

**GLENORCHY PLANNING AUTHORITY MEETING**  
**AGENDA**  
**MONDAY, 11 NOVEMBER 2019**



**GLENORCHY CITY COUNCIL**

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

**Chairperson:** Alderman K. Johnston

**Hour:** 5.00 p.m.

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| 12. | APPEALS REPORT ..... | ERROR! BOOKMARK NOT DEFINED. |
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|------------------------------------------|
| <b>1. PLANNING AUTHORITY DECLARATION</b> |
|------------------------------------------|

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

|                                      |
|--------------------------------------|
| <b>2. APOLOGIES/LEAVE OF ABSENCE</b> |
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|                               |
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| <b>3. PECUNIARY INTERESTS</b> |
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| <b>4. CONFIRMATION OF MINUTES</b> |
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That the minutes of the Glenorchy Planning Authority Meeting held on 14 October 2019 be confirmed.

That the minutes of the Glenorchy Planning Authority Meeting held on 23 October 2019 be confirmed.

**5. PROPOSED NEW STREET NAME - FRYETT DRIVE**

Author: Senior Administrative Officer (Natasha Butler)

Qualified Person: Senior Administrative Officer (Natasha Butler)

Property ID: 5321727

**REPORT SUMMARY:**

To seek approval to the naming of a new road within a recently approved subdivision at 94 Hilton Road Claremont. Mahoney Drive is to be extended and the new road will start from the extension.

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

An application has been received from Code Z Pty Ltd, the owner/subdivider of the property, who declined to name the two new roads.

The new name put forward by Planning administration is:

**Fryett Drive** - Surname of person who received an original land grant according to a survey map of 1895.

The second road name, Jury Place, has been selected from the 1995 pre-approved list.

**CONSULTATIONS:**

David Parham – Council's Heritage office & Placenames Tasmania portal

**Recommendation:**

That the proposed street name Fryett Drive, be approved.

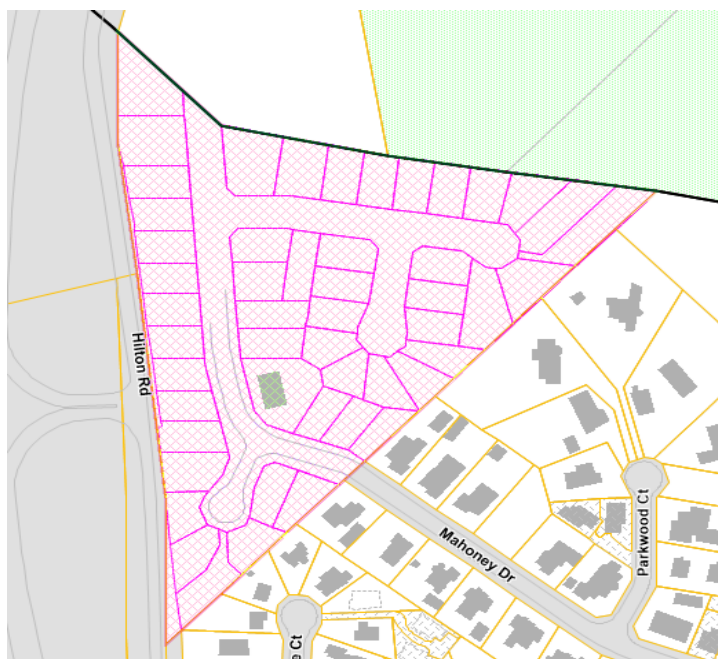


Figure 1. Subdivision layout

**6. PROPOSED USE AND DEVELOPMENT - SINGLE DWELLING  
(RESIDENTIAL) - 260 MOUNT HULL ROAD COLLINSVALE**

Author: Senior Statutory Planner (Vanessa Tomlin)

Qualified Person: Senior Statutory Planner (Vanessa Tomlin)

Property ID: 3535510

**REPORT SUMMARY:**

|                            |                                                                                                                                                                                                                                                                         |
|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application No.:</b>    | <b>PLN-19-134</b>                                                                                                                                                                                                                                                       |
| <b>Applicant:</b>          | <b>Another Perspective Drafting Design</b>                                                                                                                                                                                                                              |
| <b>Owner:</b>              | <b>W R Meure</b>                                                                                                                                                                                                                                                        |
| <b>Zone:</b>               | <b>Rural Resource</b>                                                                                                                                                                                                                                                   |
| <b>Use Class</b>           | <b>Residential</b>                                                                                                                                                                                                                                                      |
| <b>Application Status:</b> | <b>Discretionary</b>                                                                                                                                                                                                                                                    |
| <b>Discretions:</b>        | <p><b>Use Class, 26.3.1 P1, 26.3.3 P1, 26.4.2 P1 and P2, 26.4.3 P1, E7.7.1 P1, E10.7.1 P1, E14.7.1 P1, and E14.7.2 P1 and P2, and E23.10.1 P2, P5 and P6.</b></p> <p>(The proposal meets all other applicable standards as demonstrated in the attached appendices)</p> |
| <b>Level 2 Activity?</b>   | <b>No</b>                                                                                                                                                                                                                                                               |
| <b>42 Days Expires:</b>    | <b>12 November 2019</b>                                                                                                                                                                                                                                                 |
| <b>Existing Land Use:</b>  | <b>Vacant land</b>                                                                                                                                                                                                                                                      |
| <b>Representations:</b>    | <b>11</b>                                                                                                                                                                                                                                                               |
| <b>Recommendation:</b>     | <b>Approval, subject to conditions</b>                                                                                                                                                                                                                                  |

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

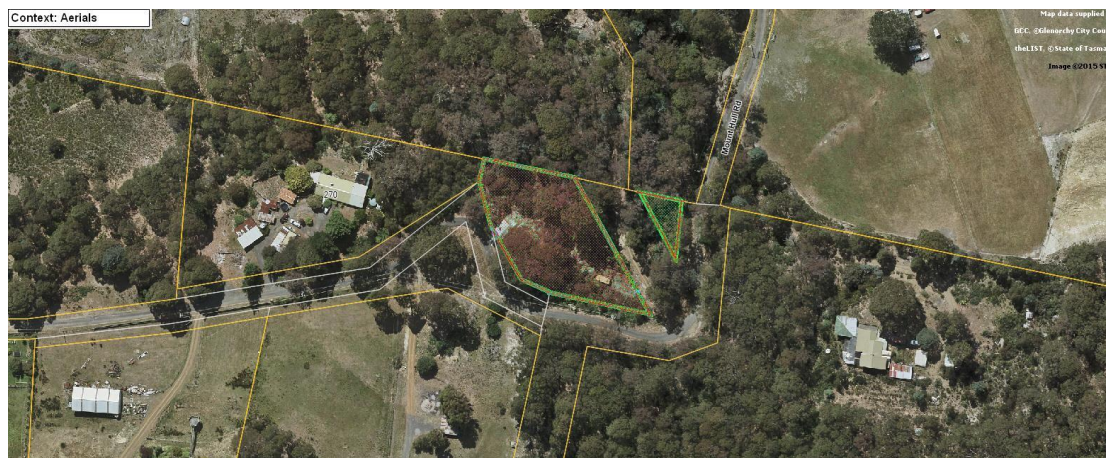
The proposal involves the placement of a single dwelling at 260 Mount Hull Road, Collinsvale. The proposed dwelling is a 28.31m<sup>2</sup> relocatable cabin and is to have one bedroom, a bathroom and open plan kitchen living area and a 2.38m<sup>2</sup> deck. Stormwater is to be managed onsite via absorption trenches and an aerated wastewater treatment system (AWTS) is proposed for the management of onsite wastewater. Two parking spaces are proposed, and access is to be over the formed access on the western side of the lot.

An area of approximately 1200m<sup>2</sup> is to be maintained in a minimum fuel condition for bushfire hazard management purposes, with vegetation to be cleared within the footprint of the development.

The proposal relies on performance criteria to comply with 26.3.1 Sensitive Use (including residential use), 26.3.3 Discretionary Use, 26.4.2 Setback P1 and P2, 26.4.3 Design P1, E7.7.1 Stormwater Drainage and Disposal P1, E10.7.1 Buildings and Work P1, E14.7.1 Removal of Bushland within Scenic Landscape Areas P1, E14.7.2 Appearance of Buildings and Works within Scenic Landscape Areas P1, and E23.10.1 Land Application Areas P2, P5 and P6.

**SITE and LOCALITY**

The site is an irregular shaped lot located on the northern side of Mount Hull Road, approximately 2.6km south of Collinsvale Road, Collinsvale. The site has 104m<sup>2</sup> of frontage to Mount Hull Road, is approximately 45m wide, has a depth of approximately 50m and is 2939m<sup>2</sup>. The site has a formed access on the western side of the frontage and an informal access on the eastern side of the lot, adjacent to the driveway for the adjoining property at 250 Mount Hull Road. The site is partially cleared, but is predominately vegetated, and has an easterly facing slope with a gradient of 1 in 4. A stream passes through the site on the eastern edge. The site sits within a vegetated landscape with scattered pastoral farms. No existing (approved) buildings are situated on the site (Fig. 1).



**Figure 1.** An aerial view of the site showing the vegetated landscape and scattered settlement pattern of the rural environment.

## ZONE

The site is within the Rural Resource zone (Fig. 2).



**Figure 2.** The site is located within the Rural Resource (bisque).

## BACKGROUND

A Bushfire Hazard Report and a Natural Values Assessment was provided as part of the application submission. The Bushfire Hazard Report assessed the dwelling as having a BAL 29 and recommends that vegetation will need to be cleared to meet the BAL 29 rating. The Natural Values Assessment dated August 2019 recommends Management prescriptions for the retention and maintenance of existing biodiversity and ecological functions. This includes promoting recruitment and strengthening persistence potential of eucalypt species in the riparian zone for potential threatened and non-threatened species habitat of conservation significance. Management recommendations include;

- a) No additional clearance or removal of eucalypts outside the approved foot print without council approval,
- b) Implement measures to protect retained Eucalypts surrounding construction site in accordance with protection of trees on development sites (AS 4970-2009),
- c) Stage development to avoid blanket clearance when undertaking earthworks within the designated development envelopes,
- d) Should implement soil, water and erosion management plan detailing location for top soil, waste material storage and parking,
- e) In accordance with best practice for development sites all weeds should be removed prior to commencement of any earthworks to avoid accidental transportation or spread of weed seeds and propagules,
- f) Prior to commencement of works all machinery and equipment should be appropriately cleaned off-site to prevent accidental introduction of additional weed species in accordance with Tasmanian Washdown Guidelines for Weed and Disease Control: Machinery, Vehicles and Equipment (Edition 1, 2004),

- g) Could implement a Construction Environmental Management Plan to consolidate pre and post construction management recommendations and avoid any potential adverse environmental impacts.

## **ASSESSMENT**

### **STATE POLICIES, OBJECTIVES of LUPAA**

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

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

### **GLENORCHY INTERIM PLANNING SCHEME 2015**

#### **Part B: Administration**

##### **General Exemptions**

Nil

##### **Limited Exemptions**

###### *6.3 Vegetation planting, clearing or modification*

The proposal is not exempt from assessment under this provision because the Biodiversity Code is applicable and expressly regulates impacts on biodiversity values.

###### *6.5 Buildings and Works in the Rural Resource Zone or Significant Agricultural Zone*

This exemption applies to construction of buildings or works, other than a dwelling, in the Rural Resource Zone. Considering that the proposal is for a single dwelling, the exemption is not applicable.

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

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

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

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

#### **Other relevant definitions (Clause 4.1):**

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

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

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

**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.

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

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

No special provisions of the Scheme apply to this proposal.

### **Part D: Zones**

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

#### **Zone Purpose Statements**

- 26.1.1.1 To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.
- 26.1.1.2 To provide for other use or development that does not constrain or conflict with resource development uses.
- 26.1.1.3 To provide for non-agricultural use or development, such as recreation, conservation, tourism and retailing, where it supports existing agriculture, aquaculture, forestry, mining and other primary industries.
- 26.1.1.4 To allow for residential and other uses not necessary to support agriculture, aquaculture and other primary industries provided that such uses do not:
  - (a) fetter existing or potential rural resource use and development on other land;
  - (b) add to the need to provide services or infrastructure or to upgrade existing infrastructure;
  - (c) contribute to the incremental loss of productive rural resources.
- 26.1.1.5 To provide for protection of rural land so future resource development opportunities are not lost.

The proposal is assessed as being consistent with the purpose of the zone. This is because the modest residential use/development is to be located on a site that is constrained by size and shape and is not expected to fetter existing or potential rural resource use and development on other land. Furthermore, no new infrastructure is proposed, and the land is not considered to be productive rural land with a soil classification of 6 (Land Capability Survey Tasmanian, DPIPW).

#### **Use Table**

Single dwelling is a discretionary use and development within the Rural Resource zone. In addition, the application requires discretionary consideration because the proposal is relying on performance criteria to comply with applicable standards.

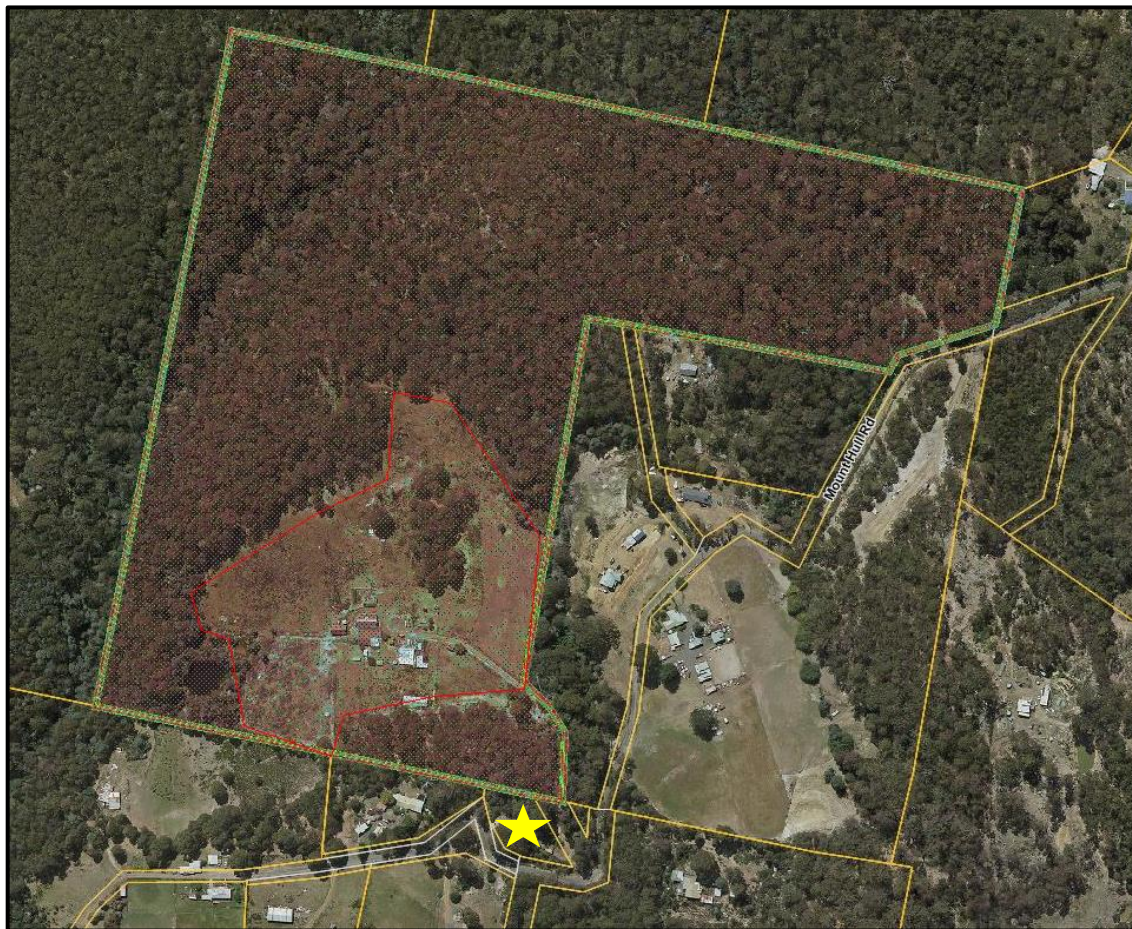
### Use Standards

#### 26.3.1 Sensitive Use (including residential use)

The proposal relies on performance criteria which requires a sensitive use to not unreasonably convert agricultural land or conflict with or fetter non-sensitive use on adjoining land having regard to all of the following:

- (a) the characteristics of the proposed sensitive use;
- (b) the characteristics of the existing or likely non-sensitive use on adjoining land;
- (c) setback to site boundaries and separation distance between the proposed sensitive use and existing or likely non-sensitive use on adjoining land;
- (d) any characteristics of the site and adjoining land that would buffer the proposed sensitive use from the adverse impacts on residential amenity from existing or likely non-sensitive use.

The site adjoins 250 Mount Hull Road, Collinsvale. The adjoining site is 247,200m<sup>2</sup> and is currently used for agricultural purposes with a single dwelling and associated outbuilding. The majority of that site is bushland, with approximately 48,000m<sup>2</sup> of cleared pastoral land (Fig. 3).



