all of the following acceptable solutions as if they were ancillary to the dwelling: (a) 10.4.2 A2; (b) 10.4.5 A1.	Not applicable. No garages or carports are proposed.	NA
10.5.3 Outdoor Storage Areas	A1 Outdoor storage areas must comply with all of the following: (a) Be located behind the building line; (b) All goods and materials stored must be screened from public view; (c) Not encroach upon car parking areas, driveways or landscaped areas.	Not applicable. No outdoor storage areas are proposed.	Yes

Standard	Acceptable Solution	Proposed	Complies?
10.4 Development Standards for Residential Buildings and Works			
10.4.2 Setbacks and building envelope 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.	A minimum 10m frontage setback is proposed.	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 proposed building is located entirely within the building envelope. The existing lean-to addition is located within 1.5m of the side boundary, for a length of 5m.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(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	A1 (a) a site coverage of not more than 50% (excluding eaves up to 0.6m); and (c) a site area of which at least 25% of the site area is free from impervious surfaces.	A site coverage of approximately 14% is proposed. The majority of the site will remain free of impervious surfaces.	Yes
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).	Not applicable. No fencing is proposed.	NA

APPENDIX B**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.	Twelve spaces are required. Five spaces are proposed.	No
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.	Council's Development Engineer has reviewed the proposal and does not object on this basis.	Yes

Standard	Acceptable Solution	Proposed	Complies?
E6.6.3 Number of Motorcycle Parking Spaces	A1 The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.	Not applicable. There are fewer than 20 car parking spaces on the site.	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.	One employee space is required for each 500m ² of floor area, and four visitor spaces plus two are required for each 200m ² of floor area. The total floor area of buildings on the site is approximately 180m ² . A condition is proposed to require provision of four bicycle parking spaces.	Yes
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.	One existing vehicle access is proposed to be utilised.	Yes
E6.7.2 Design of Vehicular Accesses	A1 Design of vehicle access points must comply with all of the following:	Not applicable. No change to the existing vehicle access point is proposed.	NA

Standard	Acceptable Solution	Proposed	Complies?
	(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.		
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: (iv) it serves more than 5 car parking spaces; (v) is more than 30 m long; (vi) 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.	Not applicable.	NA
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;	Not applicable. On-site turning is not required under the standard.	NA

Standard	Acceptable Solution	Proposed	Complies?
	(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.	Council's Development Engineer has reviewed the proposal and does not object on this basis.	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.	A condition is recommended to require compliance with the acceptable solution.	Yes
E6.7.7 Lighting of Parking Areas	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.	Not applicable. The hours of operation are within daylight hours.	NA

Standard	Acceptable Solution	Proposed	Complies?
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.	Not applicable. No more than 5 car parking spaces are proposed.	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.	Not applicable. No motorcycle parking areas are proposed.	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.	Not applicable. No bicycle parking facilities are proposed.	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.	Not applicable. No bicycle parking spaces are proposed.	NA

Standard	Acceptable Solution	Proposed	Complies?
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 applicable. No bicycle parking spaces are required.	NA
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 applicable. The site is in the General Residential zone.	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.	Not applicable. No commercial vehicle facilities are proposed.	NA
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements of the road authority.	Council's Development Engineer has reviewed the proposal and does not object on this basis.	Yes

APPENDIX C

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.	A permit condition is recommended to require gravity-fed connection 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.	Not applicable.	NA
	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;	Council's Development Engineer has reviewed the proposal and does not object on this basis.	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.	Council's Development Engineer has reviewed the proposal and does not object on this basis.	Yes

Attachments/Annexures

- 1** Attachment - 2 Winbourne Road, West Moonah



8. PROPOSED USE AND DEVELOPMENT - MULTIPLE DWELLINGS (ONE EXISTING AND ONE NEW) - 17A CAMDEN CRESCENT, MOONAH
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Author: Planning Officer (Bhavna Gungabison)
 Qualified Person: Planning Officer (Bhavna Gungabison)
 Property ID: 5414026

REPORT SUMMARY:

Application No.:	PLN-18-202
Applicant:	Green Design Architects
Owner:	T J Smith
Zone:	General Residential zone
Use Class	Residential
Application Status:	Discretionary
Discretions:	10.4.2 Setbacks and building envelope 10.4.3 Site coverage and private open space 10.4.8 Waste storage for multiple dwellings E5.5.1 Existing road accesses and junctions (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	Extension of time till 10 Dec 2018
Existing Land Use:	Residential (Single dwelling)
Proposal in Brief:	Multiple Dwellings (one existing & one new)

Representations: 1

Recommendation: Approval, subject to conditions

REPORT IN DETAIL:

PROPOSAL

The proposal is for the construction of an additional dwelling at 17A Camden Crescent, Moonah. The proposed dwelling will be double storey with two bedrooms, bathroom, laundry and a deck on the lower level and two bedrooms, bathroom, open-plan kitchen/dining, living area which opens onto a deck, on the upper level. Additionally, the lower level provides for a ramp access onto the deck located on the first floor.

The proposed dwelling will be located towards the west of the existing dwelling, with a setback of approximately 11m from the frontage, 4m from the southern side boundary, 6m from the western side boundary, 10.8 from the northern side boundary and 10m from the existing dwelling on the site.

Landscaping is proposed on various locations on the site, to promote privacy and screening. Existing mature trees on the land are to be retained.

The proposal provides a total of four car parking spaces on the site, together with screened bin storage area for each dwelling, as shown in figure 1 below.

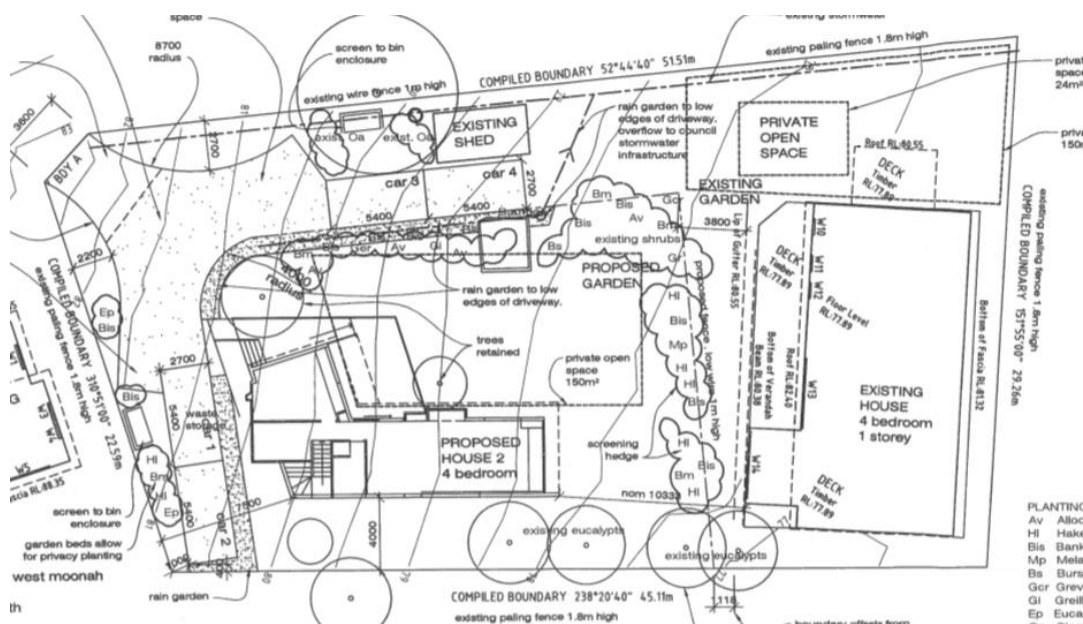


Figure 1: Proposed site plan – 17A Camden Crescent, showing the existing and proposed dwellings.

SITE and LOCALITY

The subject site is located on the southern side of Camden Crescent, Moonah approximately 50m from Florence Street, Moonah.

The subject site is to be accessed by a Council laneway from the cul-de-sac head of Camden Crescent. A small triangular parcel of land with an area of 3.9 m², is an extension of the laneway and is in the ownership of Council. The dwelling at 19 Camden Crescent is serviced with a driveway access to the laneway, as well as the multiple unit development, at 17B Camden Crescent.

The subject site has 3.6 m of frontage (encircled in figure 1 below) and an area of 1324m². The site currently consists a single dwelling close to the rear boundary of the property.

The subject site is situated amongst established residential development and no significant vegetation has been identified on the site.



Figure 2: An aerial view of the site and surrounding locality.

ZONE

The subject site is located within the General Residential zone.

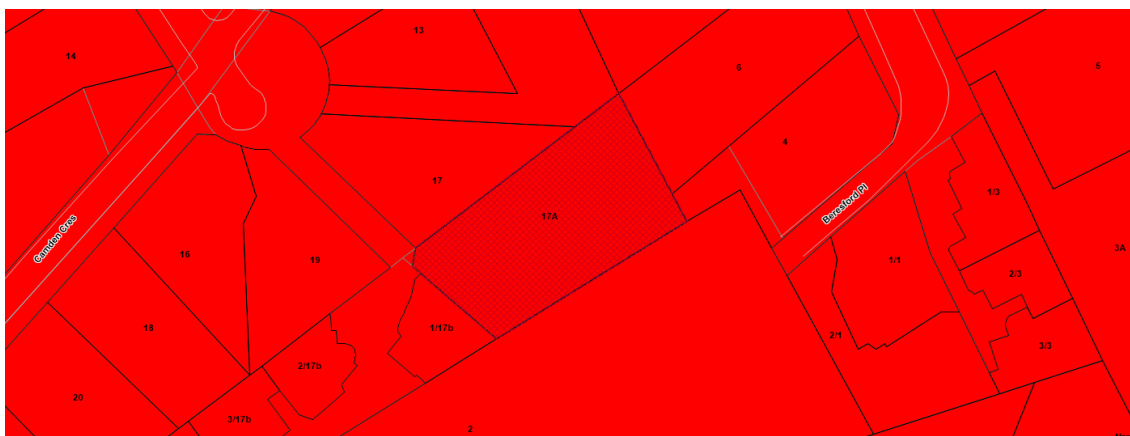


Figure 3: Zoning of 17A Camden Crescent (Red – General Residential Zone)

BACKGROUND

No background relevant to the assessment of the proposal is available for 17A Camden Crescent.

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 applies.

The Road and Railway Assets code, Parking and Access code and Stormwater Management code, override the zone provisions where there is any conflict.

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):

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.

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

Multiple dwellings mean two or more dwellings on a site.

Setback means the distance from any lot boundary to a building on the lot.

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 proposed multiple dwellings would be consistent with the residential uses for the zone and would assist with accommodating a range of dwelling types. The proposal would efficiently utilise existing infrastructure. Therefore, the proposal is considered to be in accordance with the zone purpose statement.

Use Table

The proposed use of 'Multiple Dwellings' is permitted in accordance with the Use Table 10.2. However, the proposal is discretionary owing to the reliance on performance criteria for 10.4.2 Setbacks and building envelope for all dwellings, 10.4.3 Site coverage and private open space, 10.4.8 Waste storage for multiple dwellings and E5.5.1 Existing road accesses and junctions.

Use Standards

Use standards relate to non-residential use, visitor accommodation and local shops, and is therefore not applicable.

Development Standards for Residential Buildings & Works**10.4.2 Setbacks and building envelope for all dwellings (A3)**

The proposed dwelling has a maximum height of 8m along a section of the southern elevation, due to the natural slope of the land and allows a setback of only 4m from the side boundary. In order to comply with Acceptable Solution A3, the dwelling needs to be setback 5m from the side boundary, to fit within the building envelope. The proposal therefore, relies on performance criteria P3 which requires the following:

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

The proposed dwelling is located approximately 18m to the north-west of the nearest habitable room of a dwelling on an adjoining lot (located to the south-east at 2 Beresford Place). The shadow diagram provided as supporting documentation shows that the proposed dwelling will impact the dwelling located south-east, between 12pm-3pm during winter solstice (Figure 4). The habitable rooms of the dwelling are expected to have a minimum of three hours of sunlight during the shortest day of the year. Additionally, the section to be mostly impacted consists of mature trees on the site, which are already providing shadowing, in addition to the existing eucalyptus trees on the subject site which runs along the southern side boundary and are similar in height as the proposed dwelling.

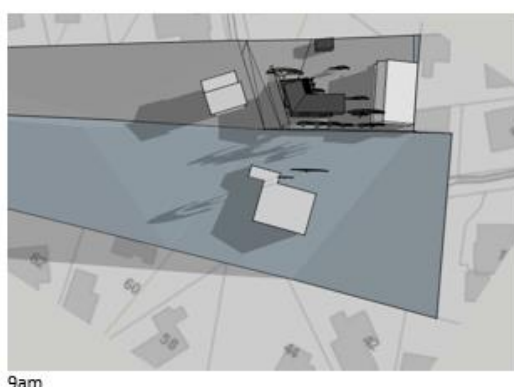
(ii) overshadowing the private open space of a dwelling on an adjoining lot; or

The private open spaces of the adjoining lots are not expected to be unreasonably affected by the proposed discretion. Shading of the private open space at 2 Beresford Place, to the south-east of the proposed development, would occur mostly in the afternoon, between 12pm-3pm and consist of only a third of the open space of the property. Some additional shading of the private open space at 1/17B Camden Crescent would be caused in the morning; however, the private open space will receive three hours of sunlight on the shortest day of the year. No additional shading of the adjoining lot to the east and north would be caused by the proposed discretion.

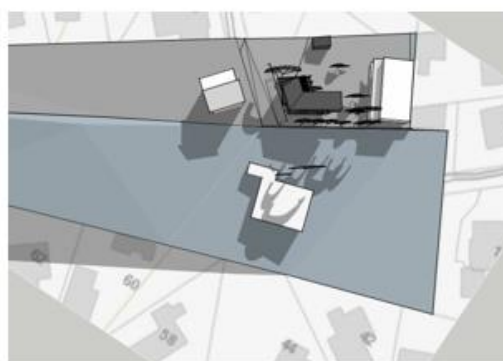
(iii) overshadowing of an adjoining vacant lot; or

There is no adjoining vacant lot.

17a Camden Crescent
Shadow diagrams 21st June



9am



12 noon

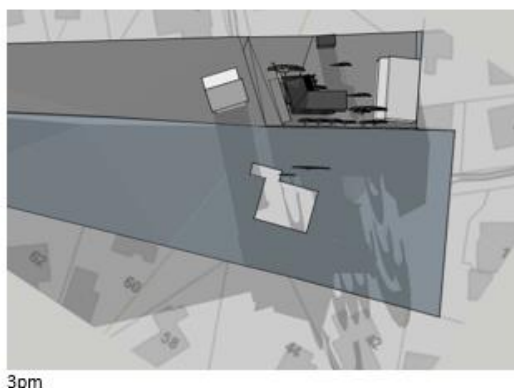


Figure 4: Shadow diagrams between 9am – 3pm on 21st of June, showing the proposed dwelling in the top middle section with shadow cast on 2 Beresford Place and 1/17B Camden Crescent.

- (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and*

The visual impact of the proposed dwelling is not considered to be substantial, considering the 4m setback from the southern side boundary and 6m setback from the western side boundary. In addition, the view lines towards the proposed development from the relevant dwellings on adjoining lots are obstructed by the presence of existing mature trees, which are to be retained on the site.

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

The proposed dwelling has a greater setback from the southern side boundary as compared to the existing dwelling. The proposed separation distance is compatible with those prevailing in the surrounding area with similar setback for 17B Camden Crescent and 19 Camden Crescent.

The proposed discretion is assessed as meeting the performance criteria and complies with the standard.

10.4.3 Site coverage and private open space

The proposal does not meet the Acceptable Solution A2, with respect to private open space and therefore relies on Performance Criteria P2, which requires the following:

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:

Proposed dwelling

The proposed dwelling has a 4m × 5.5m wide deck on the first floor, which is accessible from the open plan kitchen/dining area and by a ramp access from the

ground floor level. The plans show an additional area of private open space of approximately 150m² on the ground level, partly underneath the first-floor deck, extending onto the proposed garden space. The deck area on the first-floor level is fully capable of serving as an extension of the dwelling for outdoor relaxation, dining and entertainment, while the private open space on the ground level can be utilised extensively for children's play. Both nominated private open spaces are north facing and would therefore have access to ample sunlight throughout the day.

Existing Dwelling

The existing dwelling has an existing west-facing veranda at the front of the dwelling and a deck which can be accessed from a side door facing north. The side door is off the living area, with the front door leading to the veranda at the front. An additional private open space has been nominated off the existing north facing deck and can be also be accessed from the front door of the dwelling. The area nominated for private outdoor space is facing north and would therefore receive enough sunlight. The private open spaces areas are suitably located and can serve for outdoor relaxation, dining, entertaining and children's play area.

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

10.4.8 Waste storage for multiple dwellings

The proposal does not comply with the Acceptable Solution A1, since the bin storage for the existing dwelling is proposed in front of the proposed dwelling. The proposal therefore relies on the related Performance Criteria, which requires the following:

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 recycling and waste bin storage for the proposed dwelling is located along the western corner of the site, with screen proposed to the bin enclosure. The bin storage space for the existing house is located approximately 9.9m to the front of the proposed dwelling, which is ample to minimise impacts from odours and noise. The storage areas are capable of storing two bins per dwelling and provide screening from the frontage and dwellings on the site. A condition has been recommended for a permanently fixed screen to ensure compliance with the standard.

Therefore, the proposal complies with the standard through the Performance Criteria.

Part E: Codes

The following codes of the Scheme apply to this proposal:

E5.0 Road and Rail Asset Code*E5.5.1 Existing road accesses and junctions – Standard A3*

To comply with Acceptable Solution A3, the traffic movements caused by the proposed development must increase by no more than 20% or 40 vehicle movements per day. Since, the development increases the traffic movements per day by more than 20%, the proposal is assessed against the performance criteria P3, which requires the following:

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

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

Comment:

A traffic impact assessment was provided as part of the application which has been reviewed by Council's Development and Traffic Engineer. The engineers have provided comments in the referral section below and are supportive of the proposal on the basis that the existing access and road will be able to accommodate the increase in traffic generated by the additional dwelling. Therefore, the proposal is assessed as complying with the performance criteria P3.