**Figure 3.** *An aerial view of the subject site (shown with a yellow star) and the only adjoining site, showing the cleared area amongst bushland.*

The adjoining land is situated down slope from the subject site and is separated from it by bushland, at a minimum width of approximately 60m. Given the relatively modest sized single dwelling proposed that is to be setback 26m from the shared boundary and considering the existing or likely non-sensitive use on adjoining land would be separated from the site by a further 60m, the proposal is not expected to conflict with or fetter non-sensitive use on the adjoining land. Furthermore, the proposal is not considered to be unreasonably converting agricultural land because of the size, shape and soil classification of the site.

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

#### 26.3.3 Discretionary Use

There is no acceptable solution and the proposal relies on performance criteria, which requires a discretionary non-agricultural use to not conflict with or fetter agricultural use on the site or adjoining land having regard to all of the following:

- (a) the characteristics of the proposed non-agricultural use
- (b) the characteristics of the existing or likely agricultural use;
- (c) setback to site boundaries and separation distance between the proposed non-agricultural use and existing or likely agricultural use;
- (d) any characteristics of the site and adjoining land that would buffer the proposed non-agricultural use from the adverse impacts on amenity from existing or likely agricultural use.

The proposal is taken to be a discretionary non-agricultural use because it is a single dwelling that is not associated with an agricultural use. The proposal is not expected to conflict with or fetter agricultural use on adjoining land because of the size and shape limitations of the site and the separation distances between the proposal and the uses on the adjoining land.

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

### Development Standards for Buildings or Works

#### 26.4.2 Setback P1

The proposal is to be set back a minimum of 8.5 and a maximum of 14.08m from the frontage. The acceptable solution requires a 20m frontage setback. The performance criteria require a building setback from frontages to maintain the desirable characteristics of the surrounding landscape and protect the amenity of adjoining lots, having regard to all of the following:

- (a) the topography of the site;
- (b) the size and shape of the site;
- (c) the prevailing setbacks of existing buildings on nearby lots;
- (d) the location of existing buildings on the site;

- (e) the proposed colours and external materials of the building;
- (f) the visual impact of the building when viewed from an adjoining road;
- (g) retention of vegetation.

Given the slope of the land and the irregular shape of the site, it was not possible to achieve the 20m frontage setback. However, the proposal is to be separated from the frontage by retained vegetation and is not expected to dominate the frontage as a result. This together with the muted tones of the dark grey fibre cement cladding and grey colorbond roof and the siting of the proposal maintains the desirable rural and bushland characteristics of the surrounding landscape.

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

#### *26.4.2 Setback P2*

The acceptable solution requires a 50m side and rear boundary setback. A 25m and 26m side and rear boundary setback are proposed. The performance criteria require the building setback from side and rear boundaries to maintain the character of the surrounding rural landscape, having regard to all of the following:

- (a) the topography of the site;
- (b) the size and shape of the site;
- (c) the location of existing buildings on the site;
- (d) the proposed colours and external materials of the building;
- (e) visual impact on skylines and prominent ridgelines;
- (f) impact on native vegetation.

The size and shape of the site constrains the siting of the proposal. The proposed dwelling footprint is not to be positioned on a prominent ridge or skyline and the extent of vegetation clearance is to be limited to the development footprint of the proposal. As a result, the proposal is assessed as meeting the performance criteria by being capable of maintaining the rural landscape, and complies with the standard.

#### *26.4.3 Design P1*

The proposal requires some vegetation clearance and relies on the performance criteria, which requires the location of buildings and works to satisfy all of the following:

- (a) be located on a skyline or ridgeline only if:
  - (i) there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope, or the location is necessary for the functional requirements of infrastructure;
  - (ii) significant impacts on the rural landscape are minimised through the height of the structure, landscaping and use of colours with a light reflectance value not greater than 40 percent for all exterior building surfaces;
- (b) be consistent with any Desired Future Character Statements provided for the area;

- (c) be located in an area requiring the clearing of native vegetation only if:
  - (i) there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope, or the location is necessary for the functional requirements of infrastructure;
  - (ii) the extent of clearing is the minimum necessary to provide for buildings, associated works and associated bushfire protection measures.

The proposal is not to be located on a skyline or ridgeline and there are not Desired Future Character Statements for the area. As previously reported, the site is constrained by its shape and size and is relatively heavily vegetated. As such clearing of vegetation is proposed and unavoidable for bushfire hazard management. However, the vegetation removal/clearance is to be limited to the footprint of the development, with the remaining bushfire hazard management area maintained at a low fuel state. It is noted that these prescriptive measures may cause some clearance of low scrub vegetation and trees within falling distance of the dwelling will be removed for safety reasons.

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

A condition of approval is recommended to ensure that vegetation clearance is limited to the footprint and within falling distance of the single dwelling and the parking areas, as shown on the site plan.

## **Part E: Codes**

The following codes of the Scheme apply to this proposal:

### **Landslide Code**

Much of the site is identified as being within a low landslide hazard area. The code defines vulnerable use to mean a use that:

- (a) is in the Residential Use Class and is one of the following uses:
  - (i) respite centre;
  - (ii) residential aged care facility;
  - (iii) retirement village;
  - (iv) group home; or
- (b) is in one of the following Use Classes:
  - (i) Custodial facility;
  - (ii) Educational and occasional care;
  - (iii) Hospital services;
  - (iv) Visitor accommodation.

The proposal is for a single dwelling (Residential) and is not a use that is applicable to the code. Notwithstanding this, exemption E3.4(c) excludes assessment of building

within a low landslide hazard area. Therefore, the code is not applicable to the assessment.

### **Road and Rail Asset Code**

Council's Development Engineer has reviewed the proposal against the applicable standards of this code and has determined that the proposal meets the acceptable solutions of applicable standards. See 'Referrals' section of the report for more detail.

### **Parking and Access Code**

The proposal provides two parking spaces accessed by an existing crossover. Council's Development Engineer has reviewed the proposal against the applicable standards of this code and has determined that the proposal meets the acceptable solutions of applicable standards. See 'Referrals' section of the report for more detail.

### **Stormwater Management Code**

#### *E7.7.1 Stormwater Drainage and Disposal P1*

The stormwater generated from the dwelling and other impervious surfaces is to be managed through absorption trenches. Council's Development Engineer has concluded that the stormwater is to be managed appropriately by the proposed soakage devices and that the proposal complies with performance criteria P1 of E7.7.1 Stormwater Drainage and Disposal.

Council's Development Engineer has reviewed the proposal against all other applicable standards of this code and has determined that the proposal meets the acceptable solutions of those standards. See 'Referrals' section of the report for more detail.

### **Biodiversity Code**

The submission states that approximately 1200m<sup>2</sup> of land is to be cleared and converted or disturbed for this proposal. This area of disturbance is not within a building area on a plan of subdivision. For those reasons, the proposal does not meet any exemption and the code is applicable to the assessment.

#### *E10.7.1 Buildings and Works*

The site represents moderate priority biodiversity values and relies on performance criteria P1 (b), which requires clearance and conversion or disturbance to satisfy the following:

- (b) if moderate priority biodiversity values:
  - (i) development is designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the development;
  - (ii) impacts resulting from bushfire hazard management measures are minimised as far as reasonably practicable through siting and fire-resistant design of habitable buildings;
  - (iii) remaining moderate priority biodiversity values on the site are retained and improved through implementation of current best practice mitigation

strategies and ongoing management measures designed to protect the integrity of these values.

The site of the proposal is taken to be the most suitable siting for the proposal given the need for minimal clearance at this location; the gradient of slope; and lot size and shape. In addition, the elevated BAL 29 rating in combination with practicable positioning on the site, further minimises impacts on native vegetation. Furthermore, the remaining moderate priority biodiversity values are retained and protected through implementing managements recommendations including maintaining habitat and populations through appropriate land management practices, as outlined in the Natural Values report.

Accordingly, the proposal is assessed as satisfying the performance criteria and complies with the standard. A condition of approval is recommended to ensure the recommendations of the Natural Values Assessment dated August 2019 are implemented as current best practice mitigation strategies and ongoing management measures designed to protect the integrity of these values.

### **Waterway and Coastal Protection Code**

The Waterway and Coastal Protection Area extends along the eastern portion of the site. However, the proposal is located outside this area and the code does not apply in accordance with E11.2.1 (a).

### **Scenic Landscapes Code**

#### *E14.7.1 Removal of Bushland within Scenic Landscape Areas P1*

The objective of this standard is to ensure that removal or disturbance of bushland does not cause an unreasonable change to, or have an unreasonable adverse impact on, the scenic landscape value of Scenic Landscape Areas.

The proposal relies on performance criteria which requires removal or disturbance of bushland to be minimised and must satisfy both of the following:

- (a) result in only negligible change to the silhouette of skylines;
- (b) maintain scenic landscape value.

The proposal site is not in proximity of a skyline and will have a negligible effect in this regard. The scenic value of the locality is arguably the bushland character of the landscape, interspersed with cleared pastoral allotments. Considering that any clearance and disturbance of the bushland is to be limited through management prescriptions, the proposal is assessed as not adversely detracting from the scenic landscape value of the Scenic Landscape Area. The proposal is assessed as complying with the standard through the performance criteria.

#### *E14.7.2 Appearance of Buildings and Works within Scenic Landscape Areas P1*

Given that development limitations of the site, it is expected that the proposed building would be visible from public spaces. The performance criteria require buildings visible from public spaces to maintain scenic landscape value by satisfying one or more of the following, as necessary:

- (a) have external finishes that are non-reflective and coloured to blend with the landscape;

- (b) be designed to:
  - (i) incorporate low roof lines that follow the natural form of the land;
  - (ii) minimise visual impact in height and bulk;
  - (iii) minimise cut and fill;
- (c) be located below skylines;
- (d) be located to take advantage of any existing native vegetation or exotic vegetation for visual screening purposes.

The proposed external finishes are to be dark grey with a solar absorptance rating ranging from 0.64 to 0.73. This is taken to be a non-reflective finish and would blend with the bushland landscape. Also, the siting of the proposal is expected to cause minimal cut and fill.

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

*E14.7.2 Appearance of Buildings and Works within Scenic Landscape Areas P2*

The proposal is unable to comply with the acceptable solution and relies on the performance criteria, which requires works visible from public spaces to maintain scenic landscape value by satisfying one or more of the following, as necessary;

- (a) driveways and access tracks are as close as practical to running parallel with contours and are surfaced with dark materials;
- (b) cut and fill is minimised;
- (c) surfaces of retaining walls and batters are finished with a natural appearance;
- (d) fences are post & wire or other designed of a similarly transparent appearance.

Aside from the existing formed access, the proposed extension to the driveway which will allow for two cars to park on site, follows the contours as close as practical and is to be finished in a dark colour. A condition of approval is recommended to ensure an all-weather durable surface in dark materials is used for the driveway extension. Also, batters are proposed to be finished with a natural appearance and the boundary fence is proposed to be post and wire.

Accordingly, the proposal is assessed as not causing an unreasonable adverse impact on the scenic landscape value and complies with the standard.

**On-Site Wastewater Management Code**

This code applies to use and development relying on onsite management of domestic wastewater from residential use. An AWTs wastewater management system is proposed.

*E23.10.1 Land Application Areas P2*

The proposal relies on performance criteria, which requires horizontal separation distance from downslope surface water for a land application area to satisfy all of the following:

- (a) effluent must be no less than secondary treated effluent standard and applied through a subsurface land application system;
- (b) be no less than 15m;
- (c) the surface water is not of high resource or environmental value;
- (d) the average gradient is no more than 16 degrees;
- (e) the site is not in a flood prone area with an ARI of no less than 20 years;
- (f) either of the following applies:
  - (i) the site soil category is 1, 2 or 3;
  - (ii) a raised bed is used.

A Site and Soil Evaluation (SSE) prepared by a suitably qualified person in accordance with AS/NZS1547 was submitted for assessment. The SSE confirms that the AWTS is designed to comply with the performance criteria. Council's Senior Environmental Health Officer has reviewed the SSE and concurs with the findings.

*E23.10.1 Land Application Areas P5*

The proposal relies on performance criteria, which requires vertical separation distance between groundwater and a land application area to satisfy all of the following:

- (a) effluent must be no less than secondary treated effluent standard and applied through a subsurface land application system;
- (b) vertical separation distance must be no less than 0.5m, (whether 'in ground' or by use of a raised bed).

The SSE confirms that the vertical separation distance between groundwater and a land application area complies with the performance criteria. Council's Senior Environmental Health Officer has reviewed the SSE and is satisfied that the proposal complies with the standard through the performance criteria.

*E23.10.1 Land Application Areas P6*

The proposal relies on performance criteria, which requires vertical separation distance between a limiting layer and a land application area to satisfy all of the following:

- (a) effluent must be no less than secondary treated effluent standard and applied through a subsurface land application system;
- (b) vertical separation distance must be no less than 0.5m, (whether 'in ground' or by use of a raised bed).

The SSE confirms that the design of the AWTS complies with the performance criteria. Council's Senior Environmental Health Officer has reviewed the SSE and is satisfied that the proposal complies with the standard through the performance criteria.

**PART F: Specific Area Plans**

No SAP applies to the subject land.

**INTERNAL REFERRALS****Development Engineer**

Council's Development Technical Officer has made the following comments and recommended conditions of approval.

*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 application meets the acceptable solution of clause E5.5.1 Existing road accesses A3.

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

*E6.0 Parking and Access Code*

This code applies to all use and development.

There are no traffic or parking issues associated with this application. It is recommended a condition of approval be that carparking and associated driveway be provided in accordance with the "Australian Standard AS/ANZ 2890.1 – 2004 Off-Street Parking".

*E7.0 Stormwater Management Code*

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

There are no GCC public stormwater mains available for stormwater from the proposed development to connect to. The dwelling will require water tanks for potable water and therefor re-use on site. If there is overflow from the tanks, stormwater will not create a nuisance or any adverse effects on adjoin properties and with a creek running nearby, it is considered to satisfy the performance criteria of clause E7.7.1 Stormwater Drainage and Disposal of the Glenorchy Interim Planning Scheme 2015

*Other**E3.0 Landslide Code*

The lot has no active landslides however is identified as subject to a 'Low Hazard' as per the Dept. of Premier & Cabinet / Mineral Resources Tasmania MRT Hazard Maps for susceptibility to landslide. Due to the 'Low Hazard' under clause E3.4(c) of the Glenorchy Interim Planning Scheme 2015, the development is exempt from this code, however it is recommended an advise clause be included in the planning permit that

the applicant may wish to seek further advice from a geotechnical engineer in regards to the proposed development and the potential hazard and the address of website where further information can be obtained.

*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**

Council's Senior Environmental Health Officer has made the following comments.

Environmental Health has assessed this application. This site falls outside of the TasWater reticulated sewer infrastructure and as such will require an on-site wastewater management system (OWMS) to treat wastewater. Geo-Environmental Solutions were commissioned to undertake the OWMS report. In the report, dated October 2019, makes reference to each applicable standard in E23.0 on-site wastewater management code; indicating compliance with each. A further assessment of the OWMS will be undertaken at the plumbing permit stage of this development prior to construction.

No conditions are recommended for this permit.

**EXTERNAL REFERRALS**

**TasWater**

Pursuant to the *Water and Sewerage Industry Act 2008* (TAS) Section 56P (1) TasWater has assessed the application for the above-mentioned permit and has determined that the proposed development does not require a submission from TasWater.

**REPRESENTATIONS**

The application was advertised for the statutory 14-day period with 11 representations received. The issues raised are as follows:

**1. Dwelling type**

The representor states that the proposed dwelling is out of community expectation where a dwelling of this style, size and appearance would be more suited to temporary accommodation in a caravan park or similar.

*Planner's Comment:*

The type of dwelling is not a matter for consideration. However, the location and appearance of the dwelling in relation to its impact on the rural landscape is a relevant matter for consideration. The application has been assessed against the applicable standards in the Rural Resource zone and the Scenic Landscape code and found to comply with the applicable standards.

## **2. Water quality and wastewater management**

The representors are concerned about the impact of the development, particularly the treatment of grey water and sewerage overflows on the water course that runs through the site.

### *Planner's Comment:*

The proposal is sited outside of the Waterway and Coastal Protection Area, as identified on the planning scheme maps. As such, the proposal is not required to be assessed against those provisions of the planning scheme. An SSE was prepared by a suitably qualified person in accordance with AS/NZS1547 and was reviewed as part of the assessment. The assessment has concluded that the proposed onsite wastewater management will have access to sufficient land area necessary for the satisfactory and sustainable onsite treatment of that wastewater. Therefore, the nearby watercourse is not expected to be adversely impacted by the development.

## **3. Vegetation removal**

The representors are concerned about the number of significant sized trees on the site and the neighbouring site that may need to be removed to meet the required BAL 29.

### *Planner's Comment:*

As previously reported, a Bushfire Hazard Report and a Natural Values Assessment was provided as part of the application. The Bushfire Hazard Report recommends the hazard management area, as shown on the Bushfire Hazard Management Plan be maintained to a minimal fuel condition and suggests that not all trees in the low fuel area need to be removed. The minimum fuel condition is where fine fuels are minimised to the extent that the passage of fire will be restricted. Most fine fuels are at or close to the ground, often as part of a grass, litter or shrub layer. The Natural Values Assessment recommends no additional clearance or removal of eucalypts outside the approved foot print without council approval. This forms the basis of a condition of approval so that the removal of trees other than those located within the development footprint will require further approval.

No clearing is proposed on neighbouring properties.

## **4. Road condition and capacity**

The representor feel that the road condition is full capacity without any upgrades to the road width and road verge clearing.

### *Planner's Comment:*

Council's Traffic Engineer has reviewed the anticipated increase in vehicular traffic on Mount Hull Road generated by the proposal and has concluded that the road will be able to accommodate the extra traffic. However, the Road Authority of Council are responsive to road maintenance issues when reported through Council's Customer Service.

## CONCLUSION

The proposal is relying on the performance criteria to comply with applicable standards. The proposal is assessed as satisfying the performance criteria and complies with those standards. The proposal is assessed as complying with all other use and development standards in the Rural Resource zone, as well as the applicable standards of the Road and Railway Assets code, Parking and Access code, Stormwater Management code, Biodiversity code, Scenic Landscape code and the On-Site Wastewater Management code. The application was publicly advertised for the statutory 14-day period and 11 representations were received. The concerns raised in the representations have been considered as part of the assessment.

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

## Recommendation:

That a permit be granted for the proposed use and development of Single Dwelling (Residential) at 260 Mount Hull Road, Collinsvale subject to the following conditions:

### Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-19-134 and Drawing No. P1 submitted on 17 May 2019 and Drawing No. P2 submitted on 27 July 2019, except as otherwise required by this permit.
2. Prior to the issue of a Building and/or Plumbing approval, a Construction Environmental Management Plan must be submitted for approval by Council's Senior Statutory Planner. The Construction Environmental Management Plan must include the pre and post construction management prescriptions as recommended in the Natural Values Assessment, 230 Mount Hull Road Collinsvale, dated August 2019. Once approved, the Construction Environmental Management Plan will form part of this permit and must be complied with.

### Engineering

3. 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.
4. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
5. Driveways, car parking and turning areas must be constructed and sealed with an approved all-weather durable surface treatment in dark materials prior to occupancy of the dwelling. 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".

6. 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.*

The lot is identified as subject to a 'Low Hazard' as per the Dept. of Premier & Cabinet/Mineral Resources Tasmania MRT Hazard Maps for susceptibility to landslide. Due to the 'Low Hazard' under clause E3.4(c) of the Glenorchy Interim Planning Scheme 2015, the development is exempt from this code, however the applicant may wish to seek further advice from a geotechnical engineer regarding the proposed development and the potential hazard.

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

### *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

## 26.0 Rural Resource Zone

| Standard                                                          | Acceptable Solution                                                                                                                                                                                                                                                                                  | Proposed                                     | Complies? |
|-------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|-----------|
| <b>26.3 Use Standards</b>                                         |                                                                                                                                                                                                                                                                                                      |                                              |           |
| <b>26.3.1</b><br><b>Sensitive Use (including residential use)</b> | <b>A1</b><br>A sensitive use is for a home based business or an extension or replacement of an existing dwelling or existing ancillary dwelling, or for home-based child care in accordance with a licence under the Child Care Act 2001.                                                            | New dwelling proposed.                       | No        |
| <b>26.3.2</b><br><b>Visitor Accommodation</b>                     | <b>A1</b><br>Visitor accommodation must comply with all of the following:<br>(a) is accommodated in existing buildings;<br>(b) provides for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site;<br>(c) has a floor area of no more than 160m <sup>2</sup> . |                                              | NA        |
| <b>26.3.3</b><br><b>Discretionary Use</b>                         | <b>A1</b><br>No Acceptable Solution                                                                                                                                                                                                                                                                  | A new Single dwelling is a discretionary use | No        |
| <b>26.4 Development Standards for Buildings and Works</b>         |                                                                                                                                                                                                                                                                                                      |                                              |           |
| <b>26.4.1</b><br><b>Building Height</b>                           | <b>A1</b><br>Building height must be no more than:                                                                                                                                                                                                                                                   | Maximum height is 4.691m                     | Yes       |

| Standard                  | Acceptable Solution                                                                                                                                                                                                                                                                                                                           | Proposed                                                                                                | Complies? |
|---------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|-----------|
|                           | 8.5 m if for a residential use.<br>10 m otherwise.                                                                                                                                                                                                                                                                                            |                                                                                                         |           |
| <b>26.4.2<br/>Setback</b> | <b>A1</b><br>Building setback from frontage must be no less than:<br>20 m.                                                                                                                                                                                                                                                                    | 8.5m                                                                                                    | No        |
|                           | <b>A2</b><br>Building setback from side and rear boundaries must be no less than:<br>50 m.                                                                                                                                                                                                                                                    | 25m                                                                                                     | No        |
|                           | <b>A3</b><br>Building setback for buildings for sensitive use must comply with all of the following:<br>(a) be sufficient to provide a separation distance from a plantation forest, Private Timber Reserve or State Forest of 100 m;<br>(b) be sufficient to provide a separation distance from land zoned Significant Agriculture of 200 m. | Appropriately setback                                                                                   | Yes       |
|                           | <b>A4</b><br>Buildings and works must be setback from land zoned Environmental Management no less than:<br>100 m.                                                                                                                                                                                                                             | Environmental Management zone is more than 300m away.                                                   | Yes       |
| <b>26.4.3<br/>Design</b>  | <b>A1</b><br>The location of buildings and works must comply with any of the following:                                                                                                                                                                                                                                                       | a) No building area provided on title;<br>b) New building proposed;<br>c) Vegetation clearing required. | No        |

| Standard                                    | Acceptable Solution                                                                                                                                  | Proposed                                              | Complies? |
|---------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|-----------|
|                                             | (a) be located within a building area, if provided on the title;                                                                                     |                                                       |           |
|                                             | (b) be an addition or alteration to an existing building;                                                                                            |                                                       |           |
|                                             | (c) be located in an area not require the clearing of native vegetation and not on a skyline or ridgeline.                                           |                                                       |           |
|                                             | <b>A2</b><br>Exterior building surfaces must be coloured using colours with a light reflectance value not greater than 40 percent.                   | Waals dark grey colorbond, roof light grey colorbond. | Yes       |
|                                             | <b>A3</b><br>The depth of any fill or excavation must be no more than 2 m from natural ground level, except where required for building foundations. | Plans notate that maximum height of batters is 2m.    | Yes       |
| <b>26.4.4</b><br><b>Plantation Forestry</b> | <b>A1</b><br>Plantation forestry, including establishment and harvesting, must comply with a certified Forest Practices Plan.                        |                                                       | NA        |

**APPENDIX****E10 Biodiversity Code**

| Standard                               | Acceptable Solution                                                                                                                               | Proposed                                                                                                                       | Complies? |
|----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|-----------|
| <b>E10.7 Development Standards</b>     |                                                                                                                                                   |                                                                                                                                |           |
| <b>E10.7.1<br/>Buildings and Works</b> | <b>A1</b><br>Clearance and conversion or disturbance must be within a Building Area on a plan of subdivision approved under this planning scheme. | No Building Area on a plan of subdivision approved under this planning scheme.<br>Vegetation in this location is low Priority. | No        |

**APPENDIX****E5 Road and Railway Assets Code**

| Standard                                               | Acceptable Solution                                                                                                                                                                                                                                                                          | Proposed                    | Complies? |
|--------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-----------|
| <b>5.5 Use Standards</b>                               |                                                                                                                                                                                                                                                                                              |                             |           |
| <b>E5.5.1<br/>Existing road accesses and junctions</b> | <b>A1</b><br>The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater. | Not an applicable standard. |           |

| Standard                                                           | Acceptable Solution                                                                                                                                                                                                                                                                                                           | Proposed                    | Complies? |
|--------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-----------|
|                                                                    | <b>A2</b><br>The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h, must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.                                   | Not an applicable standard. |           |
|                                                                    | <b>A3</b><br>The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.                                     |                             | Yes       |
| <b>E5.5.2</b><br><br><b>Exiting Level Crossings</b>                | <b>A1</b><br>Where use has access across part of a rail network, the annual average daily traffic (AADT) at an existing level crossing must not be increased by greater than 10% or 10 vehicle movements per day, whichever is the greater.                                                                                   | Not an applicable standard. |           |
| <b>5.6 Development Standards</b>                                   |                                                                                                                                                                                                                                                                                                                               |                             |           |
| <b>E5.6.1</b><br><b>Development adjacent to roads and railways</b> | <b>A1.1</b><br>Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h:<br>(a) new buildings;<br>(b) other road or earth works; and<br>(c) building envelopes on new lots. | Not an applicable standard. |           |

| Standard                                     | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                          | Proposed                    | Complies? |
|----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-----------|
|                                              | <b>A1.2</b><br>Buildings, may be: <ul style="list-style-type: none"> <li>(a) located within a row of existing buildings and setback no closer than the immediately adjacent building; or</li> <li>(b) an extension which extends no closer than: <ul style="list-style-type: none"> <li>(i) the existing building; or</li> <li>(ii) an immediately adjacent building.</li> </ul> </li> </ul> |                             |           |
| <b>E5.6.2</b><br>Road accesses and junctions | <b>A1</b><br>No new access or junction to roads in an area subject to a speed limit of more than 60km/h                                                                                                                                                                                                                                                                                      | Not an applicable standard. |           |
|                                              | <b>A2</b><br>No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.                                                                                                                                                                                                       |                             |           |
| <b>E5.6.3</b><br>New Level Crossings         | <b>A1</b><br>No Acceptable Solutions.                                                                                                                                                                                                                                                                                                                                                        | Not an applicable standard. |           |

| Standard                                                                              | Acceptable Solution                                                                                                                                                                                                                                                                                                                                            | Proposed | Complies? |
|---------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
| <b>E5.6.4</b><br><br><b>Sight distance at accesses, junctions and level crossings</b> | <b>A1</b><br><br>Sight distances at: <ul style="list-style-type: none"> <li>(a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and</li> <li>(b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.</li> </ul> |          | Yes       |

## APPENDIX

### E6.0 Parking and Access Code

| Standard                                          | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Proposed | Complies? |
|---------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
| <b>E6.6 Use Standards</b>                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |          |           |
| <b>E6.6.1</b><br><br>Number of Car Parking Spaces | <b>A1</b><br><br>The number of on-site car parking spaces must be: <ul style="list-style-type: none"> <li>(a) no less than the number specified in Table E6.1 and no more than 10% greater than that number;</li> </ul> except if: <ul style="list-style-type: none"> <li>(i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;</li> <li>(ii) this provision was not used in this planning scheme.</li> </ul> |          | Yes       |
| <b>E6.6.3</b>                                     | <b>A1</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |          |           |

| Standard                                   | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Proposed                    | Complies?         |
|--------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-------------------|
| Number of Motorcycle Parking Spaces        | The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.                                                               | Not an applicable standard. |                   |
| E6.6.4<br>Number of Bicycle Parking Spaces | A1<br>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. |                   |
| <b>E 6.7 Development Standards</b>         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                             |                   |
| E6.7.1<br>Number of Vehicle Accesses       | A1<br>The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.                                                                                                                                                                                                                                                                                                                                                                                          | Not an applicable standard. |                   |
| E6.7.2<br>Design of Vehicular Accesses     | A1<br>Design of vehicle access points must comply with all of the following:<br><br>(a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;<br><br>(b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to |                             | Yes - conditioned |

| Standard                                          | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Proposed                    | Complies? |
|---------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-----------|
|                                                   | 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<br>Vehicular Passing Areas Along an Access | A1<br>Vehicular passing areas must:<br><ul style="list-style-type: none"> <li>(a) be provided if any of the following applies to an access: <ul style="list-style-type: none"> <li>(i) it serves more than 5 car parking spaces;</li> <li>(ii) is more than 30 m long;</li> <li>(iii) it meets a road serving more than 6000 vehicles per day;</li> </ul> </li> <li>(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway;</li> <li>(c) have the first passing area constructed at the kerb;</li> <li>(d) be at intervals of no more than 30 m along the access.</li> </ul> | Not an applicable standard. |           |
| E6.7.4<br>On-Site Turning                         | A1<br>On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following:<br><ul style="list-style-type: none"> <li>(a) it serves no more than two dwelling units;</li> <li>(b) it meets a road carrying less than 6000 vehicles per day.</li> </ul>                                                                                                                                                                                                                                                   | Not an applicable standard. |           |
| E6.7.5<br>Layout of Parking Areas                 | A1<br>The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 "Design of Parking Modules, Circulation Roadways and Ramps" of AS/NZS 2890.1:2004 Parking                                                                                                                                                                                                                                                                                                                                                 | Not an applicable standard. |           |

| Standard                                     | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                        | Proposed                    | Complies? |
|----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-----------|
|                                              | Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 "Headroom" of the same Standard.                                                                                                                                                                                                                                     |                             |           |
| E6.7.6<br>Surface Treatment of Parking Areas | A1<br>Parking spaces and vehicle circulation roadways must be in accordance with all of the following;<br><br>(a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway;<br><br>(b) drained to an approved stormwater system,<br><br>unless the road from which access is provided to the property is unsealed. | Not an applicable standard. |           |
| E6.7.7<br>Lighting of Parking Areas          | A1<br>Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.             | Not an applicable standard. |           |
| E6.7.8<br>Landscaping of Parking Areas       | A1<br>Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.                                                                                                  | Not an applicable standard. |           |
| E6.7.9<br>Design of Motorcycle Parking Areas | A1<br>The design of motorcycle parking areas must comply with all of the following:<br><br>(a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS                                                                                                                                                                     | Not an applicable standard. |           |

| Standard                                        | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                              | Proposed                    | Complies? |
|-------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-----------|
|                                                 | 2890.1:2004 Parking Facilities Part 1: Off-street car parking;<br>(b) be located within 30 m of the main entrance to the building.                                                                                                                                                                                                                                                               |                             |           |
| E6.7.10<br>Design of Bicycle Parking Facilities | A1<br>The design of bicycle parking facilities must comply with all the following;<br>(a) be provided in accordance with the requirements of Table E6.2;<br>(b) be located within 30 m of the main entrance to the building.                                                                                                                                                                     | Not an applicable standard. |           |
|                                                 | A2<br>The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.                                                                                                 |                             |           |
| E6.7.11<br>Bicycle End of Trip Facilities       | A1<br>For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.                                                                                                                   | Not an applicable standard. |           |
| E6.7.12<br>Siting of Car Parking                | A1<br>Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre. | Not an applicable standard. |           |

| Standard                                        | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Proposed                    | Complies? |
|-------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-----------|
| E6.7.1.13<br>Facilities for Commercial Vehicles | A1<br>Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless:<br><br>(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;<br><br>(b) the use is not primarily dependent on outward delivery of goods from the site. | Not an applicable standard. |           |
| E6.7.14<br>Access to a Road                     | A1<br>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?                            |
|--------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|--------------------------------------|
| <b>E7.7 Development Standards</b>          |                                                                                                                                                                                         |                             |                                      |
| E7.7.1<br>Stormwater Drainage and Disposal | A1<br>Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.                                                                       |                             | No – Performance criteria satisfied. |
|                                            | A2<br>A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply: | Not an applicable standard. |                                      |

| Standard | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Proposed                    | Complies? |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-----------|
|          | (a) the size of new impervious area is more than 600 m <sup>2</sup> ;<br>(b) new car parking is provided for more than 6 cars;<br>(c) a subdivision is for more than 5 lots.                                                                                                                                                                                                                                                                                                                       |                             |           |
|          | A3<br>A minor stormwater drainage system must be designed to comply with all of the following:<br>(a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed;<br>(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. |           |
|          | A4<br>A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.                                                                                                                                                                                                                                                                                                                                                                                         | Not an applicable standard. |           |

## APPENDIX

## E14 Scenic Landscapes Code

| Standard                                                                                   | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Proposed                                                                                                       | Complies? |
|--------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|-----------|
| <b>E14.7 Development Standards</b>                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                |           |
| <b>E14.7.1<br/>Removal of Bushland<br/>within Scenic Landscape<br/>Areas.</b>              | <b>A1</b><br>Removal or disturbance of bushland must comply with both of the following: <ul style="list-style-type: none"> <li>(a) be on land no less than 50 m (in elevation) from a skyline;</li> <li>(b) be no more than 500 m<sup>2</sup> in extent.</li> </ul>                                                                                                                                                                                                       | The disturbance of bushland is to be more than 500m <sup>2</sup> .                                             | No        |
| <b>E14.7.2<br/>Appearance of Buildings<br/>and Works within Scenic<br/>Landscape Areas</b> | <b>A1</b><br>Buildings must comply with one of the following: <ul style="list-style-type: none"> <li>(a) not be visible from public spaces;</li> <li>(b) be an addition or alteration to an existing building that; <ul style="list-style-type: none"> <li>(i) increases the gross floor area by no more than 25%;</li> <li>(ii) does not increase the building height;</li> <li>(iii) provides external finishes the same or similar to existing.</li> </ul> </li> </ul> | The proposal is to be visible from public spaces and is not an addition or alteration to an existing building. | No        |
|                                                                                            | <b>A2</b><br>Works must not be visible from public spaces.                                                                                                                                                                                                                                                                                                                                                                                                                | Works are expected to be visible from public spaces.                                                           | No        |