E6.0 Parking and Access Code

The proposal provides for four parking spaces which comply with the Acceptable Solution in E6.1 Number of Car Parking Spaces Required.

The proposal also accords with the relevant Acceptable Solutions as demonstrated in the attached Appendix and comments have been provided by Council's Development Engineer under the referrals section below.

E7.0 Stormwater Management Code

The proposal accords with the relevant Acceptable Solutions as demonstrated in the attached Appendix. The proposal was referred to Council's Development Engineer who has provided comments in the referrals section below.

PART F: Specific Area Plans

No SAP applies.

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 proposed development has access onto Camden Crescent via a Council maintained access handle at the end of a cul-de-sac.

Due to the percentage increase in traffic movements generated by the proposed development exceeding 20%, the Performance Criteria of Clause E5.5.1 P3, Existing Road Accesses and Junctions, is required to be addressed.

The applicant provided a Traffic Impact Statement (TIS) to address this Performance Criteria with the TIS concluding that the proposed development will not give rise to any adverse traffic outcomes.

Councils Acting Traffic Engineer agreed with the findings of the TIS and that the Council maintained laneway is not expected to have any significant detrimental impacts on the surrounding road network in terms of traffic efficiency or road safety.

Council received a representation outlining concerns with the extra traffic the proposed additional dwelling will generate and the width of the laneway. The TIS, the applicant has provided addressed the laneway capacity and the proposed additional dwelling is considered to be safely supported.

E6.0 Parking and Access Code

This code applies to all use and development.

The applicant is proposing four carparking spaces in two separate jockey style arrangements. This satisfies the acceptable solution of clause E6.6.1 Number of Car Parking Spaces of the Glenorchy Interim Planning Scheme. It is recommended this number be a condition of planning permit and that two dedicated car parking spaces must be allocated to each dwelling. Parking spaces must comply with AS2890 Parking Facilities to satisfy clause E6.7.5 Layout of Parking Areas.

E7.0 Stormwater Management Code

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

A condition is recommended that internal stormwater comply with the requirements of Council's Plumbing Surveyor to satisfy the requirements of the acceptable solution A1 of clause E7.7.1 Stormwater Drainage and Disposal of GIPS, that Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.

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

Glenorchy City Council (GCC) has received a Development Application (DA) for a residential dwelling development on the property at 17a Camden Crescent in Moonah.

In considering the application, GCC requested further information in relation to Code E5 Road and Railway Assets Code in the Glenorchy Interim Planning Scheme 2015. A traffic Impact Statement (TIS) prepared by Milan Prodanovic dated 14 November 2018 was submitted in response to the further information request. I have reviewed the TIS.

TIS Assessment

Traffic Generation:

The methodology used in the TIS to determine the traffic generation of the existing and proposed residential dwelling is based on the rates from the New South Wales Roads and Traffic Authority Guide to Traffic Generating Developments.

The traffic generation of the dwelling is considered to be adequately calculated in the TIS.

Access Assessment:

The TIS includes an assessment of the access driveway against Australian Standard AS2890.1 Clause 3.2.2 and concludes that the geometric characteristics of the laneway and the presence of a passing bay is sufficient to accommodate the low hourly traffic volume.

This assessment undertaken, and the conclusion drawn are adequate.

Planning Scheme Performance Criteria Assessment:

The TIS responds to the performance criteria P3 for Clause E5.5.1 of the Planning Scheme.

It is considered that the response to the performance criteria P3 is adequate.

Conclusion:

Based on the review of the TIS, it is expected that the proposed development will not adversely affect the traffic operation and safety of the road network.

Waste Management Officer

Waste Services to the proposed multiple dwelling development at 17A Camden Crescent, Moonah would be Council's standard bin service collected fortnightly.

- The Council's Standard Bin Service includes one (1) x 140L wheelie bin for Waste and one (1) x 240L wheelie bin for recycling to each of the dwelling, collected fortnightly.
- Please note that this property would have a total of four (4) bins, two (2) Waste bins and two (2) Recycling Bins.
- This property has an existing kerbside/nature strip area for placement of the bins therefore the dwellings would have their own individual bins.
- All bins are to be placed on the kerbside for collection.
- Council's Waste Management Contractor collection trucks will not enter the property to collect and empty the wheelie bins.

EXTERNAL REFERRALS**TasWater**

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

REPRESENTATIONS

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

1. Lighting along access

The representor states that the development approval at 17B Camden Crescent required low level lighting along the length of the roadway from the end of Camden Crescent for safety reasons as a condition on the permit. These lights have been installed but not activated.

Planner's Comment:

The laneway lighting issue is not a planning issue that can be considered as part of this application. However, the issue has been raised with the Assets Department of Council to be resolved.

2. Underground services

The representor states that the development at 17B Camden crescent required all services to be placed underground by the developer. Provision was made for underground connection for 17A Camden Crescent which has not been done.

Planner's Comment:

As part of planning permit conditions for multiple dwellings development at 17B Camden crescent, a condition was recommended for service connections to be made through underground cabling. This requirement applied for 17B Camden Crescent and even though provision was made for 17A Camden Crescent, there is no obligation for them to do the connection. The requirement for underground has not been found relevant for the proposed development and has not been recommended as a condition by the Council's Engineer.

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

3. Traffic along access

The representor states that the addition of a new dwelling will cause additional stress onto the laneway which is currently servicing seven dwelling units.

Planner's Comment:

This issue has been taken into account at per Clause 5.0 Road and Railway Assets Code and a Traffic Impact Statement was required which is to the satisfaction of Council's Traffic Engineer. In summary, the TIS states that the laneway can provide for an additional 7.4 vehicle movement a day to be generated by the proposed dwelling. This issue has been discussed in details under the engineering referrals section.

4. Obstructed view by existing Eucalyptus trees.

The representor states that the existing trees on the property, obstructs the view and request for a condition for plantings to be no more than the height of the proposed dwelling.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application. The planning scheme does not regulate views and therefore no applicable standards pertaining to obstructed views or tree height apply.

CONCLUSION

The application proposes an additional dwelling at 17A Camden Crescent, which relies on performance criteria for compliance with the site coverage and private open space for all dwellings, waste storage and the intensification of existing access standards. 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 1 representation was received. The representor raised concerns about the lighting and traffic impact on the laneway access, underground service connections and trees blocking the view. Whilst most of these concerns cannot be given any determining weight in the assessment of the proposal, a traffic impact statement was requested, which demonstrated that the laneway is capable of serving the traffic of an additional dwelling.

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 (one existing & one new) at 17a Camden Crescent, Moonah subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-18-202 and Drawing No. P1, pages 4 to 8 of 8 submitted on 10/8/18 and Drawing No. P3, submitted on 24/09/18, 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 2018/01427-GCC, dated 04/09/2018, form part of this permit.
3. Nominated car parking spaces 1 and 2 on Drawing No. P3, page 1 of 2 must be kept for the exclusive use of the additional dwelling.
4. The waste and recycling storage area must be screened from the frontage and dwellings to a height of at least 1.2m above the finished surface level of the storage area. This screening must be erected prior to the occupancy of the additional dwelling and must be satisfactorily maintained for the duration of the use as approved.

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. Four (4) clearly marked car parking spaces must be provided prior to use and kept available for these purposes at all times, with two (2) car parking spaces dedicated to each dwelling. Car parking spaces, manoeuvring areas and aisles must be provided in accordance with the Australian Standard AS 2890.1 – 2004 Off-Street Parking. In areas set aside for car parking, excluding jockey carparking, securely fixed wheel stops or kerbing must be provided to the satisfaction of Council to prevent damage to fences or landscaped areas.
8. Driveways, car parking and turning areas must be constructed and sealed with an approved all-weather surface treatment prior to occupancy. All runoff from paved and driveway areas must be retained within site boundaries and discharged into Council's stormwater system. Construction details must generally be in accordance with Council's standard requirements. The driveway, parking and manoeuvring areas must be kept clear of obstructions, such as service authority infrastructure, so that vehicle paths are not restricted.
9. All internal hydraulic service works required for the development shall be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor.

Advice to Applicant

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

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.

Waste Management

Waste Services to the multiple dwelling development at 17A Camden Cres Moonah would be Council's standard bin service collected fortnightly.

- The Council's Standard Bin Service includes one (1) x 140L wheelie bin for Waste and one (1) x 240L wheelie bin for recycling to each of the dwelling, collected fortnightly.
- Please note that this property would have a total of four (4) bins, two (2) Waste bins and two (2) Recycling Bins.
- This property has an existing kerbside/nature strip area for placement of the bins therefore the dwellings would have their own individual bins.
- All bins are to be placed on the kerbside for collection.

- Council's Waste Management Contractor collection trucks will not enter the property to collect and empty the wheelie bins.

Other Permits

Please be aware that this planning permit is a planning approval issued under the Glenorchy Interim Planning Scheme 2015. You should consult with an accredited Building Surveyor prior to commencing this use or work to ensure all relevant requirements of the Building Act 2016 are complied with. In addition to this planning permit, a building permit and/or plumbing permit may also be required. If further clarification is required, please contact Council's Building Section on 62166800.

APPENDIX 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) 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 multiple dwelling development provides more than 325m ² for each dwelling.	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	The proposed dwelling is setback 11m from the frontage.	Yes

	(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 garage or carport is proposed.	NA
	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	A section of the proposed dwelling has a maximum height of 8m and is setback only 4m from the side boundary. The dwelling therefore extends beyond the building envelope by 1m and therefore relies on performance criteria.	No -see report

	(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	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.	The site coverage is 28% with more than 25% of the site area being free from impervious surfaces. Each dwelling on the site have a private open space of approximately 150m ² .	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	Private open space directly accessible from the kitchen and dining area of proposed dwelling is less than 24m ² . The existing dwelling has a nominated private open space which is not directly	No – see report

	garage, carport or entry foyer); and (b) has a minimum horizontal dimension of: (iii) 4 m; or (iv) 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.	accessible.	
10.4.4 Sunlight overshadowing of all dwelling s	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 living room for the proposed dwelling is orientated 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):	Multiple dwellings on the site are not located to the north	NA

	(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	Multiple dwelling is not to the north of private open space of another dwelling on the site	NA

	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 garage or carport is proposed	NA
10.4.6 Privacy for all dwellings	A1 (a) 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: (b) 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 (c) 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 (d) 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.	Proposed decks along the north-east and north-west elevations have a floor level more than 1m above natural ground level. The proposed ramp and deck along the north-western elevation are setback more than 6m from the western side boundary and 17m from the existing dwelling on the site. The lower floor deck along the north-eastern elevation has a floor level more than 1m above natural ground level. The deck is setback 4m from the southern side boundary and approximately 10m from the existing dwelling on the site. The proposed deck comply with the privacy requirement. The proposed car parking spaces are less than 1m above natural ground level.	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):	Proposed windows and glazed doors which have floor level more than 1m above natural ground level are setback 6m from the western side boundary, 4m from the southern side boundary and at a minimum of 10m from the existing building on site.	Yes

	(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%.		
	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	The shared driveway and car parking space is located more than 2.5m from the proposed dwelling.	Yes

	(ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.		
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 new fence is proposed within 4.5m of the frontage.	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 m ² 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 waste and recycling bin storage areas are not located in an area for the exclusive use of each dwelling.	No - relies on performance criteria.

APPENDIX B**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.	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.	
	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.	Proposal relies on performance criteria as percentage increase in traffic is more than 20%.	No – Performance criteria satisfied – See report

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.	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.	Not an applicable standard.	
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.		
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 C**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.	Two car parking spaces are proposed per dwelling.	Yes
E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability	A1 Car parking spaces provided for people with a disability must: (a) satisfy the relevant provisions of the Building Code of Australia; (b) be incorporated into the overall car park design; (c) be located as close as practicable to the building entrance.	Not an applicable standard.	
E6.6.3 Number of Motorcycle	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	Not an applicable standard.	

Standard	Acceptable Solution	Proposed	Complies?
Parking Spaces	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.	Not an applicable standard.	
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 -		Yes

Standard	Acceptable Solution	Proposed	Complies?
	2002 Parking facilities Part 2: Off-street commercial vehicle facilities.		
E6.7.3 Vehicular Passing Areas Along an Access	A1 Vehicular passing areas must: (a) be provided if any of the following applies to an access: (i) it serves more than 5 car parking spaces; (ii) is more than 30 m long; (iii) it meets a road serving more than 6000 vehicles per day; (b) be 6 m long, 5.5 m wide, and taper to the width of the driveway; (c) have the first passing area constructed at the kerb; (d) be at intervals of no more than 30 m along the access.		Yes - conditioned
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.	Not an applicable standard.	
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		Yes - conditioned

Standard	Acceptable Solution	Proposed	Complies?
	headroom to comply with clause 5.3 "Headroom" of the same 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.	Not an applicable standard.	
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.	Not an applicable standard.	
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	Not an applicable standard.	

Standard	Acceptable Solution	Proposed	Complies?
	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.	

Standard	Acceptable Solution	Proposed	Complies?
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.	Not an applicable standard.	
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 D**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 - conditioned
	A2 (a) 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: (b) the size of new impervious area is more than 600 m ² ; (c) new car parking is provided for more than 6 cars; (d) a subdivision is for more than 5 lots.	Not an applicable standard.	
	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.		Yes – (Advice clause)

Standard	Acceptable Solution	Proposed	Complies?
	A4 A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.	Not an applicable standard	

Attachments/Annexures

- 1** Attachment - 17A Camden Crescent, Moonah



**9. PROPOSED USE AND DEVELOPMENT - COMMUNITY SHED
(MEN'S SHED) - CLAREMONT RECREATION GROUND -
15 MAIN ROAD, CLAREMONT**

Author: Planning Officer (Sylvia Jeffreys)

Qualified Person: Planning Officer (Sylvia Jeffreys)

Property ID: 7765014

REPORT SUMMARY:

Application No.:	PLN-17-371
Applicant:	P & J Sheds Pty Ltd
Owner:	Glenorchy City Council
Zone:	Recreation Utilities
Use Class	Community Meeting and Entertainment
Application Status:	Discretionary
Discretions:	18.3.2 P1 Noise 18.2 Use Table 18.3.5 P1 Discretionary Uses 18.4.3 P1 Design 18.4.4 P1 Passive Surveillance E6.6.1 P1 Number of Carparking Spaces (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	10/12/18
Existing Land Use:	Passive Recreation
Proposal in Brief:	Community Shed (Men's Shed)

Representations:	1
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL:

PROPOSAL

The application proposes a new community shed at Claremont Recreation Ground for the organisation 'Men's Shed'. The Men's Shed Association is a non-profit organisation aiming to improve the overall health of men. The organisation provides a venue for social interaction within a workshop used for tasks, such as restoring furniture and fixing lawn mowers. The Men's Shed would operate power tools within the hours of 9:30am to 1:00pm. The proposed shed would have the following dimensions 27m long x 10m wide x 4.34m high. The application includes a driveway extension and sixteen car parking spaces. The driveway extension would extend an existing driveway to the Girl Guides carpark over TasRail land. The proposed parking spaces would be in front of the shed and within the Council-owned land. The proposal is shown in Figure 1.

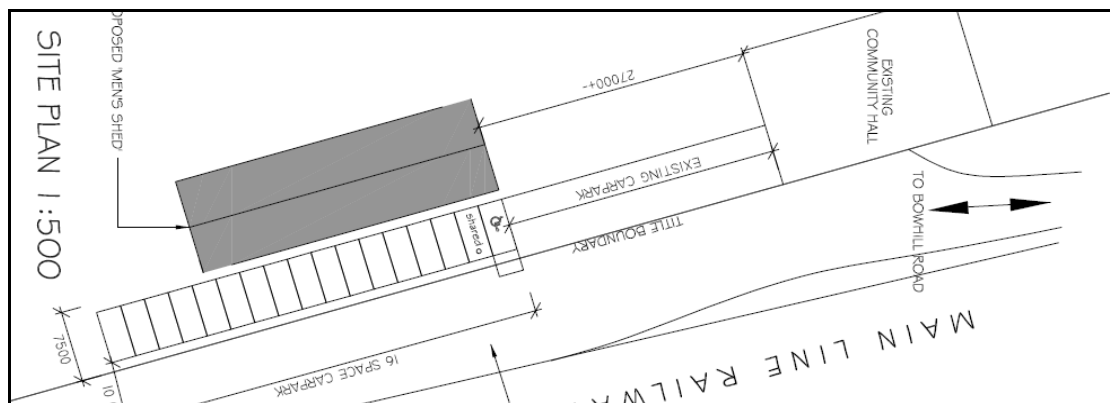


Figure 1: Proposal Plan - P & J Sheds

SITE and LOCALITY

The subject site is the Claremont Recreation Ground at 15 Main Road, Claremont described in title reference CT43523/1. The shed and carparking would be contained within this title, whilst the driveway extension would be within railway corridor for which there is only a casement that is owned by the Crown. The property is shown in Figure 2.



Figure 2: Subject Site - Council Database 2016

The site contains a Council park, with a barbeque shelter along Main Road and a Girls Guide Hall, fronting Box Hill Road. Access to the Guide Hall is off Box Hill Road, adjacent to the bike track that runs along the railway line. The nearest residential development is approximately 23m to the south and approximately 40m to the east, across the railway line. There is a shopping centre to the north.

ZONE

The proposed building and the carpark would be contained within the Recreation Zone, whilst the driveway would be within the Utilities Zone. To the north of the site is the General Business Zone and the Inner Residential Zone applies to properties across the railway corridor, the far side of Main Road and to the south. The zoning map is in Figure 3.