**APPENDIX****E23.0 On-site Wastewater Management Code**

| Standard                                                                 | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Proposed | Complies?  |
|--------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|------------|
| <b>E23.7 Development Standards for Residential Development</b>           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |          |            |
| <b>E23.7.1<br/>Development Standards for<br/>Residential Development</b> | <b>A1</b><br>A new dwelling must be provided with a land application area that complies with Table E23.1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |          | <b>Yes</b> |
|                                                                          | <b>A2</b><br>An addition or alteration to an existing dwelling, or change of use to a dwelling, must not encroach onto an existing land application area and comply with at least one of the following:<br>(a) not increase the number of bedrooms or otherwise increase the potential volume of wastewater generated onsite;<br>(b) not increase the number of bedrooms or otherwise increase the potential volume of wastewater generated onsite to greater than that allowed for in the design of the existing OWMS;<br>(c) provide a land application area that complies with Table E23.1. |          | <b>NA</b>  |

| Standard                                                             | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Proposed | Complies? |
|----------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
| E23.8 Development Standards for Non Residential Development          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |          |           |
| E23.8.1<br><br>Development Standards for Non Residential Development | A1<br><br>A land application area for non-residential development must comply with the following:<br><br>(a) if including bedrooms, (such as visitor accommodation), the size of the land application areas must comply with Table E.23.1;<br><br>(b) if other development, design flow rates must be no less than the rates provided in the following table:<br><br>Wastewater Fixture: Flow Design Allowance per person per day:<br><br>Closet Pan: 50L<br>Urinals: 25L<br>Washbasin: 10L<br>Shower: 30L<br>Bath: 30L<br>Laundry: 30L |          | NA        |
| E.23.9.1<br><br>Development Standards for New Lots                   | A1<br><br>A new lot must have an area no less than: 5,000 m².                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |          | NA        |
|                                                                      | A2<br><br>Subdivision is not prohibited by the relevant zone standards.                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |          |           |

| Standard                                                           | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Proposed        | Complies?  |
|--------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|------------|
| <b>E.23.9.2</b><br><b>Development Standards for New Boundaries</b> | <b>A1</b><br>A new boundary must have a separation distance from an existing land application area that complies with E.23.10.1 A3.                                                                                                                                                                                                                                                                                                                                                                                         |                 | <b>NA</b>  |
| <b>E23.10 Development Standards for Land Application Areas</b>     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                 |            |
| <b>E.23.10.1</b><br><b>Land Application Areas</b>                  | <b>A1</b><br>Horizontal separation distance from a building to a land application area must comply with one of the following:<br>(a) be no less than 6m;<br>(b) be no less than;<br>(i) 2m from an upslope or level building;<br>(ii) if primary treated effluent be no less than 4m plus 1m for every degree of average gradient from a downslope building;<br>(iii) if secondary treated effluent and subsurface application, no less than 2m plus 0.25m for every degree of average gradient from a down slope building. | <b>Complies</b> | <b>Yes</b> |

| Standard | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Proposed | Complies? |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
|          | <p><b>A2</b></p> <p>Horizontal separation distance from downslope surface water to a land application area must comply with any of the following:</p> <ul style="list-style-type: none"> <li>(a) be no less than 100m;</li> <li>(b) if the site is within a high rainfall area or the site soil category is 4, 5 or 6, be no less than the following; <ul style="list-style-type: none"> <li>(i) if primary treated effluent standard or surface application, 50m plus 7m for every degree of average gradient from downslope surface water;</li> <li>(ii) if secondary treated effluent standard and subsurface application, 50m plus 2m for every degree of average gradient from down slope surface water</li> </ul> </li> <li>(c) if the site is not within a high rainfall area or the site soil category is not 4, 5 or 6, be no less than the following; <ul style="list-style-type: none"> <li>(i) if primary treated effluent 15m plus 7m for every degree of average gradient from downslope surface water;</li> <li>(ii) if secondary treated effluent and subsurface application, 15m plus 2m for every degree of average gradient from down slope surface water.</li> </ul> </li> </ul> |          | No        |

| Standard | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Proposed | Complies? |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
|          | <p><b>A3</b></p> <p>Horizontal separation distance from a property boundary to a land application area must comply with either of the following:</p> <p>(a) be no less than 40m from a property boundary;</p> <p>(b) be no less than:</p> <ul style="list-style-type: none"> <li>(i) 1.5m from an upslope or level property boundary; and</li> <li>(ii) if primary treated effluent 2m for every degree of average gradient from a downslope property boundary; or</li> <li>(iii) if secondary treated effluent and subsurface application, 1.5m plus 1m for every degree of average gradient from a downslope property boundary.</li> </ul> | Complies | Yes       |
|          | <p><b>A4</b></p> <p>Horizontal separation distance from a downslope bore, well or similar water supply to a land application area must be no less than 50m.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Complies | Yes       |
|          | <p><b>A5</b></p> <p>Vertical separation distance between groundwater and a land application area must be no less than 1.5m.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |          | No        |
|          | <p><b>A6</b></p> <p>Vertical separation distance between a limiting layer and a land application area must be no less than 1.5m.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |          | No        |

| Standard | Acceptable Solution                                                                                                                                                                                                                                   | Proposed | Complies? |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
|          | <p><b>A7</b></p> <p>The arrangement of a land application area must comply with both of the following:</p> <p>(a) not include areas beneath buildings, driveways or other hard stand areas;</p> <p>(b) have a minimum horizontal dimension of 3m.</p> | Complies | Yes       |

**Attachments/Annexures**

- 1 Attachments - 260 Mount Hull Road Collinsvale



**7. PROPOSED USE AND DEVELOPMENT - WAREHOUSE  
EXTENSION AND CHANGE OF USE TO SERVICE INDUSTRY  
(ELECTRICAL REPAIR) - 97A GROVE ROAD GLENORCHY**

Author: Planning Officer (Bhavna Gungabison)

Qualified Person: Planning Officer (Bhavna Gungabison)

Property ID: 5372794

**REPORT SUMMARY:**

|                            |                                                                                                                                                                                                        |
|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application No.:</b>    | <b>PLN-18-276</b>                                                                                                                                                                                      |
| <b>Applicant:</b>          | <b>Preston Lane Architects</b>                                                                                                                                                                         |
| <b>Owner:</b>              | <b>Rd Property Holdings Pty Ltd</b>                                                                                                                                                                    |
| <b>Zone:</b>               | <b>Light Industrial Zone</b>                                                                                                                                                                           |
| <b>Use Class</b>           | <b>Service Industry</b>                                                                                                                                                                                |
| <b>Application Status:</b> | <b>Discretionary</b>                                                                                                                                                                                   |
| <b>Discretions:</b>        | <b>24.4.2 Setback</b><br><b>24.4.5 Landscaping</b><br><b>E6.6.1 Number of car parking spaces</b><br><br>(The proposal meets all other applicable standards as demonstrated in the attached appendices) |
| <b>Level 2 Activity?</b>   | <b>No</b>                                                                                                                                                                                              |
| <b>42 Days Expires:</b>    | <b>12 Nov 2019</b>                                                                                                                                                                                     |
| <b>Existing Land Use:</b>  | <b>Vacant</b>                                                                                                                                                                                          |
| <b>Representations:</b>    | <b>1</b>                                                                                                                                                                                               |
| <b>Recommendation:</b>     | <b>Approval, subject to conditions</b>                                                                                                                                                                 |

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

The proposal is for a partial change of use to the existing building at 97A Grove Road and extension of the existing building as shown in Figure 1 below.

The proposed change of use is for Tenancy 1 which is currently vacant but had previous approval as a transport depot. The existing tenancy 1 building has a floor area of 648m<sup>2</sup> and faces the adjoining residential zone to the north and north-east.

The proposal also involves a double storey extension of tenancy 1 building with new car parking area as shown as green shade in Figure 1 below.

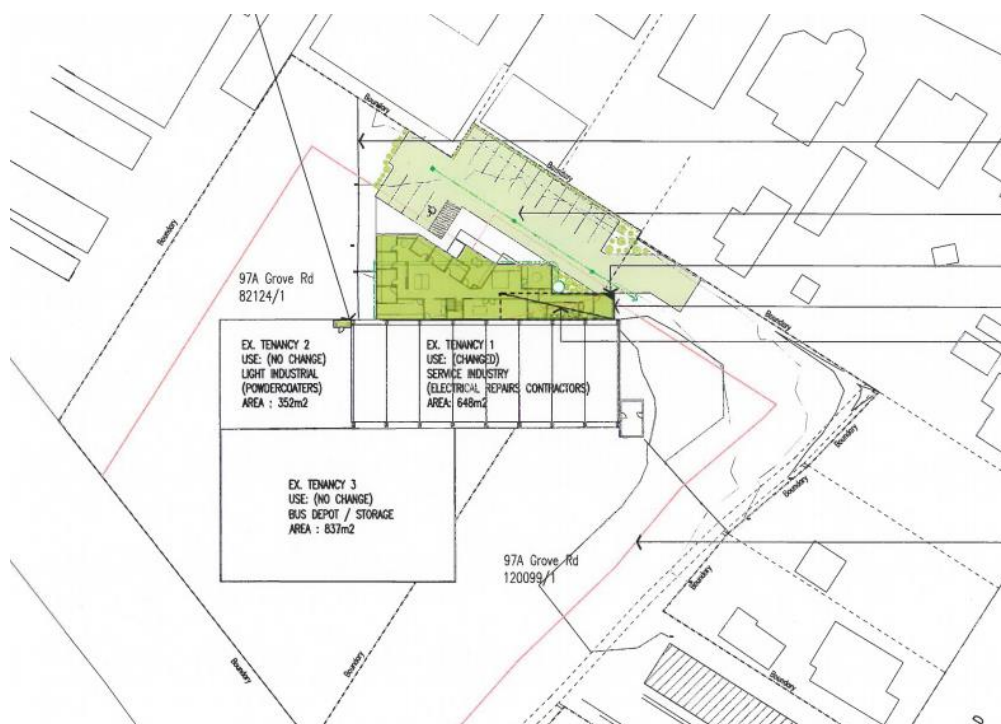


Figure 1: Proposed site plan

The proposed extension is to have a ground floor area of 305m<sup>2</sup> and first floor area of 185m<sup>2</sup>. The ground floor level comprises of a foyer, meeting rooms, staff room and amenities and seven (7) work stations with window and door openings facing the proposed car parking area to the north. The first-floor level comprises of thirteen (13) work stations and access to the ground floor level.

The proposed extension is to have a maximum height of 6.6m and a minimum setback of 9m from the north-eastern side boundary.

A car parking area accommodating fifteen (15) car parking spaces with one all-ability parking space is proposed along the north-eastern section of the site, directly adjacent to the proposed extension. The parking is proposed to be sealed and connected to stormwater infrastructure for run-off.

Additionally, a washroom is proposed to be installed in the existing building for Tenancy 2.

The existing uses for Tenancy 2 and 3 are to remain unchanged.

## SITE and LOCALITY

The site is situated on the western side of Grove Road, approximately 124m south of Herbert Street and 250m north of Main Road, Glenorchy (Fig. 2).



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

The site consists of two titles (120099/1 and 82124/1), with a total area of 8789m<sup>2</sup>. The site comprises of an existing building with a floor area of 1818m<sup>2</sup> towards the middle of the site and an administrative building along the frontage.

The existing main building comprises of three separate tenancies as shown in Figure 1, with tenancy one being currently vacant and subject to the change of use application to service industry and building extension (Tenancy one encircled in Figure 2). Tenancy two is currently utilised as a powder coating use and tenancy three is a bus depot with no change of use proposed for these two tenancies.

The subject site is surrounded by a mix of residential and industrial uses, with the railway line and intercity cycleway running to the south-west.

## ZONE

The subject site is located within the Light Industrial Zone, with adjoining General Residential zone to the north and north-east, Inner Residential zone to the south-east, Light Industrial Zone to the south and Utilities Zone pertaining to the railway line to the south-west, as shown in Figure 3 below.

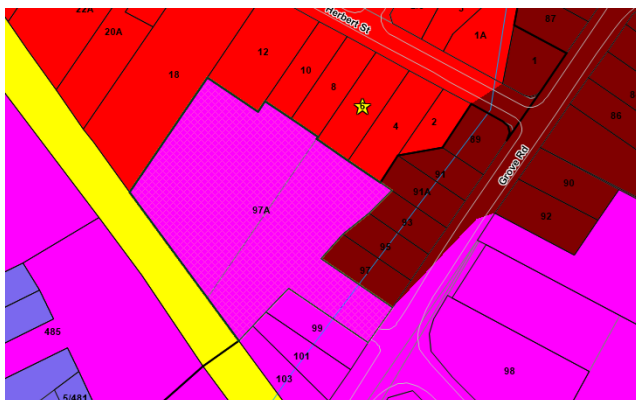


Figure 3: A snapshot of the zoning of the site (Fuchsia – Light Industrial Zone, Maroon – Inner Residential Zone; Red – General Residential Zone; Yellow – Utilities Zone).

## **BACKGROUND**

### Previous permits:

- PLN-03-01955 Covered Wash Down Facility, approved 24/07/03
- PLN-03-01989 Extension to hours of operation for Transport Depot, approved 09/12/03
- PLN-03-02289 Extension to Operating Hours, approved 12/01/04
- PLN-09-0375 Partial change of use to Limited Impact Industry with variation to car parking, approved 22/02/10
- PLN-13-128 Partial Change of Use to Commercial Garage with extended operating hours, approved 28/10/13.
- PLN-14-302 Partial Change of Use to Commercial Garage and Transport Depot, approved 20/02/15.
- PLN-16-093 Change of use to scrap yard (Recycling and waste disposal) relying on performance criteria, withdrawn 29/03/18 – subject to compliance action.

### Reason for GPA determination

The proposal is to be determined at the Glenorchy Planning Authority Meeting due to cost of works exceeding \$500,000.00 and receipt of a representation during the 14-day statutory advertising period.

## **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 following codes apply, which override the zoning provisions in the instance of a conflict:

- E5.0 Road and Railway Assets Code

- E6.0 Parking and Access Code
- E7.0 Stormwater Management Code
- E11.0 Waterway and Coastal Protection Code
- E15.0 Inundation Prone-Areas Code

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

**Service industry** means the use of land for cleaning, washing, servicing or repairing articles, machinery, household appliances or vehicles. Examples include a car wash, commercial laundry, electrical repairs, motor repairs and panel beating.

#### **Other relevant definitions (Clause 4.1):**

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

**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.

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

**Traffic impact assessment** means a study prepared by a suitably qualified person that shows the likely effects of traffic generated by use or development on the local environment and on the road or railway networks or both in terms of safety, efficiency and amenity, having regard to present and assumed future conditions. It includes recommendations on measures to be taken to maintain the safety and efficiency of the road or railway networks.

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

No special provisions of the Scheme apply to this proposal:

### **Part D: Zones**

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

#### **Zone Purpose Statements**

- 24.1.1.1 *To provide for manufacturing, processing, repair, storage and distribution of goods and materials where off-site impacts are minimal or can be managed to minimise conflict or impact on the amenity of any other uses.*
- 24.1.1.2 *To promote efficient use of existing industrial land stock.*
- 24.1.1.3 *To minimise land use conflict in order to protect industrial viability and the safety and amenity of sensitive land uses in adjacent zones.*
- 24.1.1.4 *To provide industrial activity with good access to strategic transport networks.*

**Comment:**

The proposed use for Service Industry (Electrical repair) would allow for the repair of goods and materials with minimal off-site impacts. A noise report and subsequent amendments were provided by NVC (Noise Vibration Consulting) to demonstrate the use would be causing minimal impact on the amenity of the surrounding residential use in the adjacent General Residential zone and Inner Residential zone. The proposal would promote the efficient use of existing industrial land and minimise land use conflict in order to protect industrial viability. Therefore, the proposal is considered to be in accordance with the zone purpose statement in Clause 24.1.1 of the Scheme.

**Use Table**

Service Industry is a permitted use within the Use Table 24.2. However, the proposal relies on performance criteria for setback, landscaping and number of car parking standards of the scheme.

**Use Standards**

The proposal complies with all applicable acceptable solutions of the use standards as described in the appendix section of the report.

**Development Standards for Buildings or Works****24.4.2 Setback**

The acceptable solution A2 requires a building to be setback from a residential zone by no less than:

- 10m; or
  - Half the height of the wall,
- whichever is the greater.

**Comment:**

The maximum height of the proposed building is to be 6.6m and therefore half the height would be only 3.3m. Since 10m is the greater, the proposed building needs to be setback 10m from the residential boundary.

The proposed building has an approximate 1m<sup>2</sup> area which falls outside the 10m setback required (encircled in Figure 4 below).