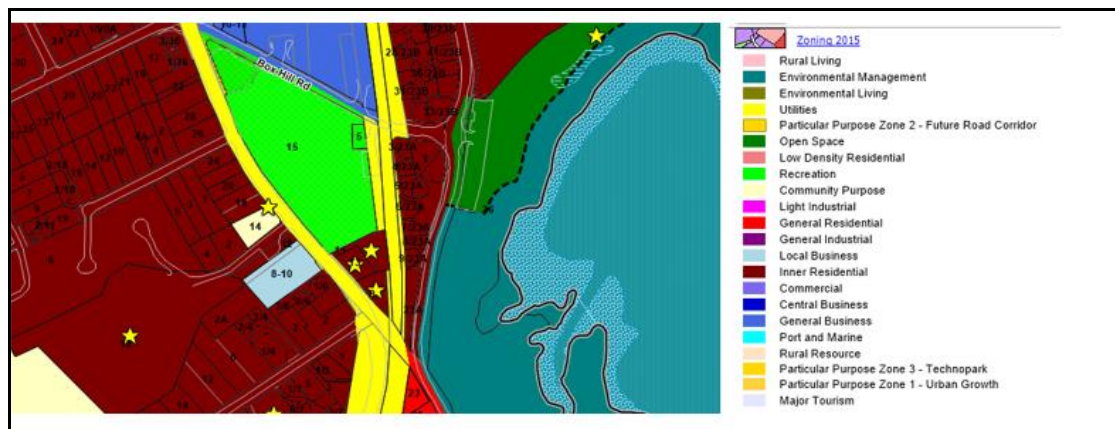


Figure 3: Zoning Map - GIPS

BACKGROUND

The application includes a noise assessment by Pearu Terts dated September 2018.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil.

Limited Exemptions

Nil.

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

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

- E5.0 Road and Railway Assets Code
- E6.0 Access and Parking Code
- E7.0 Stormwater Management Code

Use Class Description (Table 8.2):

The application is for a community shed, which falls under the use class Community Meeting and Entertainment. The use is defined in Table 8.2 Use Classes as follows:

Community meeting and entertainment

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

Other relevant definitions (Clause 4.1):

The following meanings in 4.1 Planning Terms and Definitions are applicable:

rail authority

means the agency, authority or business enterprise which has responsibility for rail infrastructure in Tasmania.

railway

means as defined in the Rail Infrastructure Act 2007.

Discretionary Use or Development

The application is discretionary under Clause 8.8 as follows:

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

- (a) the use is within a use class specified in the applicable Use Table as being a use which is discretionary;
- (b) the use or development complies with each applicable standard but relies upon a performance criterion to do so; or
- (c) it is discretionary under any other provision of the planning scheme,
- (d) and the use or development is not prohibited under any other provision of the planning scheme.

The application is discretionary under (a) for a discretionary use and (b) because it relies on a Performance Criteria as follows:

- 18.3.2 P1 Noise
- 18.2 Use Table
- 18.3.5 P1 Discretionary Uses
- 18.4.3 P1 Design
- 18.4.4 P1 Passive Surveillance
- E6.6.1 P1 Number of Carparking Spaces

Part C: Special Provisions

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

9.6 Access Across Land In Another Zone

The proposed use would be located within the Recreation Zone, but would have access over the adjacent Utilities Zone. Therefore, the following provision in 9.6.1 applies:

If an application for use of land includes access that runs through a different zone to the land upon which the use is proposed to take place, the use status of the application is to be determined disregarding the use status of the access in the different zone.

Part D: Zones

The land of the building and the carpark lies within the Recreation Zone and the following Scheme zone purpose statements, use table, use standards and/or development standards apply to this proposal:

Zone Purpose Statements

The purpose of the Recreation Zone in 18.1 is as follows:

- To provide for a range of active and organised recreational use or development and complementary uses that do not impact adversely on the recreational use of the land.
- To encourage open space networks that are linked through the provision of walking and cycle trails.

Comments

The proposed Men's Shed would provide for a community use that involves recreational activities and would not adversely impact on the recreational area of the public park as a whole. The shed would be located on the edge of the recreational ground, so that most of the grassed area would be still available for other recreation. Therefore, it is considered that the proposal meets the zone purpose above.

Use Table

The use class Community meeting and entertainment is discretionary within the Recreation Zone in 18.2 Use Table.

Use Standards

The proposal accords with the relevant Acceptable Solutions as demonstrated in the attached Appendix, except as follows:

18.3.2 Noise

The proposal does not accord with the Acceptable Solution in 18.3.2 Noise in regard to maximum noise emissions measured at a boundary of a residential zone. Therefore, the proposal relies on the related Performance Criteria as follows:

18.3.2 P1 Noise

Noise emissions measured at the boundary of a residential zone must not cause environmental harm within the residential zone.

Comment

The application was referred to Council's Acting Coordinator Environmental Health Services, who assessed that the use can operate in accordance with the above criteria, subject to conditions. Therefore, the proposal complies with the standard through the Performance Criteria

For further comments please refer to the assessment under the Referrals section later in the report.

18.3.5 Discretionary Uses

There is no Acceptable Solution in 18.3.5 A1 for discretionary uses, so that the proposal relies on the Performance Criteria as follows:

18.3.5 P1

Discretionary use must complement and enhance the use of the land for recreational purposes by providing for facilities and services that augment and support Permitted use or No Permit Required use.

Comment:

The no permit and permitted uses are natural and cultural values management, passive recreation, sports and recreation and utilities. It is considered that the Men's Shed satisfies the above intent. Whilst not directly associated with the park use, which is classed Passive Recreation, having the community shed at this location provides a valuable recreation activity for the community. In addition, having the shed within a park would also allow members to use the park for more personal discussions and social activities associated with the Men's Shed. Furthermore, the shed would be located on the eastern margins of the park so as not to encroach significantly on the park.

Development Standards for Residential Buildings & Works**18.4.3 A1 Design**

The proposal does not accord with the Acceptable Solution in 18.4.3 A1 Design with respect to (b) and (c) which are as follows:

18.4.3 A1 Design

- (b) for new building or alterations to an existing facade provide windows and door openings at ground floor level in the front façade no less than 40% of the surface area of the ground floor level facade;*
- (c) for new building or alterations to an existing facade ensure any single expanse of blank wall in the ground level front façade and facades facing other public spaces is not greater than 50% of the length of the facade;*

Therefore, the proposal relies on the related Performance Criteria where the relevant sections are as follows:

18.4.3 P1 Design

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

- (a) provide the main access to the building in a way that addresses the street or other public space boundary;*
- (b) provide windows in the front façade in a way that enhances the streetscape and provides for passive surveillance of public spaces;*
- (c) treat large expanses of blank wall in the front façade and facing other public space boundaries with architectural detail or public art so as to contribute positively to the streetscape and public space;*
- (d) ensure the visual impact of mechanical plant and miscellaneous equipment, such as heat pumps, air conditioning units, switchboards, hot water units or similar, is insignificant when viewed from the street;*
- (e) ensure roof-top service infrastructure, including service plants and lift structures, is screened so as to have insignificant visual impact;*
- (f) not provide awnings over the public footpath only if there is no benefit to the streetscape or pedestrian amenity or if not possible due to physical constraints;*

- (g) only provide shutters where essential for the security of the premises and other alternatives for ensuring security are not feasible;*
- (h) be consistent with any Desired Future Character Statements provided for the area.*

Comment

The proposal provides 30% of door openings to the side of the shed facing Box Hill Road, with a roller door and an entry door. The openings are considered to provide for passive surveillance of the park, the parking area, the approach and the bike track during meeting times, when it is used. In this instance, it is not considered that windows, or the lack thereof, would have any effect on the streetscape. This is because the building is not located adjacent to the frontage of a street and does not contain any shop or other service where shop windows would be expected. Given that the building is a shed, the lack of openings on the other three walls is acceptable. Overall, it is considered that the proposal satisfies the Performance Criteria.

Therefore, the proposal complies with the standard through the Performance Criteria.

18.4.4 A1 Passive Surveillance

The proposal is not in accordance with the Acceptable Solution in 10.4.4 A1, with respect to the percentage of surface of window and door openings. The proposal would have approximately 30% of the front wall taken up by a roller door and a door and would have no openings on any other wall, save for a single door. The standard requires 40% of openings on the ground level façade and 30% on the ground level for any other wall that faces a public space or carpark. The shed is facing a public space on all sides. Therefore, the proposal relies on the related Performance Criteria as follows:

18.4.4 P1 Passive Surveillance

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

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

- (g) *provide for sight lines to other buildings and public spaces.*

Comment

The community shed would have the entrance facing the approach and looking out onto the park, parking area and bike track so that it would be highly visible and would promote passive surveillance. There are no windows due to the nature of the building. The shed is rectangular in shape so that there are no entrapment spaces. Lighting of the car park is not applicable as the use operates during daytime. Overall, it is considered that the proposal satisfies the Performance Criteria.

Therefore, the proposal complies with the standard through the Performance Criteria.

Part E: Codes

The following codes of the Scheme apply to this proposal:

E5.0 Road and Railway Assets Code

The proposal accords with the relevant Acceptable Solutions as demonstrated in the attached Appendix.

E6.0 Access and Parking Code

The proposal accords with the relevant Acceptable Solutions as demonstrated in the attached Appendix, except as follows:

E6.6.1 A1 Number of Carparking Spaces

The provisions for car parking are set forth in Table E6.1 Number of Car Parking Spaces Required, where the relevant section is as follows:

Use Class: Community meeting & entertainment		
Art and craft centre	1	for each 30m ² of floor area
Exhibition centre, library, museum or public art gallery	1	for each 20m ² of floor area
Cinema, church, civic centre, function centre, public hall, theatre	1	for each 15m ² floor area or for each 3 seats whichever is the greater
Community meeting & entertainment, except as otherwise specified in this table.	1	for each 15m ² floor area or for each 3 seats whichever is the greater

The fourth option is applicable. The proposal provides for sixteen carparking spaces. The building has an area of 274m², which requires eighteen carparking spaces at a rate of one per 15m². Therefore, there is a shortfall of two spaces. As such, the proposal does not accord with the Acceptable Solution in E6.6.1 A1 and relies on the related Performance Criteria, which is as follows:

E6.6.1 P1 Number of Carparking Spaces

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

- (a) *car parking demand;*
- (b) *the availability of on-street and public car parking in the locality;*

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

Comment

The application was referred to Council's Development Engineer, who assessed that a shortfall of two spaces at this location is acceptable because of the opportunity for shared parking and alternative transport options and satisfies the above Performance Criteria. Therefore, the proposal complies with the standard through the Performance Criteria.

For further details please refer to the Engineering Assessment under the Referrals section later in this report.

E7.0 Stormwater Management Code

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

PART F: Specific Area Plans

No Specific Area Plan applies.

INTERNAL REFERRALS

Development Engineer

Comments

The application is for a community shed.

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 proposal accords with the Acceptable Solutions of the Road and Railway Assets Code.

E6.0 Parking and Access Code

The applicant is proposing sixteen carparking spaces. This results in the site overall having a shortfall of two car parking spaces required to satisfy the acceptable solution of clause E6.6.1 of the Glenorchy Interim Planning Scheme 2015 (Number of Car Parking Spaces). Therefore, a variation of carparking is required for the proposed use.

It is considered car parking is available within an adjacent council carpark that is expected to have car parking available as the use associated with this carpark will be outside the operating hours of this proposal. The site is located approximately 150m from a bus stop on the Main Road transit corridor, which is serviced by high-frequency public bus services and the intercity cycleway is located adjacent to the site. It is considered the deficient car parking space will not create any adverse traffic or parking issues. This is considered to satisfy the performance criteria of clause E6.6.1 Number of Car Parking Spaces.

A car parking space for the exclusive use of people with disabilities is required at the rate required by the Building Code of Australia, in accordance with the Acceptable Solution of Clause E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability. This has been shown on the proposal plans and it is recommended this accessible carparking space be included a condition of the planning permit.

The proposed car parking is to be in accordance with AS2890 Off Street car parking as required by Clause E6.7.5 Layout of Parking Areas. A condition of the planning permit is recommended that car parking be constructed to this standard.

The applicant has not shown any details of the car parking area to be sealed to satisfy the Acceptable Solution of Clause E6.7.6 Surface Treatment of Parking Areas. A condition of the planning permit is recommended that car parking be sealed to the approval of Councils Development Engineer.

Landscaping of Parking Areas at a rate no less than 5 percent of the area of the car park is proposed to be conditioned to address the Acceptable Solution of Clause E6.7.8.

No other clauses of the parking and access code is applicable to this application. code applies to all use and development.

E7.0 Stormwater Management Code

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

The applicant has not shown how stormwater from the new impervious areas can be connected to public stormwater, to satisfy the Acceptable Solution of Clause E7.7.1 Stormwater Drainage and Disposal, however it is considered this can be addressed as part of future plumbing application. A condition that all stormwater from impervious areas must be to the requirements of Council's Plumbing Surveyor is recommended to satisfy the acceptable solution of this clause.

No stormwater connection currently exists for the site and a stormwater connection must be provided to Councils existing public stormwater infrastructure to service the proposed development. It is recommended that the stormwater connection be provided prior to Building Approval. The stormwater connection is required to be installed by Council at the developer's cost from a design provided by the applicant and approved by Councils Development Engineer.

Water sensitive urban design principles (stormwater treatment via bio-retention basin/swales) are required to satisfy Glenorchy Interim Planning Scheme 2015 Clause E7.1 A2. The applicant has shown an area for a swale drain for stormwater treatment. However, a condition is recommended for further details to be provided prior to building approval to satisfy the acceptable solution of this clause.

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.

Environmental Health Officer

The acoustic assessment report titled Proposed Men's Shed 15 Main Road, Claremont (Pearu Terts, 01/11/2018) (the "Report") was considered for this development application.

A site visit by Environmental Health was conducted between 9:15 am and 10:05 am on 6th November. This was carried out with Pearu Terts to understand the ambient noise environment and characteristics of the site. Following this, Environmental Health visited the current location of the Claremont Men's Shed to listen to the ambient noise of their current activity. The Men's Shed were not notified that the visit was taking place.

The noise at the proposed site was dominated by heavy vehicles travelling on Main Road and occasionally along Cadbury Road. Ambient noise at the current Men's Shed location included heavy vehicles and traffic, children's voices at the school opposite and mechanical workshop type noise from the residential area to the east of the Shed. Noise emanating from the Men's Shed was sporadic and of short duration (no more than 10 seconds in total over a 10 minute period) and consisted of an electric saw/cutting noise.

The Men's Shed undertakes occasional projects and provides a meeting space for men from the area to gather and talk. Projects are undertaken for community purposes at a leisurely pace. This contrasts to a business where noise generating activity may be expected for extended periods of time. This type of use is categorised as "Domestic and Miscellaneous Activities" in the Environment Protection Policy (Noise) 2009.

No complaints about the Men's Shed have been received by Council for their current location at 1 Main Road Claremont. The other Men's Sheds located in the City of Glenorchy (at Moonah, Dowsing Point and Collinsvale) have not received any complaints from nearby residences.

The proposed shed may additionally provide some noise shielding to the homes from the traffic travelling along Main Road. The nearest homes are located at the rear (south end) of the proposed shed, with residential units located to the east side of the shed across the Shared Intercity Pathway (the bike track). The nearest dwelling is approximately 39 metres away (p.3, Acoustic Report).

The Report states the ambient environmental noise level at the proposed site is 49.7 dB(A). The Report predicts the noisiest equipment would be measured at a sound level of 58.6 dB(A) in the bedrooms of nearby homes (p.4). A condition proposing a 40 dB(A) maximum level measured over 15 minutes and a 45 dB(A) maximum at any time, measured in a habitable room, is recommended. This will provide reassurance for nearby residents who can be assured that even if the popularity of the Men's Shed increases, or noisier equipment is introduced, their homes will be protected from noise.

Noise mitigation recommendations contained in Pearu Terts' report have been recommended as conditions. As this development wishes to use the Performance Criteria in the Noise section of the Glenorchy Interim Planning Scheme 2015 and predictions of noise levels can be challenging, a verification report is required to confirm and ensure the proposed development meets the test set out in the Scheme.

This proposal is recommended for approval, subject to conditions.

Property Officer

Council's Property Officer commented as follows:

The following condition should be included:

"The Applicant is required to obtain a licence from TasRail for access to the property over the land owned by TasRail."

EXTERNAL REFERRALS

TasWater

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

TasGas

A high pressure steel gas pipeline is located 4m away from the proposed carpark according to TasGas. The *Gas Act 2000* s. 79G (3) (c) stipulates that the Planning Authority may grant a permit subject to any safety conditions recommended by the pipeline licensee. A condition is recommended that the TasGas recommendations form part of the permit.

TasRail

TasRail's Property & Licencing Coordinator commented as follows:

Following my meetings with Glenorchy City Council (both the Property Department and the Planning Department) and the Department of State Growth, I can now advise the following:

- I understand from Council Planning that there are no plans by the Claremont Men's Shed to construct anything on TasRail land and that the car park itself will be on Council land. Note: TasRail will not give approval for anything to be constructed over rail land now or in the future as this land is of strategic value for transport purposes.
- TasRail will give approval for access through TasRail land for Claremont Men's Shed but this will be provided under a new Licence between TasRail and the Glenorchy City Council (not in any agreement direct with the Men's Shed). The Licence will cover access for both the Girl Guides and the Claremont Men's Shed via Box Hill Road. TasRail and Council to action this.
- TasRail is advising that it will not require any additional noise or vibration mitigations be imposed on the building. The only comment made is that TasRail will request is a standard statement of no access to the rail corridor.

Planning Comment

The Rail Infrastructure Act 2007s.16 (1)(b) requires that if the Planning Authority grants a permit that it be subject to recommended rail network safeguards specified in advice from the Minister. The Minister's delegate provided separate comments and advised that that separate approval will be required for access through TasRail land via a new Licence Agreement between TasRail and the Glenorchy City Council.

REPRESENTATIONS

The application was advertised for the statutory 14-day period with one representation(s) being received.

Visual impact of parking area

The representation is concerned that the parking area, which extends further south than the shed, would result in a visual intrusion and would reflect sunlight off the parked cars, when viewed from residential properties to the south. The representation seeks to have the parking area shortened in line with the southern wall of the shed or have a screening barrier installed along the edge of the parking area. The representation is not concerned with the building, as the materials and the distance away from the neighbouring property were considered acceptable by the representor.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application. However, some comments can be provided. The parking area would adjoin existing parking for the Girl Guides Hall, which determines the location. The length of the carpark is determined by the required number of parking spaces so that there is no scope for reducing the parking area.

Nevertheless, there is a condition recommended for some landscaping of the parking area, which may soften the appearance of the carpark. The required landscaping is unlikely to provide a screen though, as it is required for water sensitive urban design so that it needs to be located at the lowest point of the car park to capture runoff.

CONCLUSION

The application is for a Men's Shed which is an organisation that aims to improve men's health through social interaction provided within a workshop. The shed would be located at the Claremont Recreation Grounds. The use is classed Community Meeting and Entertainment, which is a discretionary use within the Recreation Zone. The application also invokes discretions with respect to a lack of windows and door openings under the design and passive surveillance standards. In addition, there would be a shortfall of two parking spaces. Nevertheless, it is considered that the proposed use is acceptable at this location as the community use is providing recreational activities to the public and is not adversely impacting on the park. The lack of windows is considered acceptable in this instance as the building is a shed and passive surveillance is available. In terms of parking, it is considered that a shortfall of two spaces can be accommodated at this location.

Council received one representation during the advertising period. Concerns were raised about visual impact of the carparking area and potential for solar reflection off the cars when viewed from a residential property to the south. This issue is not a consideration under the Scheme, although some landscaping for water sensitive urban design will be required.

The application includes a portion of a driveway over Crown land within the railway corridor. As a result, a separate approval must be obtained for access through TasRail land via a new Licence Agreement between TasRail and the Glenorchy City Council. A condition to this effect is recommended.

In terms of noise emission, there are residences 23m that may potentially be affected. As such, there are conditions recommended to manage any adverse impacts.

In conclusion, the proposal is assessed to substantially comply with the requirements of Schedule 1 of the Land Use Planning and Approvals Act 1993 and the

Recommendation:

That a permit be granted for the proposed use and development of Community Shed (Men's Shed) at Claremont Recreation Ground 15 Main Road Claremont subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-17-371 and Drawing No. P1 submitted on 31/05/18 and Drawing No. P2 received on 20/08/18, 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. TWDA2018/01320-GCC, dated 24/08/18, form part of this permit.
3. Any conditions and/or advice as determined by TasGas and set out in the attached Submission to Planning Authority reference No. BMSDOC-18-1007, dated 24/08/18, form part of this permit.
4. Separate approval must be obtained for access through TasRail land via a new Licence Agreement between TasRail and the Glenorchy City Council. This permit does not take effect until the Licence Agreement is in place.
5. Power tools and noise generating equipment must only operate during the hours applied for, which are as follows:
 - Weekdays (except public holidays) from 9:30am to 1:00pm
6. No outdoor storage is to occur.

Engineering

7. 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.
8. A stormwater connection must be constructed to Council's existing public stormwater infrastructure prior to Building Approval, by Council at the developer's cost from a design provided by the applicant and approved by Council's Development Engineer.
9. Sixteen (16) clearly marked car parking spaces must be provided prior to use and kept available for these purposes at all times. Car parking spaces, manoeuvring areas and aisles must be provided in accordance with the Australian Standard AS 2890.1 – 2004 Off-Street Parking. In areas set aside for car parking, securely fixed wheel stops or kerbing must be provided to the satisfaction of Council to prevent damage to fences or landscaped areas.
10. Of the required number of car parking spaces, one (1) car parking space must be provided for the exclusive use of people with disabilities. The space must be clearly marked and sealed with an impervious dust free surface in accordance with the standard for accessible car parking laid down in Australian Standard AS/NZS 2890.6:2009 - Off-street parking for people with disabilities.

11. Driveways, car parking and turning areas must be constructed and sealed with an approved impervious surface treatment prior to use as approved. All runoff from paved and driveway areas must be retained within site boundaries and discharged into Council's stormwater system. Construction details must generally be in accordance with Council's standard requirements. 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.
12. Water sensitive urban design principles for the treatment of stormwater discharging from the development must be incorporated into the development. Detailed design plans must be submitted and be approved by Council's Development Engineer prior to building approval.
13. 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.
14. Landscaping comprising at least 5 percent of the area of the car park must be provided. The landscaped area must be finished with a non-impervious surface, and must be maintained in a satisfactory, vegetated condition for the duration of the use as approved.

Environmental Health

15. An activity carried out in accordance with this permit must not exceed an equivalent continuous A-weighted sound pressure level measured over 15 minutes (LAeq15min) of 40 dB(A) when measured in a habitable room of a residential premise in other ownership; or an Lmax of 45 dB(A) at any time.
16. Three-sided noise mitigation enclosures must be built to house the three noisiest machines. These enclosures must be lined with sound absorbing material (page 4 of the Report recommendations Proposed Men's Shed 15 Main Road, Claremont (Pearu Terts, 01/11/2018)).
17. Sisalation lining of the roof space must be "drooped" to provide air space and absorb lower frequency noises for noise mitigation purposes (page 4 of the Report recommendations for Proposed Men's Shed 15 Main Road, Claremont (Pearu Terts, 01/11/2018)).
18. A Noise Verification Report must be submitted to Council within four weeks of the Men's Shed opening. The report must assess the noise generating activities over the scheduled duration, measured at the nearby residential boundaries.
19. The report must demonstrate and certify that the noise emissions from the Shed do not cause "environmental harm" (see the definition in the Environmental Management and Pollution Control Act 1994 and Performance Criteria 18.3.2 Noise of the Glenorchy Interim Planning Scheme 2015); and certify the predicted noise levels inside the homes will meet the prescriptive dB(A) condition (namely 40 dB(A) measured over 15 minutes and a 45 dB(A)

maximum at any time inside a habitable room in other ownership).

20. Should further noise mitigation treatments be required to achieve the required sound levels, the measures must be installed within twelve weeks of the date of the report. A further noise verification check must be undertaken and submitted to the Council. Noise mitigation treatments must be shown to be effective and the Report must certify noise levels as required by the planning permit.
21. The discharge of liquids, other than unpolluted rainwater, to Council's stormwater system, receiving water bodies or water courses is strictly prohibited.
22. Any area where liquid wastes (including spills) are generated must be suitably graded and bunded to direct the liquid waste to sewer.
23. All solid wastes must be managed in accordance with the hierarchy of waste management summarised below, unless otherwise approved in writing by the Council.
 - (a) waste must be minimised, that is, the generation of waste must be reduced to the maximum extent that is reasonable and practicable, having regard to best practice environmental management;
 - (b) waste must be re-used or recycled to the maximum extent that is reasonable and practicable; and
 - (c) any residual waste must be disposed of only at a site and in a manner approved by the Glenorchy Planning Authority.

Advice to Applicant

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

Other Permits

Please be aware that this planning permit is a planning approval issued under the Glenorchy Interim Planning Scheme 2015. You should consult with an accredited Building Surveyor prior to commencing this use or work to ensure all relevant requirements of the Building Act 2016 are complied with. In addition to this planning permit, a building permit and/or plumbing permit may also be required. If further clarification is required, please contact Council's Building Section on 62166800.

Layout Design – Noise Considerations

Consideration to the internal layout of the shed should be given in order to locate noisier equipment further away from the residences. For example, machinery should be located inside the shed closer to the Main Road side, with timber stacked on the side of the shed closer to the cycleway. This will act as a noise shield and aid noise mitigation.

Pearu Terts, acoustic engineer, should be consulted for further advice about the most effective design for the noise mitigating three sided enclosures to house the noise equipment. Additionally, Pearu Terts has experience with installing the insulation lining the roof space for noise mitigation and is able to advise on this

APPENDIX**18.0 Recreation Zone**

Standard	Acceptable Solution	Proposed	Complies?
18.3 Use Standards			
18.3.1 Hours of Operation	A1 Hours of operation of a use within 50 m of a residential zone must be within: (a) 7.00 am to 8.00 pm Mondays to Fridays inclusive; (b) 8.00 am to 6.00 pm Saturdays; (c) 10.00 am to 5.00 pm Sundays and Public Holidays; except for office and administrative tasks.	Proposed operating hours are: Weekdays (except public holidays) 9:30am to 1:00pm	Yes

18.3.2 Noise	A1 Noise emissions measured at the boundary of a residential zone must not exceed the following: (a) 55dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm; (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm and 7.00 am; (c) 65dB(A) (LAmax) 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.	The applicant submitted a noise assessment demonstrating compliance. Further conditions are recommended to ensure accordance.	Yes
	A2 External amplified loud speakers or music must not be used within 50 m of a residential zone, except if a school system used for school announcements.	None proposed	NA
18.3.3 External Lighting	A1 External lighting, other than flood lighting of sport and recreation facilities, within 50 m of a residential zone must comply with all of the following: (a) be turned off between 9:00 pm and 6:00 am, except for security lighting; (b) security lighting must be baffled to ensure they do not cause emission of light outside the zone.	There is residential zone within 25m. a condition is recommended	Yes

	A2 Flood lighting of sport and recreation facilities within 200 m of a residential zone must not subject nearby residential lots to obtrusive light, as defined in AS 4282-1997-1.4.7.		
18.3.4 Commercial and Patron Vehicle Movements	A1 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must be within the hours of: (a) 7.00 am to 9.00 pm Mondays to Fridays inclusive; (b) 8.00 am to 7.00 pm Saturdays; (c) 10.00 am to 6.00pm Sundays and Public Holidays.	The use would operate on Weekdays 9:30am to 1:00pm .	NA
18.3.5 Discretionary Use	A1 No Acceptable Solution	Community Meeting and Entertainment Discretionary Use	Discretionary see report
18.4 Development Standards for Buildings and Works			
18.4.1 Building Height	A1 Building height must not be more than: (a) 10m. (b) 15m if in the KGV Sports and Community Precinct and 10m or more from that Precinct boundary other than a boundary with a residential zone.	Building height: 4.34m	Yes

	A2 Building height within 10 m of a residential zone must be no more than 8.5 m.	Not within 10m	NA
18.4.2 Setback	A1 Building setback from frontage must be must be no less than: (a) 5m; (b) the alignment of adjoining buildings; whichever is the lesser.	Frontage setback: 65m	Yes
	A2 Building setback from a residential zone must be no less than: (a) 3 m; (b) half the height of the wall, whichever is the greater.	Approximatly 23m	Yes
18.4.3 Design	A1 Building design must comply with all of the following: (a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site; (b) for new building or alterations to an existing facade provide windows and door openings at ground floor level in the front façade no less than 40% of the surface area of the ground floor level facade; (c) for new building or alterations to an existing facade ensure any single expanse of blank wall in the ground level front façade and facades facing	(a) The main door is facing Boxhill Road and is visible when approaching the building from the driveway – complies (b) The purpose of the building is similar to a workshop so that no windows are provided – discretion (c) The building has no windows – discretion (d) No mechanical plant proposed – NA	Discretion see report

	other public spaces is not greater than 50% of the length of the facade; (d) screen mechanical plant and miscellaneous equipment such as heat pumps, air conditioning units, switchboards, hot water units or similar from view from the street and other public spaces; (e) incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof; (f) provide awnings over the public footpath if existing on the site or on adjoining lots; (g) not include security shutters over windows or doors with a frontage to a street or public place.	(e) No roof top service infrastructure proposed – NA (f) Not adjoining buildings with existing awnings – NA (g) No windows, therefore no shutters – NA	
	A2 Walls of a building facing a residential zone must be coloured using colours with a light reflectance value not greater than 40 percent.	The proposed building is not facing a residential zone in close proximity as it would be approximately 23m away	NA
18.4.4 Passive Surveillance	A1 Buildings design must comply with all of the following: (a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site; (b) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the front facade which amount to no less than 40 % of the surface area of the ground floor level facade; (c) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the facade of any wall which faces a public space or a car park which amount to no less than 30% of the surface area of the ground floor level facade;	(a) The front door is facing the street and the driveway – complies (b) Windows and door openings less than 40% discretion – discretion (c) Windows and door openings less than 30% - discretion (d) There would be no entrapment spaces as there are no recesses – complies (e) External lighting is required by	Discretion - see report

	(d) avoid creating entrapment spaces around the building site, such as concealed alcoves near public spaces; (e) provide external lighting to illuminate car parking areas and pathways; (f) provide well-lit public access at the ground floor level from any external car park.	an engineering condition – complies	
18.4.5 Landscaping	A1 Landscaping must be provided along the frontage of a site (except where access is provided) unless the building has nil setback to frontage.	The frontage of the lease area is taken up by access so that this standard is not applicable.	NA
	A2 Along a boundary with a residential zone landscaping must be provided for a depth no less than 2 m.	Not adjacent to residential zone	NA
18.4.6 Outdoor Storage Areas	A1 Outdoor storage areas for non-residential uses must comply with all of the following: (a) be located behind the building line; (b) all goods and materials stored must be screened from public view; (c) not encroach upon car parking areas, driveways or landscaped areas.	Not proposed	NA
18.4.7 Fencing	A1 Fencing must comply with all of the following: (a) fences, walls and gates of greater height than 1.5 m must not be erected within 4.5 m of the frontage; (b) fences along a frontage must be at least 50% transparent above a height of 1.2 m;	Not proposed	NA

	(c) height of fences along a common boundary with land in a residential zone must be no more than 2.1 m and must not contain barbed wire.		
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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.	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.	
	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.	Not an applicable standard.	

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.	Not an applicable standard.	
5.6 Development Standards			
E5.6.1 Development adjacent to roads and railways	A1.1 (a) 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: (b) new buildings; (c) other road or earth works; and (d) building envelopes on new lots.	The proposal accords with A1.2	Yes

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.	The proposed building would be located on the boundary of the TasRail land and approximately 20m from the tracks. The proposed building would be situated between 5 Box Hill Road and 11 Main Road, one of which is the Girls Guide Hall and the other is a residence. The proposed building is in line with the Girl Guides Hall and the residence to the south is slightly forward of the proposed building. The adjacent building to 11 Main Road, at 9 Main Road is at an angle but a similar distance away from the rail corridor. Therefore, the proposal satisfies A1.2 (a)	Yes
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.		
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.		Yes
E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability	A1 Car parking spaces provided for people with a disability must: (a) satisfy the relevant provisions of the Building Code of Australia; (b) be incorporated into the overall car park design; (c) be located as close as practicable to the building entrance.		Yes - conditioned
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	Not an applicable standard.	

Standard	Acceptable Solution	Proposed	Complies?
	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.	Not an applicable standard.	
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
E6.7.3	A1		

Standard	Acceptable Solution	Proposed	Complies?
Vehicular Passing Areas Along an Access	Vehicular passing areas must: (a) be provided if any of the following applies to an access: (i) it serves more than 5 car parking spaces; (ii) is more than 30 m long; (iii) it meets a road serving more than 6000 vehicles per day; (b) be 6 m long, 5.5 m wide, and taper to the width of the driveway; (c) have the first passing area constructed at the kerb; (d) be at intervals of no more than 30 m along the access.		Yes.
E6.7.4 On-Site Turning	A1 On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following: (a) it serves no more than two dwelling units; (b) it meets a road carrying less than 6000 vehicles per day.	Not an applicable standard.	
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 - conditioned
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		Yes - conditioned

Standard	Acceptable Solution	Proposed	Complies?
	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.		
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.	Not operating outside daylight hours	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.	Not an applicable standard.	
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.	Not an applicable standard.	
E6.7.10 Design of Bicycle Parking Facilities	A1 The design of bicycle parking facilities must comply with all the following;	Not an applicable standard.	

Standard	Acceptable Solution	Proposed	Complies?
	(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.		
	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.		
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 Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless:	Not an applicable standard.	

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

Standard	Acceptable Solution	Proposed	Complies?
	A4 A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.	Not an applicable standard.	