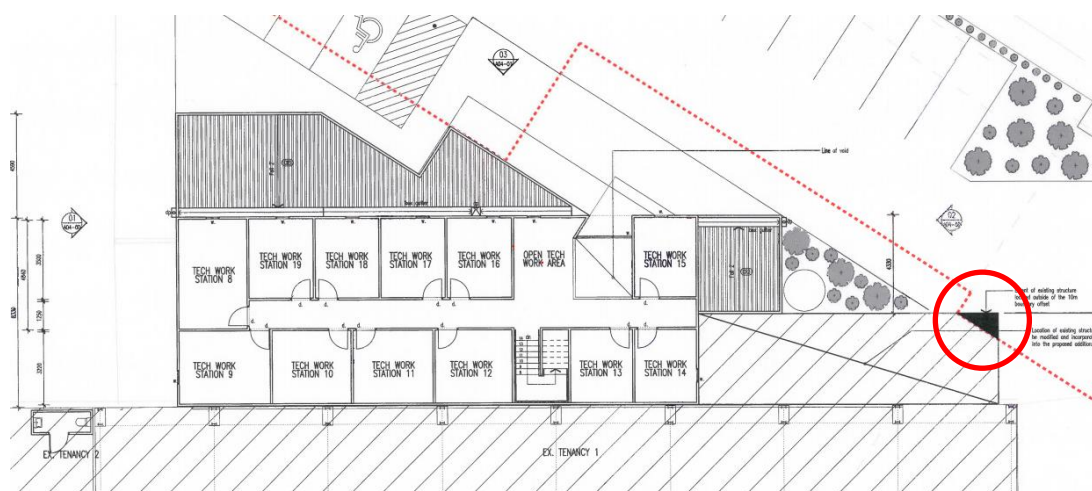


Figure 4: Proposed site plan with section of building located outside the 10m setback.

The plans show that the section of the building which is within 10m of the residential zone boundary, is an existing structure. However, there is no record of previous approval for the structure in Council's records.

As a result, the building is assessed against the performance criteria P2 of the standard which requires the following

*Building setback from a residential zone must be sufficient to prevent unreasonable adverse impacts on residential amenity by:*

- (a) *overshadowing and reduction of sunlight to habitable rooms and private open space on adjoining lots to less than 3 hours between 9.00 am and 5.00 pm on June 21 or further decrease sunlight hours if already less than 3 hours;*
- (b) *overlooking and loss of privacy;*
- (c) *visual impact when viewed from adjoining lots,*
- (d) *industrial activity.*

Comment:

The proposed building extension is predominantly setback more than 10m from the residential zone to the north and north-east. The minor section of the building within the 10m setback (approximately 9m) from the residential zone, has a maximum height of 3.5m and is not expected to cause overshadowing and sunlight reduction to habitable rooms and private open space. This is because the adjoining residential properties at 8, 10 and 12 Herbert Street have existing workshops (non-habitable buildings) along the rear boundary facing the proposed extension at 97A Grove Road.

The windows and door openings of the proposed extension have a setback of more than 10m from the side boundaries and are therefore unlikely to cause overlooking and privacy issues on residential amenity on the adjoining properties.

The proposed extension is to have a maximum height of 6.6m as compared to the existing 13.5m high warehouse building on the site. The proposed extension is be relatively smaller in scale as compared to the existing building on the site and is considered to cause limited visual impact when viewed from adjoining lots.

The proposed industrial activity is not expected to cause unreasonable impact on adjoining residential amenities as car parking is proposed within the site to sustain the proposed use, the extension and carparking area is to be connected with stormwater infrastructure and noise assessment shows that the noise impact is to be minor.

The proposal is therefore assessed as meeting the requirements of the performance criteria and in turn, meets the standard of the scheme.

#### 24.4.5 Landscaping

Landscaping with a minimum depth of 10m is required along a residential zone boundary to meet the acceptable solution requirement.

The proposal involves a landscaping depth of less than 10m and therefore relies on performance criteria which requires the following:

*Along a boundary with a residential zone landscaping or a building design solution must be provided to avoid unreasonable adverse impact on the visual amenity of adjoining land in a residential zone, having regard to the characteristics of the site and the characteristics of the adjoining residentially-zones land.*

Comment:

Landscaping is provided along the boundary of the residential zone and a condition has been recommended, should the application be approved, for the maintenance of the landscaping for the duration of the proposed use. The landscaping together with existing boundary fence would help mitigate the potential visual impact of the proposed building at 97A Grove Road.

The proposal is assessed as meeting 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**

A traffic impact assessment was provided with the application which demonstrates that the proposed use and development is subject to cause an increase in traffic movement by less than 40 vehicle movements and therefore complies with the acceptable solution of the existing road accesses and junctions standard of the Scheme. The proposal is assessed as meeting all other acceptable solutions of the applicable standards of the Code.

Additionally, the proposal was referred to Council's Development Engineer and Traffic Engineer who are in favour of the proposal and have provided comments in the referral section of the report.

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

#### **E6.6.1 Number of car parking spaces**

The proposed change of use to service industry (electrical repair) and associated extension triggers the need for 57 car parking spaces (3 per 100m<sup>2</sup> of floor area or 3 spaces for each work bay, whichever is the greater).

The application proposes only 15 car parking spaces including an all-ability parking space which causes a shortfall exceeding 10%. The proposal therefore relies on performance criteria P1 which requires the following:

*The number of onsite 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:

A Traffic Impact Assessment (TIA) was requested to address the car parking shortfall. The TIA concludes that the proposed service industry use for electrical repair and associated extension is unlikely to create traffic issues and should be supported for approval.

The argument used states that the nature of the use triggers less car parking requirement as the site is not to be used by the public but rather have seven full-time staff and up to nine extra staff coming to site at various times to pick up or drop-off goods. Customers are not expected to visit the site to pick-up or drop-off the goods. Based on this, the demand for parking is unlikely to be more than seven parking spaces for the majority of the day. The use of the building has been organised in a total of 19 work stations with each work station set up for different specialist electrical repair tasks, therefore the work stations will not be utilised at one time. The parking demand for the development is therefore expected to be accommodated on site.

McKay Avenue and Grove Road allows for all day free on-street car parking and the site has easy access to public transport with bus stops located on Main Road approximately 300m west of the proposed development. Bus services at this bus stop travel between the Glenorchy Central Business District (CBD) and northern suburbs of Hobart and operate every 15 minutes on weekdays between 6am and 10pm.

Additionally, the Intercity Cycleway is located 80m west of the proposed development. This offers a shared walking and cycling path that connects the site to Hobart to the east and Claremont to the west. Footpaths are also located along both sides of Grove Road in the vicinity of the site. With the availability of public transport as well as pedestrian and cycling paths in the vicinity of the site, other modes of transport are available.

Overall, the proposal is assessed as complying with the requirements of the performance criteria and therefore meeting the standard.

The requirements of the code have been assessed by Council's Development and Hydraulics Engineer, who are satisfied with the proposal and have provided comments in the referral section of the report.

In summary, the proposal is assessed as meeting the acceptable solutions of the applicable standards as detailed in the appendix section of the report.

The proposed works are located outside the hazard area as shown in Figure 5 below and therefore the Waterway and Coastal Protection Code does not apply.



Figure 5: Exponare map showing the extent of the Waterway and Coastal protection code and proposed works location (encircled).

The subject site is subject to the Inundation prone areas code and the proposed development complies with the applicable acceptable solutions of the Code as shown in the Appendix section of the report.

The proposal was referred to Council's Hydraulics Engineer who is in favour of the development and has provided comments in the referral section below.

No SAP applies.

## INTERNAL REFERRALS

### Environmental Health Officer

Comment:

Environmental health has assessed this application against the relevant sections of the Glenorchy Interim Planning Scheme 2015.

Further information was sought regarding the possibility of increased noise being generated from the site because of this development. The applicant has provided correspondence through their architects indicating that no additional noise will be generated, and that the development will be in accordance with 24.3.2 A1, which requires the following:

*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 to 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.*

To ensure that compliance with Clause 24.3.2 A1 is achieved and maintained it is recommended that the requirements of Clause 24.3.2 A1 be placed on the permit as a condition, together with a verification report to be submitted within six weeks of use commencement.

### Development Engineer

Comment:

The development application seeks an approval for Change of use to service industry, new workshop and new carparking area. The Traffic Impact Assessment (TIA) by Pitt&Sherry dated 25 February 2019 and the Stormwater Management plan by Burbury Consulting dated 13 August 2019 are submitted as part of the application as supporting documents.

The development application has been referred to the Traffic Engineer and Hydraulics Engineer to review and recommend conditions. The officers have no objections to the proposed development.

### E5.0 Road and Railway Assets Code

The development is considered to satisfy and comply with Code E5 Road and Railway Assets Code.

The site has an existing vehicle crossing via Grove Road to access the site, and no new access is proposed. The TIA includes an analysis of the traffic generation from

the development and forecast to be 32 movements per day. This meets the Acceptable Solution A3 of Clause E5.5.1 as the increased traffic is expected to be less than 40 vehicles per day.

Clause A2 of the E5.6.2 states that 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 speed limit of 60km/h or less. The development application proposes to retain and use the existing access and no additional access is proposed as part of the application. Therefore, the proposal meets the acceptable solution.

The sight distance at the access junction road speed of 50 km/h comply with the acceptable solution A1 under clause E5.6.4.

## E6.0 Parking and Access Code

According to Clause E6.6.1 (a) of the Planning Scheme, the number of on-site car parking spaces must be no less than the number specified in Table E6.1 and no more than 10% greater than that number. Based on this, the proposed development is required to provide 57 parking spaces.

The TIA states that the development proposes fifteen car parking spaces including one accessible car parking space immediately adjacent to the building, as shown in figure 6 below.

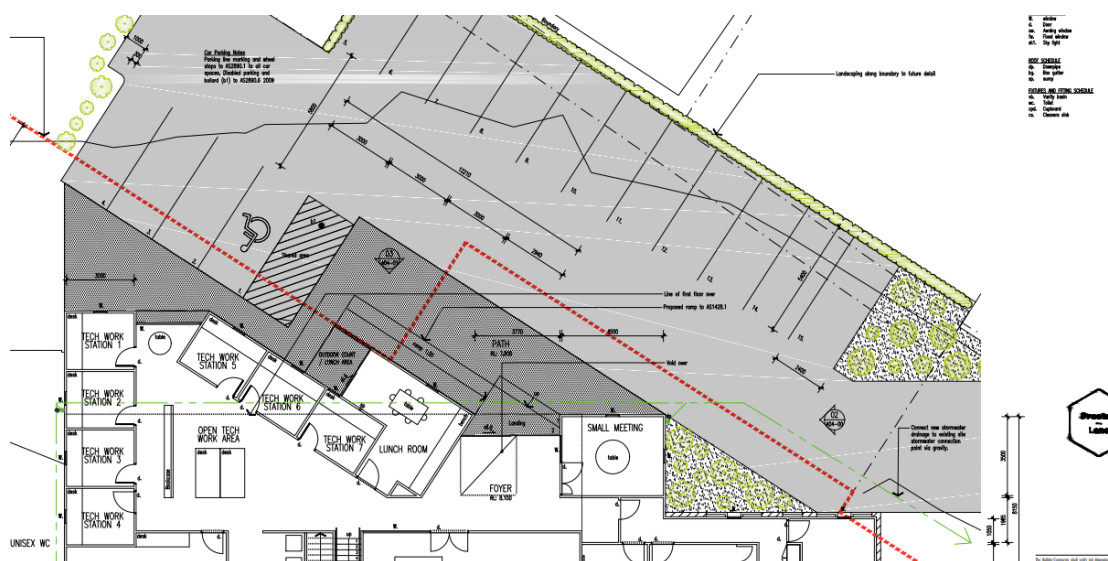


Figure 6: Proposed parking layout

As a result, the proposed number of car parking spaces do not meet the acceptable, A1 under Clause E6.6.1. The TIA addresses the performance criteria by forecasting actual parking demand for seven staff on-site permanently with nine extra staff for pick-up and drop-off, the proximity of public transport and cycle transport and the availability of nearby on street parking should it be required. Council's Traffic Engineer is satisfied with the assumption and assessment in the TIA. Therefore, the proposal is considered to satisfy the Performance Criteria, P1. The development application also satisfies the acceptable solution under Clause E6.6.2; as an accessible parking space is provided and located close to the building entrance.

The passing bays and the on-site turning area can be achieved with the parking arrangements; hence the development application complies with the Acceptable

Solutions under clauses E6.7.3 and E6.7.4. The layout of parking area, surface treatment, landscaping area and access to the road comply with the Acceptable Solutions under clauses E6.7.2, E6.7.5, E6.7.6 and E6.7.8.

The development is considered satisfy and comply with Code E6 Parking and Access Code.

#### E7.0 Stormwater Management Code

The development is considered to satisfy and comply with Code E7 Stormwater Management Code.

There are no GCC stormwater mains affected by this application. The stormwater runoff from hardstand surface, paved area and sealed driveway areas are proposed to be managed within the site and discharged to the existing stormwater connections and to GCC 1350mm main. Therefore, the Stormwater arrangement complies with the acceptable solution, A1.

The development also complies with the acceptable solution A2 because it is proposed to incorporate water sensitive urban design. For the development, it is proposed the landscape areas and bioretention swale drain be utilised as stormwater treatment. The development application also satisfies the acceptable solution A3 in that the design can accommodate the storm with an ARI of 20 years and the stormwater detention is proposed to accommodate the increase of the runoff. The proposed warehouse building is not over the overland flow path and the over land flow is expected to fall to the swale for a 1% AEP flood event. This is considered to satisfy the acceptable solution A4 under the clause E7.7.1

In addition to the above, the application was also referred to the Hydraulics Engineer. The officer has no objection and recommended conditions be included should the proposal be approved. Please refer to the Hydraulics Referral.

#### *Representation*

During the advertising period the development application received one representation. The representation raised concerns regarding stormwater drainage issues including the ongoing use of the unsealed gravel section as a car park.

#### *Comment:*

As part of the planning process, it is recommended that the drainage arrangement be conditioned to form part of the permit. The conditions require the parking and driveway to be a sealed surface treatment and that runoff from the sealed/hardstand surface be directed and discharged to the Council's approved outlet. It is considered that this will solve any existing drainage issues.

#### Other

##### *E3.0 Landslide Code*

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

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

Not applicable.

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

#### *E15.0 Inundation Prone Areas Code*

The site is subject to the inundation prone area Code. The plans submitted demonstrates the 1% AEP storm event flood level and the finishing floor level at 300mm above the flood level. Therefore, the development complies with the acceptable solution, A1.

In addition to the above, the application has also referred to Hydraulics Engineer. The officer has no objection and recommended conditions to be included should the application be approved. Please refer to the Hydraulics Referral for further detail.

#### **Hydraulics Engineer**

##### Comments



Figure 7: 97a Grove Road Current Swale Drain

##### Documents Referenced

Drawing A02-00, Revision D, submitted as part of the 97a Grove Road drawing set, by Preston Lane (28/08/19).

Stormwater Management – 97A Grove Road Glenorchy, submitted by Burbury Consulting (13/08/19)

Glenorchy CBD Stormwater System Management Plan (2018)

#### E7.0 Stormwater Management Code

A representation was received from a resident of a neighbouring property. The resident was against the development based on concerns regarding drainage issues from unmitigated runoff being directed towards private property. Figure 7 shows the existing drainage swale on the site. Council conducted a site visit to investigate the representation. It was evident that the existing private drainage infrastructure is inadequate to convey the runoff generated in the catchment area of 97 Grove Road towards Council infrastructure. It was determined that by placing conditions on the Planning Permit to implement adequate drainage that the developed site should provide an improved outcome for the neighbouring properties.

Stormwater is proposed to be collected from impervious surfaces within the site and disposed of into Council's stormwater main (DN1350) in the eastern corner of the property. Drawing A02-00, Revision D, submitted by the developer, details the concept stormwater reticulation design for the site. Whilst, the Stormwater Management – 97A Grove Road Glenorchy report proposes the inclusion of a drainage swale along the northern boundary. The swale will need to be extended to the eastern boundary to convey runoff to Council infrastructure. It will need to be designed to receive and convey runoff from the proposed sealed carpark and existing carparks up to a 1% AEP storm event, without directing runoff to neighbouring properties.

The swale is also proposed to act as a bioretention system to comply with Acceptable Solution A2. It is believed that this approach should be sufficient to achieve the State Stormwater Strategy targets for stormwater quality; however no calculations or modelling have been put forward to show that this is the case. Furthermore, the dimensions of the swale have not been specified.

The proposed development is situated approximately 350m from the Derwent Estuary, thus there is no benefit in implementing onsite detention. It is believed that the excess runoff generated from the proposed development will have a negligible impact on the capacity of Council's DN1350 receiving it. Thus, Acceptable Solution A3 has been satisfied.

The proposed development will include a drainage swale to accommodate storm flows. A condition requires that the swale is designed for a 1% AEP storm event. This satisfies Acceptable Solution A4.

#### E15.0 Inundation Prone Areas Code

Council's Glenorchy CBD Stormwater System Management Plan (2018) indicates that the development site is susceptible to a low level of inundation in a 1% AEP storm. The developer has proposed to raise the structure's floor levels to 300mm above the modelled flood level. This is in accordance with Acceptable Solution A1 of E15.7.4.

#### **Traffic Engineer**

Comment:

A Traffic Impact Assessment (TIA) prepared by Pitt & Sherry dated 25 February 2019 was submitted as part of the DA. The TIA has been reviewed and the findings are presented below.

#### TIA Assessment

##### a) Existing Traffic Volumes

The TIA includes an intersection traffic count at the junction of Grove Road, the site access and McKay Avenue opposite. The peak hour was determined from council traffic data for Grove Road.

The existing traffic volumes are considered to be adequately described in the TIA.