Attachments/Annexures

- 1** Attachment - 15 Main Road, Claremont



**10. PROPOSED USE AND DEVELOPMENT - SUBDIVISION
(BOUNDARY ADJUSTMENT) RE-ADVERTISED - 29 STOURTON
STREET, ROSETTA AND 31 STOURTON STREET, ROSETTA**

Author: Planning Officer (Sylvia Jeffreys)

Qualified Person: Planning Officer (Sylvia Jeffreys)

Property ID: 7776952 and 5343416

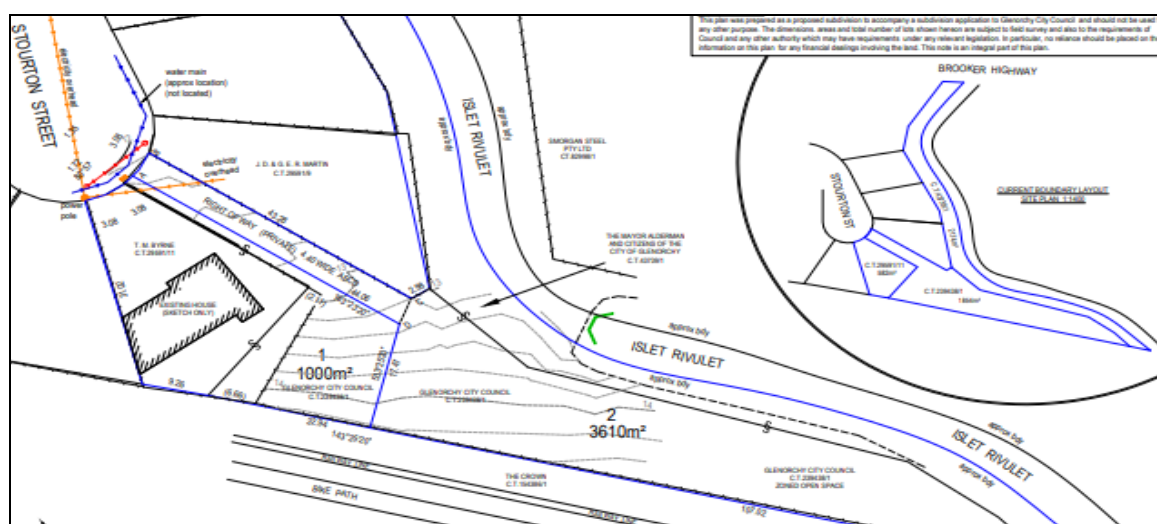
REPORT SUMMARY:

Application No.:	PLN-18-124
Applicant:	Glenorchy City Council
Owner:	Glenorchy City Council
Zone:	General Residential and Environmental Management
Use Class	Subdivision
Application Status:	Discretionary
Discretions:	9.7 Subdivision 10.6.1 A2 Lot Design 10.6.1 A3 Lot Design 10.6.1 A4 Lot Design (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	12 Nov 2018
Existing Land Use:	Single Dwelling and Public Open Space
Proposal in Brief:	Subdivision (boundary adjustment) Re-advertised
Representations:	1
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL:

PROPOSAL

The application proposes various boundary adjustments, which are assessed as subdivision because lot sizes would significantly change. There would be no new lot created. It is proposed to add a portion of Council land to an existing residential property and consolidate two existing Council properties. The portion of land to be transferred would have an area of 418m², so that the residential lot would have a total area of 1000m². Most of the land to be transferred would be added to the rear of the residential property and a small portion along the northeast boundary, adjacent to the access strip of Council's land. The combined Council lots would have an area of 3610m² and would remain as public open space. The portion of land to be transferred is zoned General Residential, whilst the remaining Council land would have dual zoning of General Residential and Environmental Management. It is also proposed to create a right-of-way over the access strip of the Council land. The proposal is shown in Figure 1.



The properties are shown in Figure 2.



Figure 2: Subject Site - Council Database 2016

ZONE

The properties lie within the General Residential Zone in red and the Environmental Management Zone in teal as shown in Figure 3.

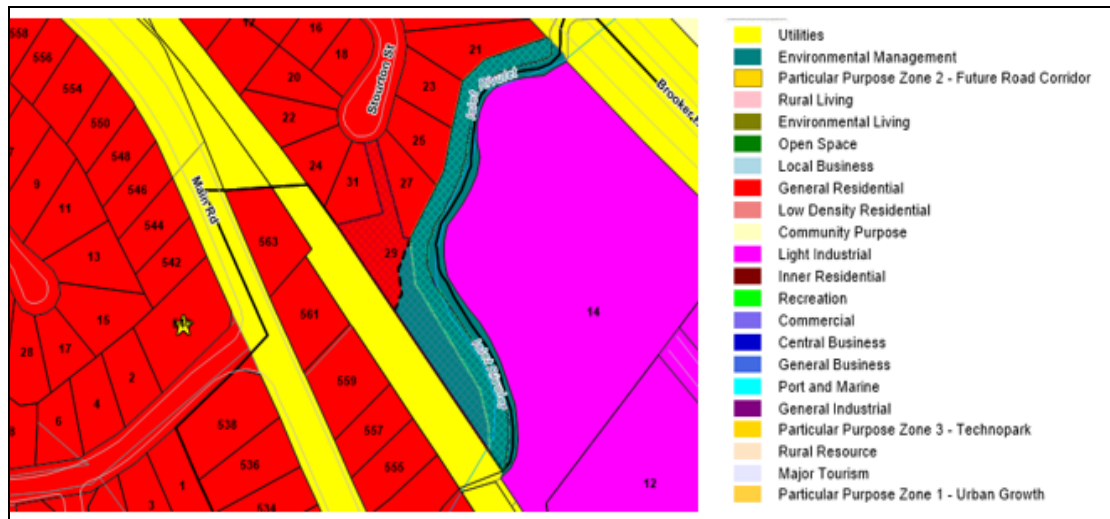


Figure 3: Zoning Map - GIPS 2015

The residential property is wholly contained within the General Residential Zone, as is the land to be transferred. The land to be retained by Council will have dual zoning, as shown in more detail Figure 4.

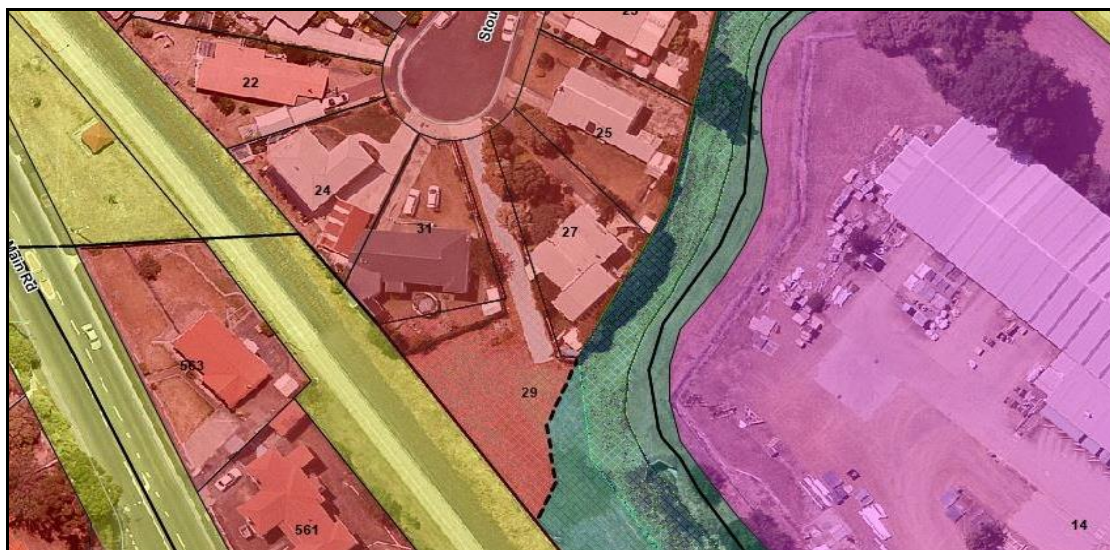


Figure 4: Zoning in detail - GIPS 2015

BACKGROUND

Sale of Land

The sale of the land is part of a land disposal program initiated in 2000 to subsidise the construction of a pathway linking the Brooker Highway to the Inter City Cycleway and was considered under Council's Policy 17-5 Disposal of Council Land. Several issues delayed the sale of the property, which were eventually resolved, and the sale was approved by Council on 02/07/2012 (resolution Item 17, Council Meeting Agenda 02/07/18). Prior to the contract of sale, Council adhered to the processes under section 178 of the *Local Government Act 1993* and advertised the intention to dispose of land on two occasions (advertisements placed in *The Mercury* on 7 and 14 July 2012). At this time, there was an objection to the sale, but Council approved the sale nevertheless. The portion of land to be transferred which is subject to this application, has an area of 418m² and would be added to the property at 31 Stourton Street, which increases the area of that property to 1000m². As such, most of the Council reserve would be retained.

Permits

The following permits were approved for the subject properties:

- PLN-09-0243 - Dwelling additions with variation to setbacks – approved 05/10/09 at 31 Stourton Street.
- PLN-12-088 - Subdivision – Boundary Adjustment – Approved 25/06/12. This permit allowed for a separate parcel of land with an area of 1028m² adjacent to the rear of 31 Stourton Street. The related Final Plan was sealed on 20/07/2015 but not registered with the Land Titles Office at 29 Stourton Street.

Application

The application required re-advertising to reflect the correct description which is Subdivision (boundary adjustment).

ASSESSMENT**STATE POLICIES, OBJECTIVES of LUPAA**

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

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

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

Nil.

Limited Exemptions

Nil.

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

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

- E10.0 Biodiversity Code
- E11.0 Waterway and Coastal Protection Code

Discretionary Use or Development

The application is *discretionary* under Clause 8.8 as follows:

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

- (a) *the use is within a use class specified in the applicable Use Table as being a use which is discretionary;*
- (b) *the use or development complies with each applicable standard but relies upon a performance criterion to do so; or*
- (c) *it is discretionary under any other provision of the planning scheme,*
- (d) *and the use or development is not prohibited under any other provision of the planning scheme.*

The application is discretionary under (c) for subdivision and (b) above because it relies on a Performance Criteria because it does not meet the following Acceptable Solution:

- 9.7 Subdivision
- 10.6.1 A2 Lot Design
- 10.6.1 A3 Lot Design
- 10.6.1 A4 Lot Design

Use Class Description (Table 8.2):

The application does not propose any new use.

Other relevant definitions (Clause 4.1):

The following definition in 4.1 of the Scheme are relevant:

Internal Lot

means a lot:

- (a) *lying predominantly behind another lot; and*
- (b) *having access to a road by an access strip, private road or right of way.*

Lot

means a piece or parcel of land in respect of which there is only one title other than a lot within the meaning of the Strata Titles Act 1998.

Public open space

means land for public recreation or public gardens or for similar purposes.

Subdivide

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

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

subdivision

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

Part C: Special Provisions

The following special provisions of the Scheme are relevant:

9.3 Adjustment of a Boundary

The proposal does not satisfy the requirements for it to be considered as a permitted boundary adjustment in 9.3 Adjustment of a Boundary, which is as follows:

9.3 Adjustment of a Boundary

9.3.1 An application for a boundary adjustment is permitted and a permit must be granted if:

- (a) no additional lots are created;*
- (b) there is only minor change to the relative size, shape and orientation of the existing lots;*
- (c) no setback from an existing building will be reduced below the applicable minimum setback requirement;*
- (d) no frontage is reduced below the applicable minimum frontage requirement; and*
- (e) no lot boundary that aligns with a zone boundary will be changed.*

Comment

The application does not propose any additional lots. Nevertheless, the proposal must be assessed under the subdivision provisions because the proposal does not meet the definition of a boundary adjustment as above.

The proposal would be in accordance with (a), (c), (d), and (e), but not (b) above. The proposal does not satisfy (b) with respect to the degree of change in terms of lot size and shape. Therefore, 9.7 Subdivision applies as follows:

9.7 Subdivision

9.7.1 A permit is required for development involving a plan of subdivision.

9.7.2 A permit for development involving a plan of subdivision is discretionary unless:

- (a) for adjustment of a boundary in accordance with clause 9.3.1;*
- (b) the subdivision is prohibited in accordance with clause 8.9; or*
- (c) the plan of subdivision must not be approved under section 84 Local Government (Building and Miscellaneous Provisions) Act 1993.*

Comment

The proposal is discretionary under 9.7.2 above.

Part D: Zones

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

Zone Purpose Statements

General Residential Zone

The purpose of the General Residential Zone in 10.1.1 is as follows:

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

Comment

The proposal essentially transfers a portion General Residential zoned land to a serviced residential lot. Therefore, the proposal is in accordance with zone purpose.

Environmental Management Zone

The purpose of the Environmental Management Zone in 29.1.1 is as follows:

- *To provide for the protection, conservation and management of areas with significant ecological, scientific, cultural or aesthetic value, or with a significant likelihood of risk from a natural hazard.*
- *To only allow for complementary use or development where consistent with any strategies for protection and management.*
- *To facilitate passive recreational opportunities which are consistent with the protection of natural values in bushland and foreshore areas.*
- *To recognise and protect highly significant natural values on private land.*
- *To protect natural values in un-developed areas of the coast.*
- *To provide for the protection, conservation and management of areas with significant ecological, scientific, cultural or aesthetic value, or with a significant likelihood of risk from a natural hazard.*
- *To only allow for complementary use or development where consistent with any strategies for protection and management.*
- *To facilitate passive recreational opportunities which are consistent with the protection of natural values in bushland and foreshore areas.*
- *To recognise and protect highly significant natural values on private land.*
- *To protect natural values in un-developed areas of the coast.*

Comment

The proposal satisfies the above zone purpose of the Environmental Management Zone, because there would be no adverse impacts on the land. The zone essentially protects a watercourse at this location. There would be no works occurring within this portion of the Council owned land and the land would remain public open space. Therefore, the proposal would be in accordance with zone purpose of the Environmental Management Zone.

10.6 Development Standards for Subdivisions (General Residential Zone)**10.6.1 A2 Lot Design**

The proposal does not accord with the Acceptable Solution in 10.6.1 A2 Lot Design because the land is subject to codes. Therefore, the proposal relies on the related Performance Criteria as follows:

10.6.1 P2 Lot Design

The design of each lot must contain a building area able to satisfy all of the following:

- (a) be reasonably capable of accommodating residential use and development;*
- (b) meets any applicable standards in codes in this planning scheme;*
- (c) enables future development to achieve maximum solar access, given the slope and aspect of the land;*
- (d) minimises the need for earth works, retaining walls, and fill and excavation associated with future development;*
- (e) provides for sufficient useable area on the lot for both of the following;*
 - (i) on-site parking and manoeuvring;*
 - (ii) adequate private open space.*

Comment

The land is covered by the Biodiversity Code and the Waterway and Coastal Protection Code, so that it does not satisfy the criterion in A2 (b) that requires that the land is not subject to any codes. Nevertheless, the proposal satisfies the Performance Criteria in (b) above, as it meets the applicable standards of each code. The remainder of the criteria is already satisfied as the residential lot accommodates an existing residential use on reasonably level land, with parking and private outdoor space, which would not be affected by the new boundaries. No earthworks would be required.

Therefore, the proposal complies with the standard through the Performance Criteria.

10.6.1 A3 Lot Design

The proposal does not accord with the Acceptable Solution in 10.6.1 A3 Lot Design in terms of frontage, where the Acceptable Solution requires 15m. Therefore, the proposal relies on the related Performance Criteria as follows:

10.6.1A3 Lot Design

The frontage of each lot must satisfy all of the following:

- (a) provides opportunity for practical and safe vehicular and pedestrian access;*
- (b) provides opportunity for passive surveillance between residential development on the lot and the public road;*
- (c) is no less than 6m.*

Comment

The proposal includes changes to the frontage of the existing lot at 31 Stourton Street. The current frontage is 6.16m wide and will increase by 1.72m, so that the new frontage would be 7.88m wide. Therefore, the new frontage is less than the 15m required by the Acceptable Solution. Nevertheless, the proposal accords with the above Performance Criteria as there would be more than 6m in width and access is already available. Passive surveillance would not be impeded.

Therefore, the proposal complies with the standard through the Performance Criteria.

10.6.1 A4 Lot Design

The proposal does not accord with the Acceptable Solution in 10.6.1 A4 as the changes affect an internal lot. Therefore, the proposal relies on the related Performance Criteria as follows:

10.6.1 P4 Lot Design

An internal lot must satisfy all of the following:

- (a) the lot gains access from a road existing prior to the planning scheme coming into effect, unless site constraints make an internal lot configuration the only reasonable option to efficiently utilise land;*
- (b) it is not reasonably possible to provide a new road to create a standard frontage lot;*
- (c) the lot constitutes the only reasonable way to subdivide the rear of an existing lot;*
- (d) the lot will contribute to the more efficient utilisation of residential land and infrastructure;*
- (e) the amenity of neighbouring land is unlikely to be unreasonably affected by subsequent development and use;*
- (f) the lot has access to a road via an access strip, which is part of the lot, or a right-of-way, with a width of no less than 3.6m;*
- (g) passing bays are provided at appropriate distances to service the likely future use of the lot;*
- (h) the access strip is adjacent to or combined with no more than three other internal lot access strips and it is not appropriate to provide access via a public road;*

- (i) a sealed driveway is provided on the access strip prior to the sealing of the final plan.
- (j) the lot addresses and provides for passive surveillance of public open space and public rights of way if it fronts such public spaces.

Comments

The proposal results in changes to an internal lot, which is the Council owned land. The existing lot has a sealed driveway for the length of the access strip. Whilst the lot overall already satisfies the above considerations as it is an existing lot, the changes affect the access strip so that (f) is particularly relevant. The width of the access strip would be reduced to 4.4m between point A and B on the plan, which is still in accordance with criterion (f) that requires a minimum of 3.6m.

Therefore, the proposal complies with the standard through the Performance Criteria.

29.5 Development Standards for Subdivisions (Environmental Management Zone)

The proposal accords with the relevant Acceptable Solutions as demonstrated in the attached Appendix.

Part E: Codes

The following codes of the Scheme apply to this proposal:

10.0 Biodiversity Code

The Biodiversity overlay covers part of the subject land as shown in Figure 5.

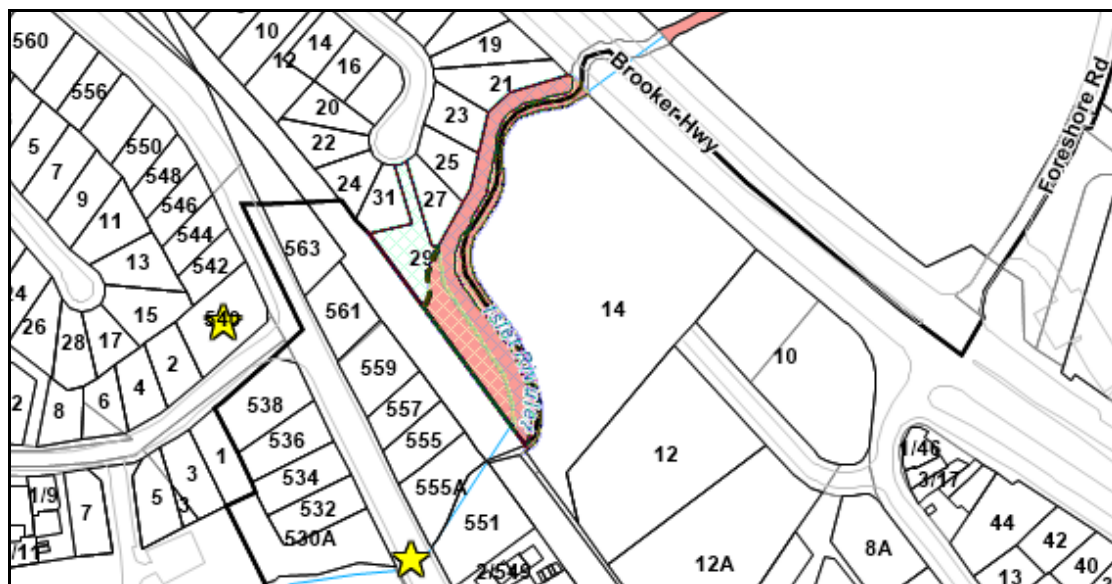


Figure 5: Biodiversity Overlay - GIPS 2015

The proposal accords with the relevant Acceptable Solutions as demonstrated in the attached Appendix.