**b) Road Safety**

The TIA did not include any reference to road safety or existing crash history on Grove Road at the access location. However, Council's crash database and mapping (supplied by Dept. of State Growth for the 5 years from 2013-18) does not indicate there are existing road safety deficiencies or crash history on Grove Road that may be exacerbated by traffic generated by the proposed development.

Figure 2.3 'Site Access' of the TIA mentions the site access is 9.5m wide. It appears closer to 5.5m wide which is just adequate for 2-way traffic movement.

**c) Proposed Traffic Generation**

The methodology used in the TIA to determine the generation of the proposed development is based on the traffic consultants understanding of the business.

The traffic generation rate of 32 movements per day may be on the low side given the 19 electrical workstations proposed and delivery of any external products and services. However, a slight increase would still amount to a small percentage of overall traffic on Grove Road and the change in impact is considered negligible.

**d) Trip Distribution**

No detail on expected distribution of the suggested 32 vehicles per day has been provided. Nor has there been an assessment against warrants for turn lanes.

Section 4.2 of the TIA simply states - the traffic generation is considered low and when compared to overall traffic on Grove Road is not expected to result in any detrimental impact on the road network.

The above assumption (given there is not a relevant crash history (refer Section 2.2)) is considered to be adequate.

**e) Traffic Analysis (Clause E5.5.1 – Existing road accesses and junctions)**

The TIA includes an analysis of the traffic generation at the access and states that the traffic generation of the development is forecast to be 32 movements per day and unlikely to have detrimental impact on the road network. This meets the Acceptable Solution A3 of Clause E5.5.1 of the Planning Scheme.

Although no traffic growth or 10 year design horizon was used in the assessment the conclusion drawn is considered adequate.

**f) Parking Assessment**

**• Parking Supply**

The TIA proposes 15 x light vehicle parking spaces including one x accessible car parking space immediately adjacent to the building.

The available parking is adequately described.

- **Parking Demand (Clause E6.6.1 – Number of parking spaces)**

According to Clause E6.6.1 (a) of the Planning Scheme, the number of on-site car parking spaces must be no less than the number specified in Table E6.1 and no more than 10% greater than that number. Based on this, the proposed development is required to provide 57 parking spaces.

The proposed parking spaces do not meet the acceptable solution of the Planning Scheme.

However, the TIA addresses the performance criteria by forecasting actual parking demand, the proximity of public transport and cycle transport and the availability of nearby on street parking should it be required.

The above assumption is considered to be adequate.

In conclusion, the TIA submitted along with relevant crash data has been reviewed and been concluded that the proposed development is not expected to have any significant detrimental impacts on the surrounding road network in terms of traffic efficiency or road safety. There are no objections to the proposed development.

## **EXTERNAL REFERRALS**

### **TasWater**

Pursuant to the *Water and Sewerage Industry Act 2008* (TAS) Section 56P(1) TasWater has assessed the application and has determined that the proposed development does not require a submission from TasWater.

## **REPRESENTATIONS**

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

### **Stormwater Drainage**

The representor states that the proposed development at 97A Grove Road, Glenorchy causes major concerns with storm water drainage, drainage of the planned car park, garden bed and the ongoing use of the unsealed gravel section as a car park. The leaking gravel swale drain will be and has been completely inadequate over the years and will only worsen with the added sealed car park. At a minimum the entire area needs to be sealed not just the car park and a proper curb type gutter installed along the whole eastern side of the premises to prevent further damage from uncontrolled runoff.

Planner's Comment:

This issue has been previously addressed under the heading E7.0 Stormwater Management Code in Development Engineer and Hydraulics Engineer referral. A condition has been recommended should the application be approved for the permit for stormwater connection for new impervious surfaces.

## **CONCLUSION**

The application is for a change of use to Service Industry (Electrical Repair) for Tenancy 1 and building extension with new car parking area at 97A Grove Road.

The proposal is relying on the performance criteria to comply with the applicable standards of the Scheme in relation to setback, landscape and the 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 Light Industrial zone, as well as the relevant standards of the Road and Railway Assets Code, Parking and Access Code, Stormwater Management Code and Inundation Prone-Areas Code.

The application was publicly advertised for the statutory 14-day period and one representation was received. The representation has been addressed in the report.

The application 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 Warehouse extension and change of use to service industry (Electrical repair) at 97a Grove Road Glenorchy subject to the following conditions:

**Planning**

1. Use and development must be substantially in accordance with planning permit application No. PLN-18-276 and Drawing No. P3 submitted on 12/09/2019, except as otherwise required by this permit.
2. Landscaping must be maintained to the satisfaction of the Senior Statutory Planner for the duration of the use.
3. External lighting must be turned off between 10pm and 6am except for security lighting.
4. Outdoor security lighting where provided, must be located, designed and baffled to ensure that no direct light is emitted outside the boundaries of the site.

**Engineering**

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

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

6. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
7. 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.
8. 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;
  - b) Fifteen (15) clearly marked car parking spaces must be provided in accordance with the approved plan and kept available for these purposes at all times;
  - c) Of the required number of car parking spaces, one (1) car parking space must be provided for the exclusive use of people with disabilities, clearly marked and kept available for these purposes at all times;
  - d) All runoff from paved and driveway areas must be discharged into Council's stormwater system;
  - e) Be clearly line-marked or physically separated to each space in accordance with the approved plan;
  - f) Landscaping of parking and circulation areas must be provided and must be no less than 5 percent of the area of the car park;
  - g) Lighting must be provided for the carpark and used outside daylight hours in accordance with Australian Standard AS 1158.3.1;
  - h) The gradient of any parking areas must not exceed 5%; and
  - i) Provide sufficient on-site turning areas.

To comply with the above requirements, the developer must submit engineering drawings demonstrating compliance with the requirements to the satisfaction of Council's Development Engineer prior to the issuing of the Building Permit. All works required by this condition must be installed prior to the commencement of the use.

**Hydraulics**

9. Detailed design must be submitted, to the satisfaction of Council's Senior Civil Engineer, in association with a Building Permit Application, showing that the proposed drainage swale is designed to convey runoff in a 1% AEP storm event and ensure that runoff from the site is not directed towards neighbouring properties. The swale must be extended to convey runoff from the upstream catchment of the site to Council's stormwater infrastructure.
10. Water Sensitive Urban Drainage (WSUD) modelling results must be provided showing compliance with stormwater quality targets in accordance with the State Stormwater Strategy 2010 and to the satisfaction of Council's Senior Civil Engineer, in association with a Building Permit Application. Detailed engineering design of the WSUD elements corresponding to the modelling results must also be submitted and approved by senior civil engineer. The WSUD elements must be installed and completed prior to a Certificate of Occupancy being issued.
11. Detailed Design must be submitted showing that the minor stormwater drainage system is designed to accommodate a 5% AEP storm event, details of which must be submitted in association with a Building Permit Application.
12. The development is potentially subject to Inundation, thus, the Natural Ground Level and the AHD in relation to the 1 in 100 year flood level must be clearly shown on the plan. Prior to the issuing of a Building Approval or the commencement of works on site, (whichever occurs first) submit the plan and elevation demonstrating that the proposed structure is constructed with finished floor levels (FFLs) no lower than the levels nominated in Drawing A02-00, Revision D (finished floor level at 300mm above the flood level), submitted as part of the 97a Grove Road drawing set, by Preston Lane (28/08/19).

**Environmental Health**

13. 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 to 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.

15. A verification report is required to be submitted to Council within six weeks from commencement of the use to certify the proposed use is complying with acceptable noise levels conditioned in this permit. If noise levels are not in compliance with condition 13, the verification report must provide mitigation measures to ensure compliance.

**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](http://www.dialbeforeyoudig.com.au) for information on the location of underground services and cables in relation to the proposed development prior to commencing any works on site.

*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.

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

| Standard                                   | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Proposed                                                                                                                                                  | Complies? |
|--------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| <b>24.3 Use of Standards</b>               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                           |           |
| <b>24.3.1</b><br><b>Hours of Operation</b> | <b>A1</b><br>Hours of operation of a use within 100 m of a residential zone must be within:<br>(a) 7.00 am to 7.00 pm Mondays to Fridays inclusive;<br>(b) 9.00 am to 5.00 pm Saturdays;<br>(c) nil Sundays and Public Holidays.<br>except for office and administrative tasks.                                                                                                                                                                                                                                                                                                                           | The use is proposed to be between 7am to 7pm on Monday to Friday and 9am to 5pm on Saturdays.<br><br>No activity proposed on Sundays and public holidays. | Yes       |
| <b>24.3.2</b><br><b>Noise</b>              | <b>A1</b><br>Noise emissions measured at the boundary of a residential zone must not exceed the following:<br>(a) 55dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm;<br>(b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm to 7.00 am;<br>(c) 65dB(A) (LAmx) at any time.<br><br>Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness. | A noise report was submitted which shows that the proposed use meets the requirement of the acceptable solution.                                          | Yes       |

| Standard                                                  | Acceptable Solution                                                                                                                                                                                                                                                                               | Proposed                                                                                                                                                                                                                                                    | Complies? |
|-----------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
|                                                           | Noise levels are to be averaged over a 15 minute time interval.                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                             |           |
|                                                           | <b>A2</b><br>External amplified loud speakers or music must not be used within 50 m of a residential zone.                                                                                                                                                                                        | No external amplified loud speakers or music proposed.                                                                                                                                                                                                      | NA        |
| <b>24.3.3</b><br><b>External Lighting</b>                 | <b>A1</b><br>External lighting within 50 m of a residential zone must comply with all of the following:<br>(a) be turned off between 10:00 pm and 6:00 am, except for security lighting;<br>(b) security lighting must be baffled to ensure they do not cause emission of light outside the zone. | External lighting is proposed within the car parking area.<br><br>The lighting is proposed to be turned off between 10pm and 6am.<br><br>Security lighting is to be baffled<br><br>A condition has been recommended to ensure compliance with the standard. | Yes       |
| <b>24.3.4</b><br><b>Commercial Vehicle Movements</b>      | <b>A1</b><br>Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must be within the hours of:<br>(a) 7.00 am to 7.00 pm Mondays to Saturdays inclusive;<br>(b) 9 am to 5.00 pm Sundays and public holidays.   | Commercial vehicle movements are proposed to be between 7am to 7pm during the week and 9am to 5pm on Saturdays                                                                                                                                              | Yes       |
| <b>24.3.5</b><br><b>Outdoor Work Areas</b>                | <b>A1</b><br>Outdoor work areas and noise-emitting services such as air conditioning equipment, pumps and ventilations fans must not be located within 50 m of a residential zone.                                                                                                                | No outdoor work areas are proposed                                                                                                                                                                                                                          | NA        |
| <b>24.4 Development Standards for Buildings and Works</b> |                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                             |           |

| Standard                                | Acceptable Solution                                                                                                                                                                                                   | Proposed                                                                                                                                                                                                                     | Complies?                                    |
|-----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|
| <b>24.4.1</b><br><b>Building Height</b> | <b>A1</b><br>Building height must be no more than:<br>9m.                                                                                                                                                             | Building height is proposed to be 6.6m                                                                                                                                                                                       | Yes                                          |
|                                         | <b>A2</b><br>Building height within 10 m of a residential zone must be no more than 8.5 m.                                                                                                                            |                                                                                                                                                                                                                              | Yes                                          |
| <b>24.4.2</b><br><b>Setback</b>         | <b>A1</b><br>Building setback from frontage must be parallel to the frontage and must be no more than:<br>(a) 10 m; or<br>(b) the alignment of the adjoining buildings<br>whichever is the lesser.                    | No change to building setback from frontage                                                                                                                                                                                  | NA                                           |
|                                         | <b>A2</b><br>Building setback from a residential zone must be no less than:<br>(a) 10m; or<br>(b) half the height of the wall,<br>whichever is the greater.                                                           | A small section of the extension falls within the 10m setback.<br><br>The section is part of the existing structure which does not have previous planning approval. The entire extension is therefore subject to assessment. | No – see report                              |
| <b>24.4.3</b><br><b>Design</b>          | <b>A1</b><br>Building design must comply with all of the following:<br>(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; | a) The main entrance is clearly visible through the proposed driveway and car parking area which is a publicly accessible area of the site.                                                                                  | a) Yes<br>b) NA<br>c) NA<br>d) Yes<br>e) Yes |

| Standard | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Proposed                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Complies?                                                                                                                                        |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <ul style="list-style-type: none"> <li>(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;</li> <li>(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;</li> <li>(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;</li> <li>(e) incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof;</li> <li>(f) provide awnings over the public footpath if existing on the site or on adjoining lots;</li> <li>(g) not include security shutters over windows or doors with a frontage to a street or public place.</li> </ul> | <ul style="list-style-type: none"> <li>b) The new building extension does not face the frontage.</li> <li>c) The building extension does not face a frontage or public space</li> <li>d) Mechanical plants and miscellaneous equipments are to be screened from street and public spaces</li> <li>e) Roof-top services are to be incorporated in roof design</li> <li>f) Not applicable</li> <li>g) No security shutters proposed over windows or doors.</li> </ul> | <ul style="list-style-type: none"> <li>f) NA</li> <li>g) Yes</li> </ul> <p>Overall, proposal complies with acceptable solution requirements.</p> |
|          | <p><b>A2</b></p> <p>Walls of a building facing a residential zone must comply with all of the following:</p> <ul style="list-style-type: none"> <li>(a) be coloured using colours with a light reflectance value not greater than 40 percent:</li> <li>(b) if within 50m of a residential zone, must not have openings in walls facing the residential zone, unless the line of sight to the building is blocked by another building.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p>The site adjoins a residential zone to the north with the proposed building facing 8,10 and 12 Herbert Street properties. The line of sight to the proposed building is blocked by existing workshop sheds on the three residential properties and therefore it is assessed that the proposal meets the acceptable solution.</p>                                                                                                                                 | <p>Yes</p>                                                                                                                                       |

| Standard                                     | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Proposed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Complies?                                                            |
|----------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|
| <b>24.4.4</b><br><b>Passive Surveillance</b> | <b>A1</b><br>Building design must comply with all of the following: <ul style="list-style-type: none"> <li>(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;</li> <li>(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 20 % of the surface area of the ground floor level facade;</li> <li>(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 10% of the surface area of the ground floor level facade;</li> <li>(d) avoid creating entrapment spaces around the building site, such as concealed alcoves near public spaces;</li> <li>(e) provide external lighting to illuminate car parking areas and pathways;</li> <li>(f) provide well-lit public access at the ground floor level from any external car park.</li> </ul> | a) The main entrance is clearly visible through the proposed driveway and car parking area which is a publicly accessible area of the site.<br>b) The proposed extension does not face the frontage<br>c) The ground floor level façade, facing the proposed car parking area, provides windows and door opening for an area of more than 10% of the surface area of the ground floor level façade.<br>d) the proposed extension does not create entrapment spaces around the building<br>e) the application proposes to have external lighting to illuminate car parking areas, pathways and access.<br>f) the public access to the building is proposed to be well-lit from the external car parking. | a) Yes<br>b) NA<br>c) Yes<br>d) Yes<br>e) Yes<br>f) Yes<br>Complies. |
| <b>24.4.5</b><br><b>Landscaping</b>          | <b>A1</b><br>Landscaping must be provided along the frontage of a site (except where access is provided) unless the building has a nil setback to frontage.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | No change to the building facing the frontage.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | NA                                                                   |

| Standard                                      | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                            | Proposed                                                                                                   | Complies?       |
|-----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|-----------------|
|                                               | <b>A2</b><br>Along a boundary with a residential zone landscaping must be provided for a depth no less than:<br>10m.                                                                                                                                                                                                                                                                                           | Landscaping with depth less than 10m is proposed along the common boundary with adjoining residential zone | No – see report |
| <b>24.4.6</b><br><b>Outdoor Storage Areas</b> | <b>A1</b><br>Outdoor storage areas for non-residential uses must comply with all of the following:<br>(a) be located behind the building line;<br>(b) all goods and materials stored must be screened from public view;<br>(c) not encroach upon car parking areas, driveways or landscaped areas.                                                                                                             | No outdoor storage areas proposed                                                                          | NA              |
| <b>24.4.7</b><br><b>Fencing</b>               | <b>A1</b><br>Fencing must comply with all of the following:<br>(a) fences, walls and gates of greater height than 2.1 m must not be erected within 10 m of the frontage;<br>(b) fences along a frontage must be at least 50% transparent above a height of 1.2 m;<br>(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. | No change proposed                                                                                         | NA              |