E11.0 Waterway and Coastal Protection Code

The Waterway and Coastal Protection overlay covers a portion of the land as shown in Figure 6.

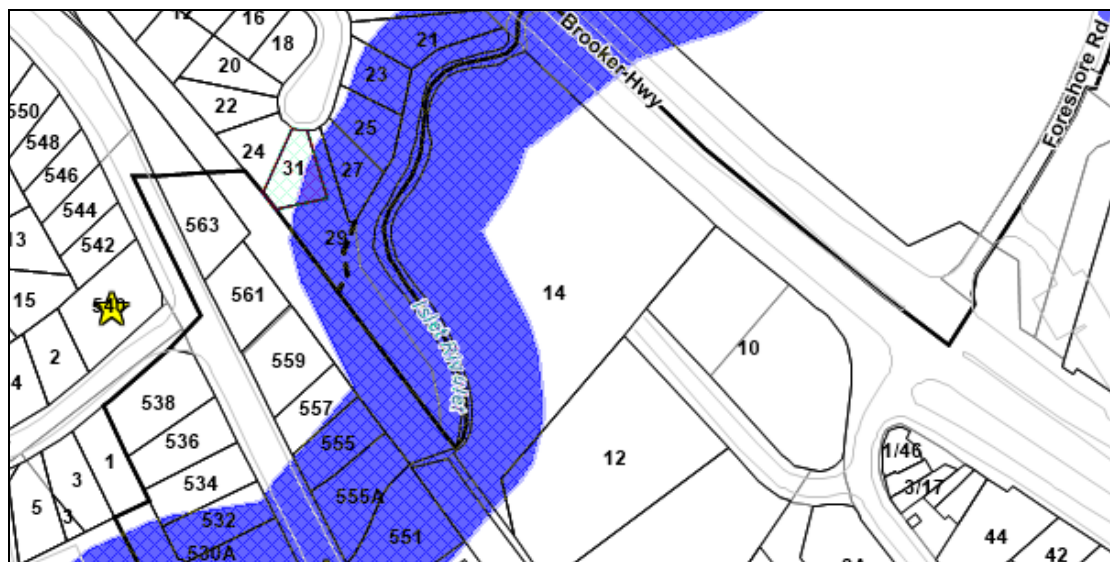


Figure 6: Waterway and Coastal Protection Code -GIPS 2015

The proposal accords with the relevant Acceptable Solutions as demonstrated in the attached Appendix.

PART F: Specific Area Plans

Nil.

INTERNAL REFERRALS

Development Engineer

Comments

The development application seeks an approval for subdivision (boundary adjustment) to add part of the land (a portion of 418m²) at 29 Stourton Street (GCC owned) to 31 Stourton Street.

Traffic, Access & Parking

There is no significant change to the current traffic, access and parking arrangements. Both 29 and 31 Stourton Street have existing access crossovers which would remain.

GCC Services (Stormwater)

There are no GCC stormwater mains affected by this application; and the stormwater connections to each lot are entirely separated and contained within each new lot.

Other*Geoscience issues*

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

Flooding/Inundation issues

The site is within the close vicinity to the Islet Rivulet and over the Waterway and coastal Protection overlay (E11); however due to the scope of the development, it is unlikely that the boundary adjustment development will cause any inundation impact at this stage.

Environment Coordinator

At this site, there are no natural values remaining, so that no flora and fauna survey is required.

With regards to the recreation linkages with the InterCity Cycleway, there has been a preliminary design prepared by our Engineering team that clearly shows a proposed shared use path to link the cycleway and the Brooker Highway through Stourton Street Reserve. From this concept plan, it is unlikely that this proposal would impact on the future proposed pathway alignment.

EXTERNAL REFERRALS***TasWater***

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

REPRESENTATIONS

The application was advertised for the statutory 14-day period twice because the description in the first advertisement was incorrect. Originally, there were two representations. The re-advertisement resulted in only one representation being reconfirmed. Nevertheless, the issues raised by both representations were similar and are summarised below.

1. Sale of public land

The representor states that the boundary adjustment adding land to 31 Stourton Street is acceptable but rejects the creation of a 1000m² parcel of land. Furthermore, the representation states that this land should not be for sale because it is parkland which should be available for children to play. The second representor also objects to the sale of the land because the land is public land. Furthermore, the representor is concerned that this is the only park in the vicinity of Stourton Street because Montrose Park on the other side of the highway would not be accessible by pram over the overpass.

Planner's Comment:

This is not a planning issue that can be considered as part of this application; however some comments can be provided. The bulk of the reserve would remain for public use and only a small portion of 415m² would be sold and added to 31 Stourton Street. There would be no new lot create. The sale of land is not governed by the *Glenorchy Interim Planning Scheme 2015*, which relates to this assessment. There is a separate process under Section 178 of the *Local Government Act 1993*, which has already occurred.

2. Option to buy

The representation states that the representor was also interested in buying the land and is wondering why only one person could buy it. The second representation also states that this representor might have been interested in buying the land and should have had the option.

Planner's Comment:

This is not a planning issue that can be considered as part of this application, however some comments can be provided. It is noted that there would be no separate lot that could be offered to any person, as the application is for a boundary adjustment which allows for adding land to an adjacent lot. Any sale of Council land occurs under a separate process under section 178 of the *Local Government Act 1993*. This process provides for public advertising and consideration of all responses. This process is separate from any planning permit application and has already occurred. Please refer to the background section at the beginning of the report for further details.

CONCLUSION

The application proposes to add a portion of Council land to a residential lot and to consolidate two public open space lots. The proposed changes to the existing lots accord in terms of lot size and meets all of the Acceptable Solutions of the Biodiversity Code and of the Waterway and Coastal Protection Code. The proposal invokes discretions in terms of lot design, including frontage changes both to an ordinary lot and to an internal lot.

The existing frontage at 31 Stourton Street would be increased to 7.88m, but would be below the minimum frontage of 15m of the Acceptable Solution. The Performance Criteria requires a frontage of no less than 6m and safe access, which is satisfied.

The proposal affects changes to an internal lot. An internal lot is discretionary. The main consideration is the width of the access and right-of-way, which must be no less than 3.6m in width. The changes result in an access of 4.4m, which satisfies the Performance Criteria.

Council received one representations in response to the public notification. The representation is concerned about the sale of public land and lack of options to buy the land. These issues relate to a separate process under the *Local Government Act 1993* and are not a consideration under the *Glenorchy Interim Planning Scheme 2015*. Therefore, these issues do not carry determining weight.

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

Recommendation:

That a permit be granted for the proposed use and development of Subdivision (boundary adjustment) Re-advertised at 29 Stourton Street, Rosetta and 31 Stourton Street, Rosetta subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-18-124 and Drawing No. P3 submitted on 28/09/18, 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 2018/00957-GCC, dated 19/06/19, form part of this permit.
3. The right of way of Lot 2 must have a minimum frontage of 4.4m wide between point A and B. The width must be shown on the Final Plan of Survey.

Engineering

4. Private sewer, stormwater and water services/connections are to be entirely separate to each lot in order to ensure that service connections are contained entirely within the lots served. Power and telephone connections must also be contained within respective lots. A detailed services plan showing both the existing and the proposed (or as built) private services, Council mains and access to all lots on the site must be prepared by a civil engineer or a qualified designer and submitted to the Council for approval prior to the sealing of the final plans. In particular, the developer must confirm the position of any services that may be affected by the subdivision/boundary adjustment.
5. An original and two copies of each of the Plan of Survey and Schedule of Easements must be submitted to Council for sealing.

Advice to Applicant

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

Other Permits

Please be aware that this planning permit is a planning approval issued under the Glenorchy Interim Planning Scheme 2015. You should consult with an accredited Building Surveyor prior to commencing this use or work to ensure all relevant requirements of the Building Act 2016 are complied with. In addition to this planning permit, a building permit and/or plumbing permit may also be required. If further clarification is required, please contact Council's Building Section on 62166800

APPENDIX**10.0 General Residential Zone**

Standard	Acceptable Solution	Proposed	Complies?
10.6 Development Standards for Subdivision			
10.6.1 Lot Design	A1 The size of each lot must comply with the minimum and maximum lot sizes specified in Table 10.1, except if for public open space, a riparian or littoral reserve or utilities.	The existing residential lot at 31 Stourton Street would increase in size to 1000m ² , which complies. The remainder of the land will have dual zoning and is for public open space so that no lot size applies.	Yes
	A2 The design of each lot must provide a minimum building area that is rectangular in shape and complies with all of the following, except if for public open space, a riparian or littoral reserve or utilities: (a) clear of the frontage, side and rear boundary setbacks; (b) not subject to any codes in this planning scheme; (c) clear of title restrictions such as easements and restrictive covenants; (d) has an average slope of no more than 1 in 5; (e) the long axis of the building area faces north or within 20 degrees west or 30 degrees east of north; (f) is 10 m x 15 m in size.	The existing lot would not be reduced and contains an existing dwelling. The existing lot would be able to comply with (a), (c), (d) and (f). The proposal would not change the orientation of the lot. The General Residential zoned land is subject to the Waterway and Coastal Protection Code, so that the proposal does not accord with the Acceptable Solution.	Discretions
	A3 The frontage for each lot must comply with the minimum and maximum frontage specified in Table 10.2, except if for public open space, a riparian or littoral reserve or utilities or if an internal lot. 15m	The existing frontage for the residential lot is 6.18m and will increase by 1.72m to 7.9m, which is less than 15m. The Council land is an internal lot	Discretion

	A4 No lot is an internal lot.	There will be no new internal lot. However, the proposed changes would affect an internal lot.	Discretion
	A5 Subdivision is for no more than 3 lots.	No new lot	Yes
10.6.2 Roads	A1 The subdivision includes no new road.	None proposed	Yes
10.6.3 Ways and Public Open Space	A1 No Acceptable Solution.	Existing Open Space	NA
10.6.4 Services	A1 Each lot must be connected to a reticulated potable water supply.	Existing	Yes
	A2 Each lot must be connected to a reticulated sewerage system.	Existing	Yes
	A3 Each lot must be connected to a stormwater system able to service the building area by gravity.	Existing	Yes
	A4 The subdivision includes no new road.	None proposed	Yes

APPENDIX**29.0 Environmental Management**

Standard	Acceptable Solution	Proposed	Complies?
29.5 Development Standards for Subdivision			
29.5.1 Subdivision	A1 Subdivision must comply with any of the following: (a) be for the purpose of providing for public open space, a reserve or a Utilities, Emergency services, or Community meeting and entertainment use class, by or on behalf of the State Government, a Council, a statutory authority, or a corporation all the shares of which are held by or on behalf of the state or by a statutory authority. (b) be for lots proscribed in an applicable reserve management plan.	The proposal is consolidating two titles with a boundary within the Environmental Management Zone. All the land within the Environmental Management Zone would remain public open space so that 29.5.1 (a) is satisfied.	Yes

APPENDIX**E10 Biodiversity Code**

Standard	Acceptable Solution	Proposed	Complies?
E10.8 Subdivision Standards			
E10.8.1 Subdivision	A1 Subdivision of a lot, all or part of which is within a Biodiversity Protection Area, must comply with one or more of the following: (a) be for the purposes of separating existing dwellings; (b) be for the creation of a lot for public open space, public reserve or utility; (c) no works, other than boundary fencing works, are within the Biodiversity Protection Area; (d) the building area, bushfire hazard management area, services and vehicular access driveway are outside the Biodiversity Protection Area.	There are no works proposed, which satisfies (c)	Yes
	A2 Subdivision is not prohibited by the relevant zone standards.	Subdivision is not prohibited within the portion of land zoned General Residential. Subdivision within the Environmental Management Zone is allowed for open space.	Yes

APPENDIX**E11 Waterway and Coastal Protection Code**

Standard	Acceptable Solution	Proposed	Complies?
E11.8 Subdivision Standards			
E11.8.1 Subdivision	A1 Subdivision of a lot, all or part of which is within a Waterway and Coastal Protection Area, Future Coastal Refugia Area or Potable Water Supply Area must comply with one or more of the following: (a) be for the purpose of separation of existing dwellings; (b) be for the creation of a lot for public open space, public reserve or utility; (c) no works, other than boundary fencing works, are within a Waterway and Coastal Protection Area, Future Coastal Refugia Area or Potable Water Supply Area; (d) the building area, bushfire hazard management area, services and vehicular access driveway are outside the Waterway and Coastal Protection Area, Future Coastal Refugia Area or Potable Water Supply Area.	There are no works proposed, which satisfies (c)	Yes
	A2 Subdivision is not prohibited by the relevant zone standards.	Subdivision is not prohibited within the portion of land zoned General Residential. Subdivision within the Environmental Management Zone is allowed for open space.	Yes

Attachments/Annexures

- 1** Attachment - 29 and 31 Stourton Street, Rosetta



11. PROPOSED USE AND DEVELOPMENT - SINGLE DWELLING - 20 MCGILL RISE, CLAREMONT

Author: Planning Officer (Chantelle Griffin)
Senior Statutory Planner (Vanessa Tomlin)

Qualified Person: Planning Officer (Chantelle Griffin) Senior Statutory Planner
(Vanessa Tomlin)

Property ID: 3495619

REPORT SUMMARY:

Application No.:	PLN-18-079
Applicant:	Aviation Consolidated Holdings Pty Ltd
Owner:	Aviation Consolidated Holdings Pty Ltd
Zone:	General Residential
Use Class:	Single Dwelling
Application Status:	Discretionary
Discretions:	Clause 10.4.2 Setbacks and building envelope for all dwellings, Clause 10.4.3 Site coverage and private open space for all dwellings and Clause 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:	Extension granted until 11 December 2018
Existing Land Use:	Vacant land
Proposal in Brief:	Single dwelling
Representations:	0
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL:**PROPOSAL**

The proposal is for the construction of a single dwelling on the site. The proposed dwelling will have three bedrooms, a bathroom, kitchen and open plan living, and amenities.

The dwelling will be set back 3.5m from the western front boundary, 3m from the northern side boundary, 2.003m from the south-western side boundary, and 3.215m from the eastern rear boundary. The building will have a maximum height of 5.2m, and would be constructed with timber, aluminium windows and Colorbond roofing. The proposal will provide a single garage for parking onsite (Figure 1).

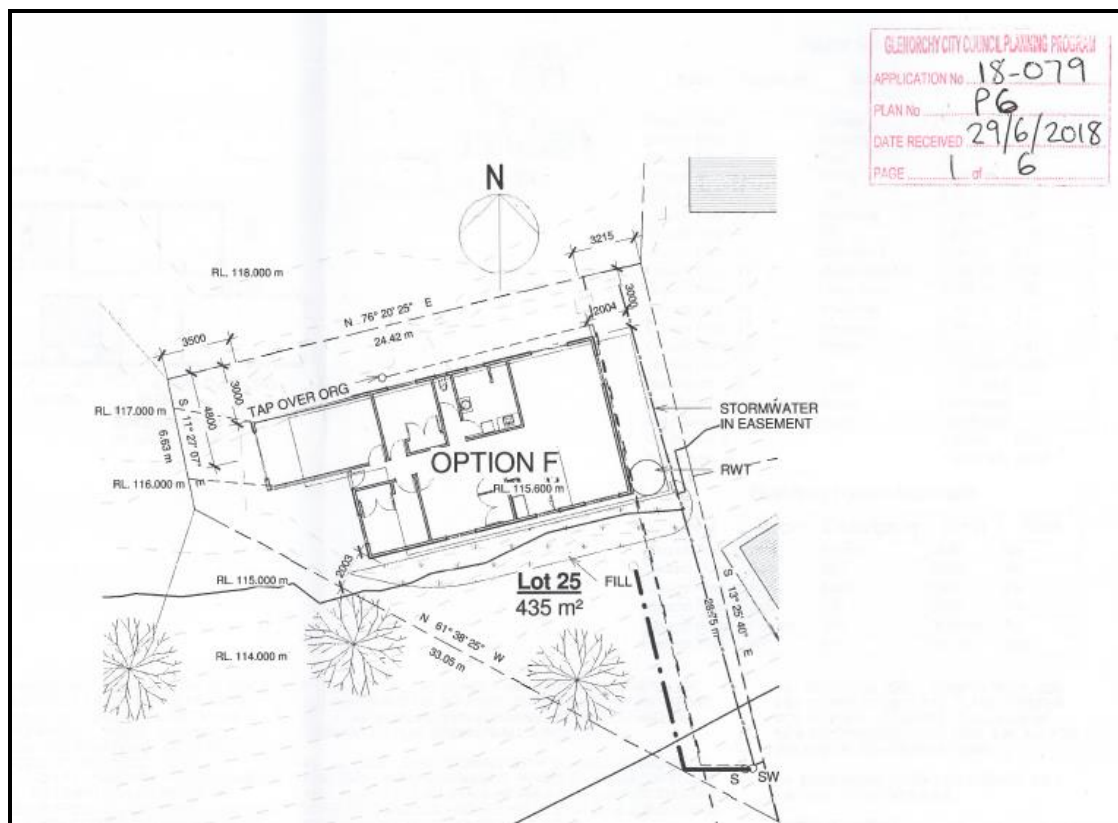


Figure 1: Site Plan for 20 McGill Rise, Claremont.