## E5 Road and Railway Assets Code

| Standard                 | Acceptable Solution | Proposed | Complies? |
|--------------------------|---------------------|----------|-----------|
| <b>5.5 Use Standards</b> |                     |          |           |

| Standard                                                         | Acceptable Solution                                                                                                                                                                                                                                                                              | Proposed | Complies? |
|------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
| <b>E5.5.1</b><br><br><b>Existing road accesses and junctions</b> | <b>A1</b><br><br>The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater. |          | NA        |
|                                                                  | <b>A2</b><br><br>The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater. |          | NA        |
|                                                                  | <b>A3</b><br><br>The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.    |          | Yes       |
| <b>E5.5.2</b><br><br><b>Exiting Level Crossings</b>              | <b>A1</b><br><br>Where use has access across part of a rail network, the annual average daily traffic (AADT) at an existing level crossing must not be increased by greater than 10% or 10 vehicle movements per day, whichever is the greater.                                                  |          | NA        |
| <b>5.6 Development Standards</b>                                 |                                                                                                                                                                                                                                                                                                  |          |           |

| Standard                                                               | Acceptable Solution                                                                                                                                                                                                                                                                                                                   | Proposed | Complies? |
|------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
| <b>E5.6.1</b><br><br><b>Development adjacent to roads and railways</b> | <b>A1.1</b><br><br>Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h:<br><br>(d) new buildings;<br>(e) other road or earth works; and<br>(f) building envelopes on new lots. |          | NA        |
|                                                                        | <b>A1.2</b><br><br>Buildings, may be:<br><br>(c) located within a row of existing buildings and setback no closer than the immediately adjacent building; or<br>(d) an extension which extends no closer than:<br>(iii) the existing building; or<br>(iv) an immediately adjacent building.                                           |          | NA        |
| <b>E5.6.2</b><br><br><b>Road accesses and junctions</b>                | <b>A1</b><br><br>No new access or junction to roads in an area subject to a speed limit of more than 60km/h                                                                                                                                                                                                                           |          | NA        |
|                                                                        | <b>A2</b><br><br>No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.                                                                                                                                            |          | Yes       |

| Standard                                                                          | Acceptable Solution                                                                                                                                                                                                                                                                                       | Proposed | Complies? |
|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
| <b>E5.6.3</b><br><b>New Level Crossings</b>                                       | <b>A1</b><br>No Acceptable Solutions.                                                                                                                                                                                                                                                                     |          | NA        |
| <b>E5.6.4</b><br><b>Sight distance at accesses, junctions and level crossings</b> | <b>A1</b><br>Sight distances at:<br><br>(c) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and<br>(d) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia. |          | Yes       |

## E6.0 Parking and Access Code

| Standard                                      | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                  | Proposed | Complies?                                                                   |
|-----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------------------------------------------------------------------------|
| <b>E6.6 Use Standards</b>                     |                                                                                                                                                                                                                                                                                                                                                                      |          |                                                                             |
| <b>E6.6.1</b><br>Number of Car Parking Spaces | <b>A1</b><br>The number of on-site car parking spaces must be:<br><br>(c) no less than the number specified in Table E6.1 and no more than 10% greater than that number; except if:<br><br>(i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; |          | No – assessed against Performance Criteria. TIA submitted addressed the P1. |

| Standard                                                                           | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Proposed | Complies?     |
|------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|---------------|
|                                                                                    | (ii) this provision was not used in this planning scheme.                                                                                                                                                                                                                                                                                                                                                                                                                                                        |          |               |
| E6.6.2<br><br>Number of Accessible Car Parking Spaces for People with a Disability | A1<br><br>Car parking spaces provided for people with a disability must:<br><br>(a) satisfy the relevant provisions of the Building Code of Australia;<br><br>(b) be incorporated into the overall car park design;<br><br>(c) be located as close as practicable to the building entrance.                                                                                                                                                                                                                      |          | Yes           |
| E6.6.3<br><br>Number of Motorcycle Parking Spaces                                  | A1<br><br>The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced. |          | N/A           |
| E6.6.4<br><br>Number of Bicycle Parking Spaces                                     | A1<br><br>The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.                                                                                                                                                                                                                                                                                                                                                                                         |          | Not required. |
| <b>E 6.7 Development Standards</b>                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |          |               |
| E6.7.1                                                                             | A1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |          | Yes           |

| Standard                                              | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Proposed | Complies? |
|-------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
| Number of Vehicle Accesses                            | 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.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |          |           |
| E6.7.2<br><br>Design of Vehicular Accesses            | <p>A1</p> <p>Design of vehicle access points must comply with all of the following:</p> <ul style="list-style-type: none"> <li>(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;</li> <li>(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.</li> </ul> |          | N/A       |
| E6.7.3<br><br>Vehicular Passing Areas Along an Access | <p>A1</p> <p>Vehicular passing areas must:</p> <ul style="list-style-type: none"> <li>(a) be provided if any of the following applies to an access: <ul style="list-style-type: none"> <li>(i) it serves more than 5 car parking spaces;</li> <li>(ii) is more than 30 m long;</li> <li>(iii) it meets a road serving more than 6000 vehicles per day;</li> </ul> </li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                            |          | Yes       |

| Standard                                     | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                         | Proposed | Complies? |
|----------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
|                                              | <ul style="list-style-type: none"> <li>(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway;</li> <li>(c) have the first passing area constructed at the kerb;</li> <li>(d) be at intervals of no more than 30 m along the access.</li> </ul>                                                                                                                                |          |           |
| E6.7.4<br>On-Site Turning                    | <p>A1</p> <p>On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following:</p> <ul style="list-style-type: none"> <li>(a) it serves no more than two dwelling units;</li> <li>(b) it meets a road carrying less than 6000 vehicles per day.</li> </ul>                                             |          | Yes       |
| E6.7.5<br>Layout of Parking Areas            | <p>A1</p> <p>The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 "Design of Parking Modules, Circulation Roadways and Ramps" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 "Headroom" of the same Standard.</p> |          | Yes       |
| E6.7.6<br>Surface Treatment of Parking Areas | <p>A1</p> <p>Parking spaces and vehicle circulation roadways must be in accordance with all of the following;</p> <ul style="list-style-type: none"> <li>(a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway;</li> </ul>                                                                                                   |          | Yes       |

| Standard                                         | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                | Proposed | Complies? |
|--------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
|                                                  | (b) drained to an approved stormwater system,<br><br>unless the road from which access is provided to the property is unsealed.                                                                                                                                                                                                                                    |          |           |
| E6.7.7<br><br>Lighting of Parking Areas          | A1<br><br>Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting. |          | Yes       |
| E6.7.8<br><br>Landscaping of Parking Areas       | A1<br><br>Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.                                                                                      |          | Yes       |
| E6.7.9<br><br>Design of Motorcycle Parking Areas | A1<br><br>The design of motorcycle parking areas must comply with all of the following:<br><br>(a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;<br><br>(b) be located within 30 m of the main entrance to the building.                  |          | N/A       |
| E6.7.10                                          | A1                                                                                                                                                                                                                                                                                                                                                                 |          | N/A       |

| Standard                                  | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                         | Proposed | Complies? |
|-------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
| Design of Bicycle Parking Facilities      | <p>The design of bicycle parking facilities must comply with all the following;</p> <ul style="list-style-type: none"> <li>(a) be provided in accordance with the requirements of Table E6.2;</li> <li>(b) be located within 30 m of the main entrance to the building.</li> </ul>                                                                                                                          |          |           |
|                                           | <p>A2</p> <p>The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.</p>                                                                                                 |          |           |
| E6.7.11<br>Bicycle End of Trip Facilities | <p>A1</p> <p>For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.</p>                                                                                                                   |          | N/A       |
| E6.7.12<br>Siting of Car Parking          | <p>A1</p> <p>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.</p> |          | Yes       |
| E6.7.1.13                                 | A1                                                                                                                                                                                                                                                                                                                                                                                                          |          | Yes       |

| Standard                           | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Proposed | Complies? |
|------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
| Facilities for Commercial Vehicles | 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: <ul style="list-style-type: none"> <li>(a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site;</li> <li>(b) the use is not primarily dependent on outward delivery of goods from the site.</li> </ul> | N/A      |           |
| E6.7.14<br>Access to a Road        | A1<br>Access to a road must be in accordance with the requirements of the road authority.                                                                                                                                                                                                                                                                                                                                                                                                                              |          | Yes       |

## E7.0 Stormwater Management Code

| Standard                                   | Acceptable Solution                                                                                               | Proposed | Complies? |
|--------------------------------------------|-------------------------------------------------------------------------------------------------------------------|----------|-----------|
| <b>E7.7 Development Standards</b>          |                                                                                                                   |          |           |
| E7.7.1<br>Stormwater Drainage and Disposal | A1<br>Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure. |          | Yes       |
|                                            | A2                                                                                                                |          | Yes       |

| Standard | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Proposed | Complies? |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
|          | <p>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:</p> <ul style="list-style-type: none"> <li>(a) the size of new impervious area is more than 600 m<sup>2</sup>;</li> <li>(b) new car parking is provided for more than 6 cars;</li> <li>(c) a subdivision is for more than 5 lots.</li> </ul>                                                                                                                                  |          |           |
|          | <p>A3</p> <p>A minor stormwater drainage system must be designed to comply with all of the following:</p> <ul style="list-style-type: none"> <li>(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;</li> <li>(b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.</li> </ul> |          | Yes       |
|          | <p>A4</p> <p>A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                              |          | Yes       |

**E15.0 Inundation Prone Areas Code**

| Standard                                                        | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Proposed | Complies? |
|-----------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
| <b>E15.7 Development Standards for Buildings and Works</b>      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |          |           |
| <b>E15.7.1</b><br><b>Coastal Inundation High Hazard Areas</b>   | <b>A1</b><br>For a habitable building, including extensions to existing habitable buildings, there is no Acceptable Solution.                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |          | NA        |
|                                                                 | <b>A2</b><br>For a non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, there is no Acceptable Solution.                                                                                                                                                                                                                                                                                                                                                                                                                                           |          | NA        |
| <b>E15.7.2</b><br><b>Coastal Inundation Medium Hazard Areas</b> | <b>A1</b><br>For a new habitable building there is no acceptable solution.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |          | NA        |
|                                                                 | <b>A2</b><br>Except for new rooms associated with habitable buildings other than dwellings, for which there is no acceptable solution, an extension to an existing habitable building must comply with one of the following:<br><br>(a) new habitable rooms must comply with both of the following:<br><br>(i) floor level no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1,<br><br>(ii) floor area of the extension no more than 40 m2 from the date of commencement of this planning scheme;<br><br>(b) new habitable rooms must be above ground floor. |          | NA        |

|                                                              |                                                                                                                                                                                                                                                                                       |                                                                             |     |
|--------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|-----|
|                                                              | <b>A3</b><br>A non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, must have a floor area no more than 40 m <sup>2</sup> .                                                                                                           |                                                                             | NA  |
| <b>E15.7.3</b><br><b>Coastal Inundation Low Hazard Areas</b> | <b>A1</b><br>A new habitable building must comply with the following:<br>(a) floor level no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1.                                                                                                   |                                                                             | NA  |
|                                                              | <b>A2</b><br>An extension to a habitable building must comply with either of the following:<br>(a) floor level of habitable rooms is no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1;<br>(b) floor area is no more than 60 m <sup>2</sup> . |                                                                             | NA  |
|                                                              | <b>A3</b><br>A non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, must have a floor area no more than 60 m <sup>2</sup> .                                                                                                           |                                                                             | NA  |
| <b>E15.7.4</b><br><b>Riverine Inundation Hazard Areas</b>    | <b>A1</b><br>A new habitable building must have a floor level no lower than the 1% AEP (100 yr ARI) storm event plus 300 mm.                                                                                                                                                          | The proposed building has a floor level 300mm above the 1% AEP storm event. | Yes |

|                                                                                                         |                                                                                                                                                                                                                                                                                                                                           |  |    |
|---------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|----|
|                                                                                                         | <b>A2</b><br>An extension to an existing habitable building must comply with one of the following:<br>(a) floor level of habitable rooms is no lower than the 1% AEP (100 yr ARI) storm event plus 300 mm;<br>(b) floor area of the extension no more than 60 m <sup>2</sup> as at the date of commencement of this planning scheme.      |  | NA |
|                                                                                                         | <b>A3</b><br>The total floor area of all non-habitable buildings, outbuildings and Class 10b buildings under the Building Code of Australia, on a site must be no more than 60 m <sup>2</sup> .                                                                                                                                           |  | NA |
| <b>15.7.5</b><br><b>Riverine, Coastal Investigation Area, Low, Medium, High Inundation Hazard Areas</b> | <b>A1</b><br>For landfill, or solid walls greater than 5 m in length and 0.5 m in height, there is no acceptable solution.                                                                                                                                                                                                                |  | NA |
|                                                                                                         | <b>A2</b><br>No acceptable solution.                                                                                                                                                                                                                                                                                                      |  | NA |
|                                                                                                         | <b>A3</b><br>A land application area for onsite wastewater management must comply with all of the following:<br>(a) horizontal separation distance from high water mark or from the top of bank of a watercourse or lake must be no less than 100 m;<br>(b) vertical separation distance from the water table must be no less than 1.5 m. |  | NA |
| <b>E15.7.6</b><br><b>Development Dependent on a Coastal Location</b>                                    | <b>A1</b>                                                                                                                                                                                                                                                                                                                                 |  | NA |

|  |                                                                                                                                                                                               |  |    |
|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|----|
|  | An extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date. |  |    |
|  | <b>A2</b><br>No acceptable solution                                                                                                                                                           |  | Na |
|  | <b>A3</b><br>No Acceptable Solution for coastal protection works initiated by the private sector.                                                                                             |  | NA |

**Attachments/Annexures**

- 1 Attachments - 97A Grove Road Glenorchy



**8. PROPOSED USE AND DEVELOPMENT - MULTIPLE DWELLINGS  
(9) (RESIDENTIAL) - 130 CHAPEL STREET GLENORCHY**

Author: Planning Officer (Grace Paisley)

Qualified Person: Planning Officer (Grace Paisley)

Property ID: 1936257

**REPORT SUMMARY:**

|                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application No.:</b>    | <b>PLN-19-174</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Applicant:</b>          | <b>Prime Design (Invermay)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Owner:</b>              | <b>Roman Catholic Church Trust Corporation Of The Archdiocese</b>                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Zone:</b>               | <b>General Residential Zone</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Use Class</b>           | <b>Residential</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Application Status:</b> | <b>Discretionary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Discretions</b>         | <p><b>10.4.1 Residential density for multiple dwellings (P1); 10.4.2 Setbacks and building envelopes for all dwellings (P3); 10.4.3 Site coverage and private open space for all dwellings (P1); 10.4.4 Sunlight and overshadowing of all dwellings (P1); 10.4.6 Privacy for all dwellings (P3); E5.5.1 Existing road accesses and junctions (P3) and E6.6.1 Number of Car Parking Spaces (P1)</b></p> <p>(The proposal meets all other applicable standards as demonstrated in the attached appendices)</p> |
| <b>Level 2 Activity?</b>   | <b>No</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>42 Days Expires:</b>    | <b>12 Nov 2019</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Existing Land Use:</b>  | <b>Vacant</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Representations:</b>    | <b>1</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Recommendation:</b>     | <b>Approval, subject to conditions</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

## **REPORT IN DETAIL:**

### **PROPOSAL**

The proposal is for the development of the land for nine dwellings at 130 Chapel Street, Glenorchy.

The dwellings would be arranged on either side of a central driveway (Figures 1, 2 and 3). Dwellings 1-5 would be one bedroom single storey dwellings and dwellings 6-9 would be two bedroom double storey dwellings.

Dwellings 1-3 would be constructed on the south western side of the central driveway. All would be setback 1.5m from the south western side boundary. Dwelling 1 would be setback 4.5 from the frontage and dwelling 3 would be setback 5.075m from the rear boundary. The dwellings would be single storey and constructed with brick walls and skillion roof (Figures 2 and 3). The dwellings would each have a dedicated car space located adjacent to the dwelling.

Dwellings 4-9 would be located on the north eastern side of the central driveway. Dwellings 6-9 (double storey dwellings) would be setback 5m from the north eastern side boundary with dwelling 5 (single storey) located 2m from the north eastern side boundary. Dwelling 9 would be setback 4.5m from the frontage and dwelling 5 would be setback 4.53m from the rear boundary. The dwellings would be constructed with brick walls and a mixture of roof designs. Dwellings 4 and 5 would have a dedicated car space adjacent to the dwellings and the double storey dwellings would each have a single garage (Figure 2 and 3).

A total of 12 car spaces would be provided on site with a space dedicated to each dwelling and three visitor car spaces which would be located between dwellings 2 and 3. A shortfall of four car spaces is proposed.

Each dwelling would have an area of private open space of at least 24sqm, directly accessible from the living room.

The proposal includes excavation of the land with cut and fill to level the dwelling sites. Retaining walls would be constructed along the north eastern and south western boundaries to a maximum height of 1m.

The proposal relies on performance criteria to comply with 10.4.1 Residential density for multiple dwellings P1; 10.4.2 Setbacks and building envelopes for all dwellings P3; 10.4.3 Site coverage and private open space for all dwellings P1; 10.4.4 Sunlight and overshadowing of all dwellings P1; 10.4.6 Privacy for all dwellings P3; E5.5.1 Existing road accesses and junctions P3, and E6.6.1 Number of Car Parking Spaces P1.