The proposal will rely on performance criteria for Clause 10.4.2 for setbacks and building envelope for all dwellings, Clause 10.4.4 for site coverage and private open space for all dwellings and Clause E6.6.1 for number of car parking spaces.

SITE and LOCALITY

The subject site is located at the end of the first cul-de-sac of McGill Rise, approximately 158m to the east of Abbotsfield Road, Claremont.

The property has a frontage of 7.98m, an average depth of 25m, and a total area of 450m². The site has a steep slope and falls toward the south-east, with an average gradient of 1 in 3.1. The land is vacant with minimal vegetation and has a sealed access via McGill Rise.

The site is located within a General Residential area with a mix of vacant land, single dwellings and multiple dwellings (Figure 2).



Figure 2: Aerial photo of 20 McGill Rise, Claremont.

ZONE

The subject property is within the General Residential Zone under the Glenorchy Interim Planning Scheme 2015 (Figure 3).

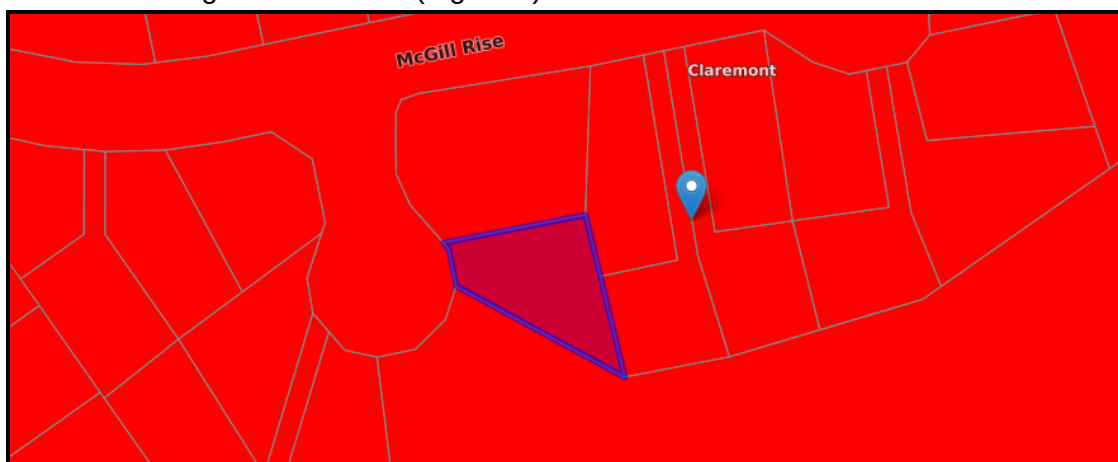


Figure 3: General Residential Zone over 20 McGill Rise, Claremont.

BACKGROUND

No background on file relevant to the assessment.

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 the zone provisions in this assessment.

Use Class Description (Table 8.2):

The use of Single Dwelling is listed within the Residential use class description of the Glenorchy Interim Planning Scheme 2015.

The definition of Residential use class states:

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

Other relevant definitions (Clause 4.1):

The use of a Single Dwelling is defined as the following in Clause 4.1 of the Glenorchy Interim Planning Scheme 2015:

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.

Discretionary Use or Development (Clause 8.8):

The application is discretionary under Clause 8.8 as follows:

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

- (a) the use is within a use class specified in the applicable Use Table as being a use which is discretionary;*
- (b) the use or development complies with each applicable standard but relies upon a performance criterion to do so; or*
- (c) it is discretionary under any other provision of the planning scheme,*
- (d) and the use or development is not prohibited under any other provision of the planning scheme.*

The proposal is discretionary under (b) above as it relies on Performance Criteria because it does not meet the following Acceptable Solutions:

- Clause 10.4.2 A3 Setbacks and building envelope for all dwellings (for height and location of the dwelling and garage)

- Clause 10.4.3 A2 Site coverage and private open space for all dwellings (for slope of private open space)
- Clause E6.6.1 A1 Number of car parking spaces (for one parking space)

Part C: Special Provisions

No Special Provisions apply.

Part D: Zones

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

Zone Purpose Statements

The General Residential zone purpose statements in Clause 10.1.1 are as follows:

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 proposed single dwelling would be consistent with the residential uses for the zone and would assist with accommodating a range of dwelling types. The proposal would efficiently utilise existing infrastructure. Therefore, the proposal is considered to be in accordance with the zone purpose statement in Clause 10.1.1 of the Scheme.

Use Table

The proposed use of 'Single Dwelling' is no permit required without qualifications, in accordance with the use table in Clause 10.2 of the Glenorchy Interim Planning Scheme 2015. However, the proposal is discretionary owing to the reliance on performance criteria for Clauses 10.4.2, 10.4.3 and E6.6.1.

Use Standards

The use standards set out in Clause 10.3 are not applicable to this application.

Development Standards for Residential Buildings & Works

Clause 10.4.2 – Standard A1, Setback

The dwelling would have a setback of 3.5m from the western front boundary. The proposed dwelling would require a minimum setback of 4.5m from the western front boundary, to be in accordance with Clause 10.4.2 – Standard A1. The proposal is considered to be in accordance with the performance criteria:

A dwelling must:

- (a) *have a setback from a frontage that is compatible with the existing dwellings in the street, taking into account any topographical constraints; and*
- (b) *if abutting a road identified in Table 10.4.2, include additional design elements that assist in attenuating traffic noise or any other detrimental impacts associated with proximity to the road.*

The site has a steep slope falling crossways from north to south along the front portion of the site. The land drops away at a steep angle reaching a fall of 1 in 2.5 at the steepest parts of the site. The dwelling has been designed to provide a vehicular access along the gradient, at the most practical location to achieve a suitable access. The proposal is in a new subdivision however, given the location at the end of a small cul-de-sac and the constraints due to topography the setback would be visually compatible with the street frontage. In addition, the slope will minimise any potential impact. Therefore, it is considered that reliance on the performance criteria is acceptable in this instance.

Clause 10.4.2 – Standard A2, Setback

The garage would have a setback of 3.5m from the western front boundary. The proposed garage would require a minimum setback of 5.5m from the western front boundary, to be in accordance with Clause 10.4.2 – Standard A3. The proposal is considered to be in accordance with the performance criteria:

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.

The proposed garage will have similar setbacks to the existing and approved garages along the street and the design has considered the slope of the terrain which falls at a steep angle. Therefore, it is considered that reliance on the performance criteria is acceptable in this instance.

Clause 10.4.2 – Standard A3, Setback

The dwelling would have a setback of 3.5m from the western front boundary and 3.215m from the eastern rear boundary. The proposed dwelling would require a minimum setback of 4.5m from the western front boundary and a minimum setback of 5.8m (relative to the height of the building from natural ground level) from the eastern rear boundary, to be in accordance with Clause 10.4.2 – Standard A3. The proposal is considered to be in accordance with the performance criteria:

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*
 - (ii) *overshadowing of an adjoining vacant lot; or*
 - (v) *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 proposal is located to the south and west of adjoining residential lots and is to be single storey. A large vacant residential lot lies to the south-west and would have sufficient area to accommodate dwelling development with private outdoor space that would be able to receive more than three hours of sunlight during the Winter Solstice. This being the case, the siting and scale of the proposed dwelling is not expected to cause an unreasonable loss of amenity through overshadowing adjoining dwellings and private open space, nor cause an unreasonable reduction in sunlight to habitable rooms of those dwellings. In addition, the proposed dwelling is to be located on a steep site and will be similar to the visual scale and bulk of surrounding residential development in the area. Accordingly, the proposed dwelling is not expected to cause unreasonable visual impacts when viewed from the neighbouring lot.

The proposed separation between dwellings on the adjoining lots is comparable to that which prevails in the area, particularly along McGill Rise, Claremont. Therefore, it is considered that reliance on the performance criteria is acceptable in this instance.

Clause 10.4.3 – Standard A2, Site coverage and private open space for all dwellings

The proposed plans show that the private open space will be provided along the northern side and rear of the dwelling. The private open space would have a slope with a gradient of between 1 in 4 and 1 in 2.5. The proposed private open space would require a minimum width of 4m for an area of 24m² and have a gradient not steeper than 1 in 10, to be in accordance with Clause 10.4.3 (f) – Standard A2. The proposal is considered to be in accordance with the performance criteria:

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 proposed dwelling would have a reasonable amount of private open space. However, the building is designed to accommodate usable private open space on a steep slope. The area provided for the purpose of private outdoor space is assessed as being capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play, with reasonable access between the living area and private open space. The private open space will have reasonable exposure to sunlight during the day. Therefore, it is considered that reliance on the performance criteria would be acceptable in this instance and complies with the standard.

Part E: Codes

The following codes of the Scheme apply to this proposal:

E6.0 Parking and Access Code

Clause E6.6.1 – Standard A1, Number of Car Parking Spaces

The proposal provides one car parking space for a single dwelling within the attached single garage. The proposed driveway is to be 3.5m in length and is not long enough to park a vehicle so that the vehicle would be completely within the site.

The proposal would require a total of two car parking spaces to be in accordance with Clause E6.6.1 – standard A1. The proposal is considered to be in accordance with the performance criteria:

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.*

The proposed dwelling is modest in size and as a result, it is not unreasonable for such a dwelling to be serviced by one car. The site is located on a cul-de-sac with limited frontage for parking. However, there is on-street parking close to the site, if required. Public transport is available within approximately 300m of the site and is an alternative option for transport.

Council's Development Engineer is supportive of the proposal and recommended approval subject to conditions. Therefore, it is considered that reliance on the performance criteria would be acceptable in this instance.

E7.0 Stormwater Management Code

The proposal is not exempt under Clause E7.4. However, the proposal complies with the acceptable solutions of the standards in Section E7.0.

PART F: Specific Area Plans

No Specific Area Plans apply.

INTERNAL REFERRALS

Development Engineer

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

Traffic, Access & Parking

The site can be accessed off the existing vehicular access onto the site. The driveway generally complies with AS2890.1:2004 for gradients, layout and design. One parking space is proposed and located in the garage; this means that there is one parking shortfall and therefore does not comply with Code E6.6.1 acceptable solution. The on-street parking is available, and the public transport is in close vicinity; it is considered the shortfall of one space is acceptable. It is therefore considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected.

GCC Services (Stormwater)

There are no GCC stormwater mains affected by this application; and the stormwater connection is available at the lowest point of the block.

Other

Geoscience issues

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

Flooding/Inundation issues

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

EXTERNAL REFERRALS

TasWater

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

REPRESENTATIONS

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

CONCLUSION

The proposal is relying on the performance criteria to comply with the applicable standards of the Scheme in relation to: setbacks and building envelope for all dwellings, site coverage and private open space for all dwellings, and number of car parking spaces.

The proposal is assessed as satisfying the performance criteria and complies with the applicable standard(s).

The proposal is assessed as complying with all other use and development standards in the General Residential zone, as well as the relevant standards of the Parking and Access Code, the Stormwater Management Code and the Attenuation Code.

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

It is concluded that the proposal is consistent with the Scheme's zone and code purpose statements and is satisfactory.

Recommendation:

That a permit be granted for the proposed use and development of Single dwelling at 20 McGill Rise Claremont subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-18-079 and Drawing No. P6 submitted on 29 June 2018 and Drawing No. P8 submitted on 19 October 2018, 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 2018/00668-GCC, dated 18 October 2018, form part of this permit.

Engineering

3. Prior to the issuing of a Building Approval or the commencement of works on site, (whichever occurs first), submit a Soil and Water Management Plan detailing proposed sediment and erosion control measures to the satisfaction of and to be approved by the Council's Development Engineer. The approved control measures must be installed prior to any disturbance of soil or construction activity such as concrete cutting, demolition and must be regularly inspected and maintained during the construction and demolition period to prevent soil and other materials entering the local stormwater system, roadways or adjoining properties. The approved control measures must remain in place until such time as all construction activity likely to generate sediment has been completed or all disturbed areas have been stabilised using vegetation and/or restored or sealed to the satisfaction of the Council. The approved Soil and Water Management Plan (SWMP) forms part of this permit and must be complied with.

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

4. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
5. All internal hydraulic service works required for the development must be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor. Any alterations or works to Council mains must be undertaken by Council at the developer's cost.
6. The proposed building and structural foundations (including eaves and overhangs) must be located at least one metre clear (measured horizontally to the nearest external surface of the pipe) of the Council's 150mm Stormwater main. Prior to the issuing of a building permit submit a site plan and a typical cross-section drawing showing the relationship both vertically and horizontally between the footings and the mains to the satisfaction of Council's Development Engineer. The proposed building and structural foundations must be designed such that no additional loads are imposed on any nearby Council mains. Any footings located close to mains must be taken down to at least the invert level of the mains, or to a suitable bearing material such as bedrock (this will protect the mains, and it will also protect the property owner if the Council ever has to dig up the mains, which may require a deep trench immediately adjacent to a building).

7. 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 driveway details must be in accordance with the Australian Standard and submitted with the Building Application for approval by Council's Development Engineer, prior to the commencement of works on site. The proposed driveway and parking must comply with the following:-
- a) Be constructed to a sealed finish and the finished gradient must not exceed the maximum gradient of 20%;
 - b) Vertical alignment must 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%;
 - c) All runoff from paved and driveway areas must be discharged into Council's stormwater system;
 - d) The gradient of any parking areas must not exceed 5%; and
 - e) Minimum carriageway width is to be no less than 3.0 metres.

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

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

Advice to Applicant

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

Underground Services

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

Other Permits

Please be aware that this planning permit is a planning approval issued under the Glenorchy Interim Planning Scheme 2015. You should consult with an accredited Building Surveyor prior to commencing this use or work to ensure all relevant requirements of the Building Act 2016 are complied with. In addition to this planning permit, a building permit and/or plumbing permit may also be required. If further clarification is required, please contact Council's Building Section on 62166800.

APPENDIX 1**10.0 General Residential Zone**

Standard	Acceptable Solution	Proposed	Complies?
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.	Not applicable.	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) (LMax) 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.	Not applicable.	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	Not applicable.	N/A

	security lighting; (b) 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; (b) 9.00 am to 12 noon Saturdays; (c) nil on Sundays and Public Holidays.	Not applicable.	N/A
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.	Not applicable.	N/A
10.3.3 Local Shop	A1 A local shop must have a gross floor area no more than 200m².	Not applicable.	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	Not applicable.	N/A

	(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.		
10.4.2 Setbacks and building envelopes for all dwellings	A1 (a) 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: (b) 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 (c) 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 (d) 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 (e) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.	The dwelling will have a minimum setback of 3.5m from the western front boundary. Compliance will require setbacks of 4.5m from the western front boundary. Therefore, the proposal relies on performance criteria.	No Refer to discussion in the report.
	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	The garage will have a minimum setback of 3.5m from the western front boundary. Compliance will require setbacks of 5.5m from the western front boundary. Therefore, the proposal relies on performance criteria.	No Refer to discussion in the report.

	(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 dwelling will have minimum setbacks of 3.5m from the western front boundary and 3.215m from the eastern rear boundary. Compliance will require setbacks of 4.5m and 6.1m respectively. Therefore, the proposal relies on performance criteria.	No Refer to discussion in the report.
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	Complies.	Yes

	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.		
	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	The proposal will have private open space with a gradient ranging between 1 in 4 up to 1 in 2.5. Compliance will require a gradient not steeper than 1 in 10. Therefore, the proposal relies on performance criteria.	No Refer to discussion in the report.

	(h) has a gradient not steeper than 1 in 10; and (i) 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).	Complies.	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. (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.	Not applicable.	N/A
	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	Not applicable.	N/A

	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.		
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).	Complies.	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	Not applicable.	N/A

	(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	Complies.	Yes

	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.	Not applicable.	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 which provide a uniform transparency of not less than 30% (excluding any posts or uprights).	Not applicable.	N/A

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.	Not applicable.	N/A
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APPENDIX 2**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.	The proposal will provide for one car parking space in the garage. Compliance will require two car parking spaces onsite. Therefore, the proposal relies on performance criteria.	No Refer to discussion in the report.
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 applicable.	N/A
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	Not applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
	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.	Not applicable.	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.	Complies.	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	Not applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
	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.	Not applicable.	N/A
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.	Not applicable.	N/A
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.	Complies.	Yes

Standard	Acceptable Solution	Proposed	Complies?
E6.7.6 Surface Treatment of Parking Areas	A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following; (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.	Complies.	Yes
E6.7.7 Lighting of Parking Areas	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.	Not applicable.	N/A
E6.7.8 Landscaping of Parking Areas	A1 Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.	Not applicable.	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;	Not applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
	(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 applicable.	N/A
	A2 The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.	Not applicable.	N/A
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 applicable.	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	Not applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
	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.	Not applicable.	N/A
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements of the road authority.	Complies.	Yes

APPENDIX 3**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.	Complies.	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.	Not applicable.	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.	Complies.	Yes

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

Attachments/Annexures

- 1 Attachment - 20 McGill Rise, Claremont



12. PROPOSED USE AND DEVELOPMENT - SINGLE DWELLING - 3 MCGILL RISE, CLAREMONT

Author: Planning Officer (Chantelle Griffin)

Qualified Person: Planning Officer (Chantelle Griffin)

Property ID: 3495360

REPORT SUMMARY:

Application No.:	PLN-18-235
Applicant:	Aviation Consolidated Holdings Pty Ltd
Owner:	Aviation Consolidated Holdings Pty Ltd
Zone:	General Residential
Use Class	Residential
Application Status:	Discretionary
Discretions:	Clause 10.4.2 Setbacks and building envelope for all dwellings, Clause 10.4.3 Site coverage and private open space for all dwellings and Clause 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:	Extension granted until 11 Dec 2018
Existing Land Use:	Under construction
Proposal in Brief:	Single Dwelling
Representations:	0
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL:**PROPOSAL**

The proposal is for the construction of a single dwelling on the site. The proposed dwelling will have three bedrooms, a bathroom, kitchen and open plan living, and amenities.

The dwelling will be set back 0.59m from the southern front boundary, 4.347m from the eastern side boundary, 16.95m from the western front boundary, and 3.05m from the northern side boundary. The building will have a maximum height of 5.1m, and would be constructed with timber, aluminium windows and Colorbond roofing. The proposal will provide a single garage for parking onsite (Figure 1).

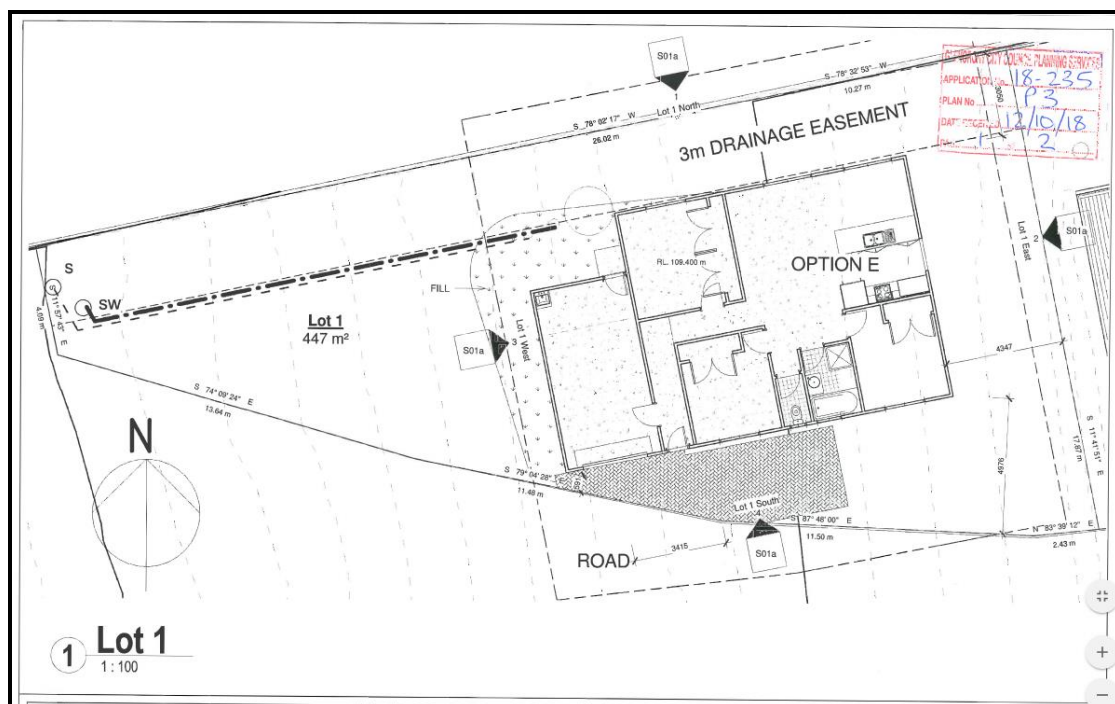


Figure 1: Site Plan for 3 McGill Rise, Claremont.

The proposal will rely on performance criteria for Clause 10.4.2 for setbacks and building envelope for all dwellings, Clause 10.4.3 for site coverage and private open space for all dwellings and Clause E6.6.1 for number of car parking spaces.

SITE and LOCALITY

The subject site is located on the northern side of McGill Rise, approximately 70m to the south-west of Abbotsfield Road, Claremont.

The property has a combined frontage of 43.21m, an average depth of 13m, and a total area of 450m². The site has a moderate slope and falls toward the west, with an average gradient of 1 in 5.1. The land has minimal vegetation with a sealed access via McGill Rise.

The site is located within a General Residential area with a mix of vacant land, single dwellings and multiple dwellings (Figure 2).



Figure 2: Aerial photo of 3 McGill Rise, Claremont.

ZONE

The subject property is within the General Residential Zone (Figure 3).

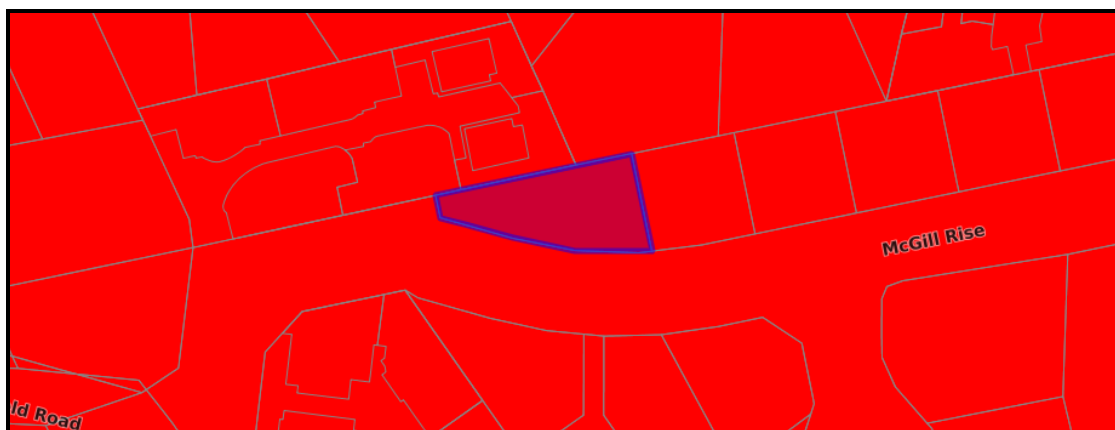


Figure 3: General Residential Zone over 3 McGill Rise, Claremont.

BACKGROUND

A Permit PLN-17-109 was approved on 16 January 2018 for a similar development. The location of the garage was moved closer to the frontage and the new plans are the subject of this application. The building has already been constructed.

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 the zone provisions in this assessment.

Use Class Description (Table 8.2):

The use of Single Dwelling is listed within the Residential use class description of the Glenorchy Interim Planning Scheme 2015.

The definition of Residential use class states:

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

Other relevant definitions (Clause 4.1):

The use of a Single Dwelling is defined as the following in Clause 4.1 of the Glenorchy Interim Planning Scheme 2015:

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.

Discretionary Use or Development (Clause 8.8):

The application is discretionary under Clause 8.8 as follows:

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

- (a) the use is within a use class specified in the applicable Use Table as being a use which is discretionary;*
- (b) the use or development complies with each applicable standard but relies upon a performance criterion to do so; or*
- (c) it is discretionary under any other provision of the planning scheme,*
- (d) and the use or development is not prohibited under any other provision of the planning scheme.*

The proposal is discretionary under (b) above as it relies on Performance Criteria because it does not meet the following Acceptable Solutions:

- Clause 10.4.2 A3 Setbacks and building envelope for all dwellings (for height and location of the dwelling and garage)
- Clause 10.4.3 A2 Site coverage and private open space for all dwellings (for slope of private open space)
- Clause E6.6.1 A1 Number of car parking spaces (for one parking space)

Part C: Special Provisions

No Special Provisions apply.

Part D: Zones

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

Zone Purpose Statements

The General Residential zone purpose statements in Clause 10.1.1 are as follows:

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 proposed single dwelling would be consistent with the residential uses for the zone and would efficiently utilise existing infrastructure. Therefore, the proposal is considered to be in accordance with the zone purpose statement in Clause 10.1.1 of the Scheme.

Use Table

The proposed use of 'Single Dwelling' is no permit required without qualifications, in accordance with the use table in Clause 10.2. However, the proposal is discretionary owing to the reliance on performance criteria for Clauses 10.4.2, 10.4.3 and E6.6.1.

Use Standards

The use standards set out in Clause 10.3 are not applicable to this application.

Development Standards for Residential Buildings & Works

Clause 10.4.2 – Standard A1, Setback

The proposed dwelling is to have a setback of 0.591m from the western front boundary. The proposed dwelling would require a minimum setback of 3m from the western front boundary, in accordance with Clause 10.4.2 – Standard A1. The proposal is considered to be in accordance with the performance criteria:

A dwelling must:

- (a) *have a setback from a frontage that is compatible with the existing dwellings in the street, taking into account any topographical constraints; and*
- (b) *if abutting a road identified in Table 10.4.2, include additional design elements that assist in attenuating traffic noise or any other detrimental impacts associated with proximity to the road.*

The site has a moderate slope falling crossways from east to west with an extended frontage curving to a narrow 4.14m in width. The dwelling has been designed to face the frontage at an angle so that more than half the building will be setback 3m from the frontage. The dwelling has been designed to provide a vehicular access along the gradient to achieve a suitable access. The proposal is in a new subdivision; however, given the narrow width of the frontage this provides an additional constraint and the frontage setback would be visually compatible with that prevailing in the street. Therefore, it is considered that reliance on the performance criteria is acceptable in this instance.

Clause 10.4.2 – Standard A3, Setback

The dwelling is to have a setback of 0.591m from the secondary front boundary and is to be setback 3m from the rear boundary. The proposed dwelling would require a minimum setback of 3m from the secondary front boundary and 4m from the rear boundary, to be in accordance with Clause 10.4.2 – Standard A3. The proposal is considered to be in accordance with the performance criteria:

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*
 - (ii) *overshadowing of an adjoining vacant lot; or*
 - (v) *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 proposal is located to the south and west of adjoining residential lots and has been designed to be set back from the respective boundaries, through site constraints, such as the shape of the lot and the 3m wide easement that extends along the rear boundary. The two properties directly adjoining the site will receive more than three hours of sunlight between 9am and 3pm on the shortest day of the year.

The building will be located on a moderate sloping site and will be like the visual scale and bulk of surrounding residential development in the area. Therefore, it is considered that reliance on the performance criteria is acceptable in this instance.

Clause 10.4.3 – Standard A2, Site coverage and private open space for all dwellings

The proposed plans show that the private open space will be provided to the side of the property. The private open space would have a slope with a gradient of approximately 1 in 5. The proposed private open space would require a gradient not steeper than 1 in 10, to be in accordance with Clause 10.4.3 (f) – Standard A2. The proposal is considered to be in accordance with the performance criteria:

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 proposed dwelling would have a reasonable amount of private open space. However, the building is designed to accommodate usable private open space on an irregular shaped site, with a moderate slope. The proposal provides for an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play, with reasonable access between the living area and private open space, via a deck. The private open space will have reasonable access to sunlight during the day. Therefore, it is considered that reliance on the performance criteria would be acceptable in this instance, and complies with the standard.

Part E: Codes

The following codes of the Scheme apply to this proposal:

E6.0 Parking and Access Code

Clause E6.6.1 – Standard A1, Number of Car Parking Spaces

The proposal provides one car parking space for a single dwelling. The proposal would require a total of two car parking spaces to be in accordance with Clause E6.6.1 – standard A1. The proposal is considered to be in accordance with the performance criteria:

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.*

The property is located within a new subdivision and will have sufficient frontage to accommodate any additional parking on the street, if required. The dwelling is modest in size and there is public transport available within approximately 300m of the site.

Council's Development Engineer is supportive of the proposal and recommended approval subject to conditions. Therefore, it is considered that reliance on the performance criteria would be acceptable in this instance.

E7.0 Stormwater Management Code

The proposal is not exempt under Clause E7.4. However, the proposal complies with the acceptable solutions of the standards in Section E7.0.

PART F: Specific Area Plans

No Specific Area Plans apply.

INTERNAL REFERRALS

Development Engineer

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

Traffic, Access & Parking

The site can be accessed off the existing vehicular access onto the site; this access is proposed to be widened to accommodate for the manoeuvring path. The driveway generally complies with AS2890.1:2004 as shown on the plan received. One parking space is proposed and located in the garage; this means that there is one parking shortfall and therefore does not comply with Code E6.6.1 acceptable solution.

The on-street parking is available, and the public transport is in close vicinity; it is considered the shortfall of 1 space is acceptable. It is therefore considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected.

GCC Services (Stormwater)

There are no GCC stormwater mains affected by this application; and the stormwater connection is available off the western corner where the lowest point of the site is. There is no alteration to the current stormwater arrangements.

Other

Geoscience issues

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

Flooding/Inundation issues

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

EXTERNAL REFERRALS

TasWater

The application was referred to TasWater which was stated that no referral was required under the *Water and Sewerage Industry Act 2008*.

REPRESENTATIONS

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

CONCLUSION

The proposal is relying on the performance criteria to comply with the applicable standards of the Scheme in relation to: setbacks and building envelope for all dwellings, site coverage and private open space for all dwellings, and number of car parking spaces.

The proposal is assessed as satisfying the performance criteria and complies with the applicable standard(s).

The proposal is assessed as complying with all other use and development standards in the General Residential zone, as well as the relevant standards of the Parking and Access Code, the Stormwater Management Code and the Attenuation Code.

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

It is concluded that the proposal is consistent with the Scheme's zone and code purpose statements and is satisfactory.

Recommendation:

That a permit be granted for the proposed use and development of Single Dwelling at 3 McGill Rise, Claremont subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-18-235 and Drawing No. P3 submitted on 12 October 2018, and Drawing No. P4 submitted on 26 October 2018, except as otherwise required by this permit.

Engineering

2. Prior to the issuing of a Building Approval or the commencement of works on site, (whichever occurs first), submit a Soil and Water Management Plan detailing proposed sediment and erosion control measures to the satisfaction of and to be approved by the Council's Development Engineer. The approved control measures must be installed prior to any disturbance of soil or construction activity such as concrete cutting, demolition and must be regularly inspected and maintained during the construction and demolition period to prevent soil and other materials entering the local stormwater system, roadways or adjoining properties. The approved control measures must remain in place until such time as all construction activity likely to generate sediment has been completed or all disturbed areas have been stabilised using vegetation and/or restored or sealed to the satisfaction of the Council. The approved Soil and Water Management Plan (SWMP) forms part of this permit and must be complied with.

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

3. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
4. All internal hydraulic service works required for the development must be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor. Any alterations or works to Council mains must be undertaken by Council at the developer's cost.
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 driveway details must be in accordance with the Australian Standard and submitted with the Building Application for approval by Council's Development Engineer, prior to the commencement of works on site. The proposed driveway and parking must comply with the following:-

- a) Be constructed to a sealed finish and the finished gradient must not exceed the maximum gradient of 20%;
- b) Vertical alignment must 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%;
- c) All runoff from paved and driveway areas must be discharged into Council's stormwater system;
- d) The gradient of any parking areas must not exceed 5%; and
- e) Minimum carriageway width is to be no less than 5.5 metres.

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

- 6. Widening to the existing vehicle crossing and apron to provide for manoeuvring path must be constructed in accordance with standard drawing SD-1003 between the kerb and the property boundary and to the satisfaction of Council's Development Engineer prior to the occupancy. The detail design must be submitted and approved prior to the issuing of a Building permit.

Advice: A Property Access Works Application must be completed prior to any work being undertaken. The application is available from Council's planning department or available from Council's website at: <https://www.gcc.tas.gov.au/residents/living-in-glenorchy/driveways>

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

Advice to Applicant

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

Other Permits

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 62166800.

APPENDIX 1**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.	Not applicable.	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) (LAmax) 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.	Not applicable.	N/A
	A3 External lighting must comply with all of the following:	Not applicable.	N/A

	(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.		
	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; (c) nil on Sundays and Public Holidays.	Not applicable.	N/A
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.	Not applicable.	N/A
10.3.3 Local Shop	A1 A local shop must have a gross floor area no more than 200m².	Not applicable.	N/A
10.4 Development Standards for Residential Buildings and Works			
10.4.1 Residential density for	A1 Multiple dwellings must have a site area per dwelling of not	Not applicable.	N/A

multiple dwellings	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.		
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 dwelling will have a minimum setback of 0.591m from the western front boundary. Compliance will require setbacks of 3m from the southern front boundary. Therefore, the proposal relies on performance criteria.	No Refer to discussion in the report.
	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	Complies.	Yes

	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 dwelling will have minimum setbacks of 0.591m from the southern front boundary. Compliance will require setbacks of 3m from the southern front boundary. Therefore, the proposal relies on performance criteria.	No Refer to discussion in the report.
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	Complies.	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	The proposal will have private open space with a gradient of 1 in 5. Compliance will require a gradient not steeper than 1 in 10. Therefore, the proposal relies on performance criteria.	No Refer to discussion in the report.

	(j) 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).	Complies.	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. (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.	Not applicable.	N/A
	A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in	Not applicable.	N/A

	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.		
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).	Complies.	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	Not applicable.	N/A

	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:	Complies.	Yes

	(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.	Not applicable.	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	Not applicable.	N/A

	(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).		
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.	Not applicable.	N/A

APPENDIX 2**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.	The proposal will provide for one car parking space in the garage. Compliance will require two car parking spaces onsite. Therefore, the proposal relies on performance criteria.	No Refer to discussion in the report.
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 applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
E6.6.3 Number of Motorcycle Parking Spaces	A1 The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.	Not applicable.	N/A
E6.6.4 Number of Bicycle Parking Spaces	A1 The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.	Not applicable.	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.	Complies.	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;	Not applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
	(b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.		
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.	Not applicable.	N/A
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.	Not applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
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.	Complies.	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.	Complies.	Yes
E6.7.7 Lighting of Parking Areas	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 “Basis of Design” and clause 3.6 “Car Parks” in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.	Not applicable.	N/A
E6.7.8 Landscaping of Parking Areas	A1 Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.	Not applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
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.	Not applicable.	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.	Not applicable.	N/A
	A2 The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.	Not applicable.	N/A
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 applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
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 applicable.	N/A
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.	Not applicable.	N/A
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements of the road authority.	Complies.	Yes

APPENDIX 3**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.	Complies.	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 m²; (b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots.	Not applicable.	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.	Complies.	Yes

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

Attachments/Annexures

- 1** Attachment - 3 McGill Rise, Claremont



CLOSED TO MEMBERS OF THE PUBLIC

13. APPEALS REPORT

This item is to be considered at a closed meeting of the Glenorchy Planning Authority by authority of the Local Government (Meeting Procedures) Regulations 2015 Regulation 15(4).