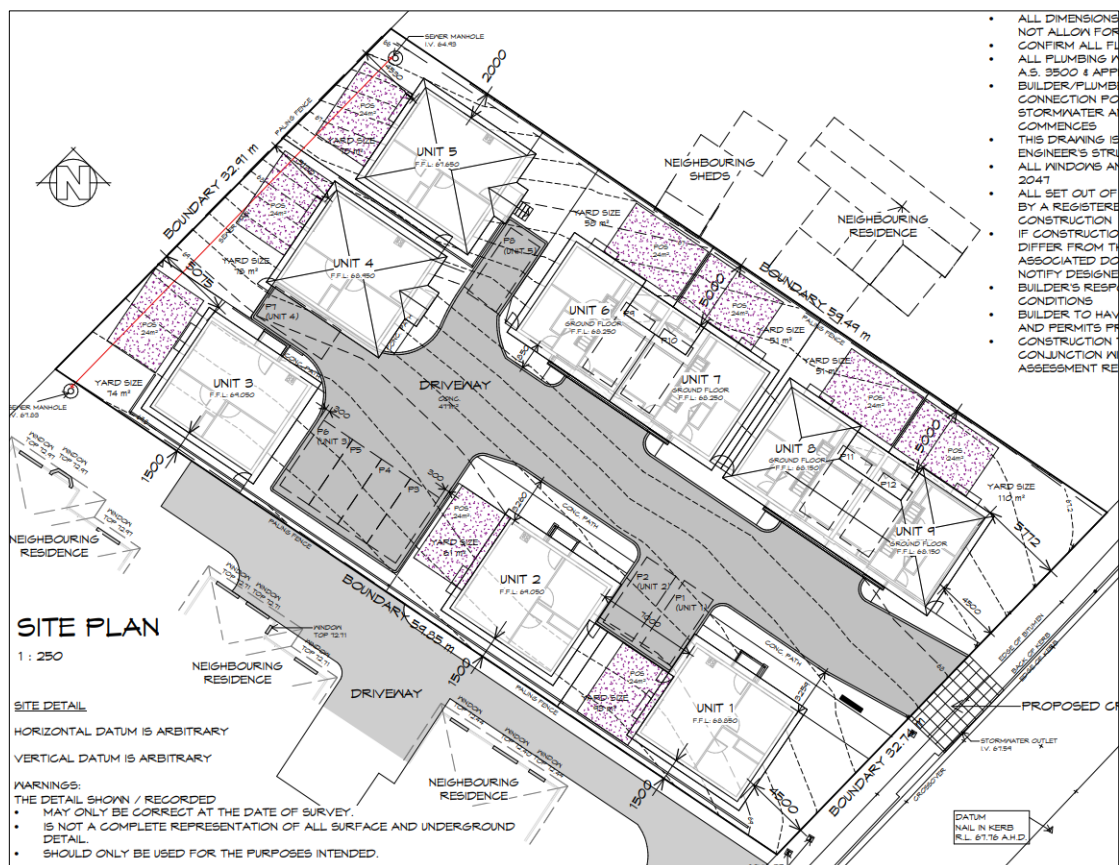


Figure 1: Proposed site plan



Figure 2: Southern perspective of the proposal



**Figure 3:** *Northern perspective of the proposal*

### **SITE and LOCALITY**

The site is located on the north western side of Chapel Street, is generally rectangular in shape and has an overall area of 1925sqm. The site has a frontage of 32.74m onto Chapel Street and a depth of 59.85. The site is currently vacant. Access to and from the site is provided via a crossover which is located approximately 8.5m from the southern corner of the site. The site slopes towards the northern corner of the site and slopes around 2m from the south western side to the north eastern side. There are no easements on the site nor are there any agreements or covenants on the title.

As shown in Figure 4, the site is adjoined to the rear by the Chapel Street Dog Park which is located within the Open Space Zone. To the north east, the site is adjoined by a 940sqm residential lot which contains a single dwelling. To the south west, the site is adjoined by a property containing three dwellings which have been strata titled.

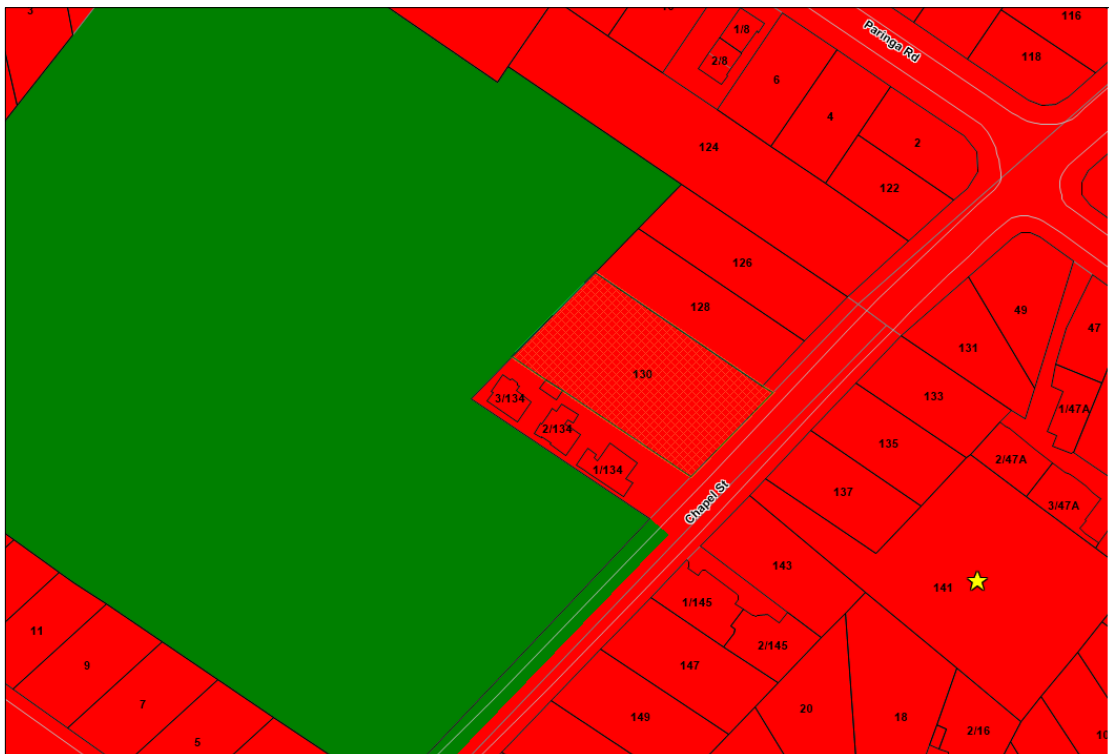
The surrounding locality is characterised by residential development. Lot sizes and shapes vary within the area and there are several examples of multiple dwelling developments (Figure 4).



**Figure 4:** Aerial view of the subject site and surrounds

## ZONE

The site is located in the General Residential Zone and is adjoined by land within the Open Space Zone to the rear (figure 5).



**Figure 5:** Zoning map of the subject site and surrounds

## BACKGROUND

There is no background on file which is relevant to this 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

###### 6.4 Fences

The construction of a retaining wall, setback more than 1.5m from a boundary, and which retains a difference in ground level of less than 1m is exempt from planning approval.

As the proposed retaining walls would be located within 1.5m of a boundary, the above exemption is not met.

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

The provisions of a SAP or Code do not override the Zone provisions in the assessment of this application.

##### 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):

**Amenity** means, in relation to a locality, place or building, any quality, condition or factor that makes or contributes to making the locality, place or building harmonious, pleasant or enjoyable.

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

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

**Dwelling** means a building, or part of a building, used as a self-contained residence and which includes food preparation facilities, a bath or shower, laundry facilities, a toilet and sink, and any outbuilding and works normally forming part of a dwelling.

**Multiple dwellings** mean two or more dwellings on a site.

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

### **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 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; to provide for compatible non-residential uses that primarily serve the local community; and to provide for the efficient utilisation of services.

Comment:

The proposal is in accordance with the above purpose statement as the proposal provides for an alternative type of housing to the typical single dwellings in area and aids in diversifying the range of dwelling types. The dwelling would be located on serviced land at a density which would not exceed infrastructure capacity and would provide for the efficient utilisation of services. As such, the proposal is in accordance with the purpose of the General Residential Zone.

#### **Use Table**

Residential (multiple dwellings) is a permitted use class within the General Residential zone. However, the proposal relies on performance criteria to comply with applicable standards and is therefore discretionary.

#### **Use Standards**

The use standards are applicable to non-residential uses, visitor accommodation or a local shop.

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

##### *10.4.1 Residential density for multiple dwellings (P1)*

The acceptable solution for this standard requires multiple dwellings to have a site area per dwelling of not less than 325sqm. The proposed dwellings would have a site area of 213.8sqm each. As such, the proposal does not meet the acceptable solution and must be considered against the performance criteria which states:

*Multiple dwellings must only have a site area per dwelling that is less than 325 m<sup>2</sup>, or that specified for the applicable density area in Table 10.4.1, if the development will not exceed the capacity of infrastructure services and:*

*(a) is compatible with the density of the surrounding area; or*

(b) provides for a significant social or community housing benefit and is in accordance with at least one of the following:

- i. the site is wholly or partially within 400 m walking distance of a public transport stop;
- ii. the site is wholly or partially within 400 m walking distance of a business, commercial, urban mixed use, village or inner residential zone.

Comment:

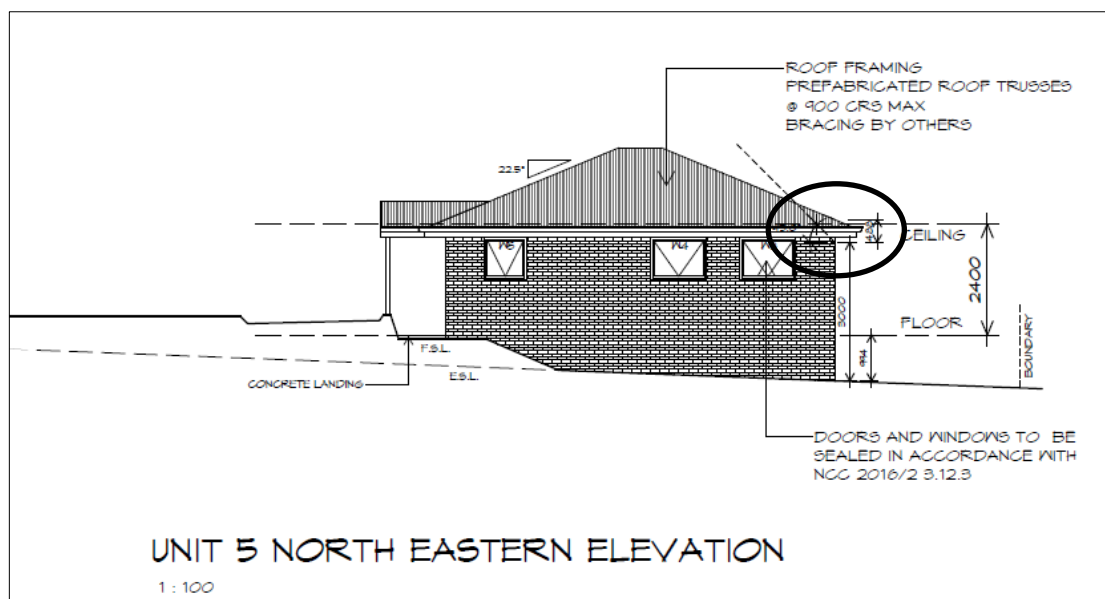
The application was referred to the relevant service providers who raised no concerns over the capacity of infrastructure services in relation to the proposal. The proposal would not exceed the capacity of infrastructure services.

The proposal accords with point (b) of the performance criteria by providing a significant social housing benefit through the provision of nine dwellings to be used as social housing. The dwellings would be used by Centacare Evolve Housing who are a not-for-profit housing and service provider formed through a joint venture between Catholic Care Tasmania and Evolve Housing. The site is within 50m of a bus stop which is located on Chapel Street and forms part of the 504 bus route.

The proposal complies with the standard through the performance criteria.

#### 10.4.2 Setbacks and building envelopes for all dwellings (P3)

To achieve stormwater drainage, the floor level of dwelling 5 has been raised which results in the dwelling exceeding the building envelope outlined in the acceptable solution (figure 6).



**Figure 6:** Elevation plan showing the extent dwelling 5 exceeds the building envelope

The remainder of the dwellings have been designed to be located within the building envelope. The proposal must be assessed against the following 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
  - (iii) overshadowing of an adjoining vacant lot; or

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

Comment:

Shadow diagrams were submitted with the application as supporting documentation. The diagrams show the extent of overshadowing from the proposed development on adjoining properties in hourly intervals. The only adjoining property which would be impacted by shadows is the strata titled dwellings to the south of the site (134 Chapel Street).

The shadow diagrams indicate that the windows facing the subject site at 134 Chapel Street would receive reduced sunlight at 9am and 10am on 21 June. The windows would not be affected by shadowing from the development for the remainder of the day. The windows of the adjoining dwellings would still receive reasonable sunlight during the winter solstice and therefore the proposal would not result in an unreasonable loss of amenity to the dwellings by reducing sunlight to habitable room windows.

Overshadowing of the private open space of a dwelling on an adjoining lot is limited to minor overshadowing of the private open space of unit 1/134 Chapel Street and unit 3/134 Chapel Street at 9am and 10am on June 21 (Figure 7). Over 50% of the private open space would be receiving sunlight at these times. The proposed development would not shadow the adjoining private open space for the remainder of the day. Based on this, the proposal would not result in an unreasonable loss of amenity to adjoining dwellings through overshadowing the private open space.



**Figure 7:** Overshadowing diagrams at 9am and 10am 21 June

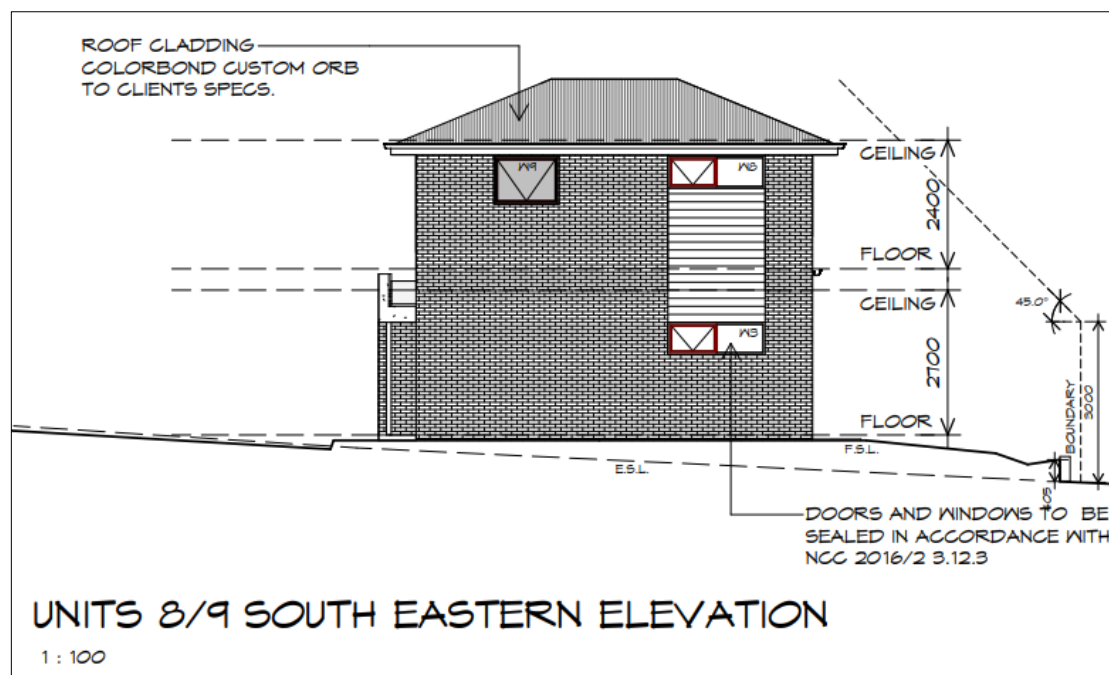
The site is not adjoined by any vacant lots and therefore point (a)(iii) is not applicable to this assessment.

In regard to visual impacts caused by the apparent scale, bulk or proportions of the dwellings when viewed from an adjoining lot, the only dwelling which exceeds the building envelope is dwelling 5. Dwelling 5 would be located at the rear of the site, single storey and have an overall height of 4.83m. Based on the scale and location of the dwelling, and the fact that the section of the dwelling which exceeds the building envelope is minor, it is considered dwelling 5 would not result in an unreasonable visual impact to adjoining dwellings. The remainder of the single storey dwellings would have

a relatively comparable height with dwellings within Chapel Street and would not result in an unreasonable visual impact to adjoining dwellings.

Whilst the double storey dwellings have been designed to be located within the building envelope, a representation was received in regard to the height of the them. The double storey dwellings would have an overall height of 7.369m which is over a metre under the maximum height allowed in the General Residential Zone.

The double storey dwellings have been orientated to ensure visual impacts are minimised with the shortest wall length orientated to face the streetscape. A relatively low pitch roof would be used to minimise the height. A mixture of materials has also been proposed on the streetscape elevation which would assist in breaking up the visual bulk of the two storey high wall (Figure 8).



**Figure 8:** Elevation plan of the double storey dwelling which would face the street

It is noted that the proposed retaining walls are located in close proximity to the side boundaries, however, not exceeding a maximum height of 1m. The retaining walls have been put in place in order to stabilise the land due to the proposed cut and fill. The retaining walls extend along the length of the boundaries; however, will create negligible impact in terms on reduction of sunlight, overshadowing or visual bulk. The retaining walls would not be visible from the adjoining properties.

The single storey dwellings would be setback 1.5m from the side boundary and the double storey dwellings would be setback 5m from the side boundaries. This is consistent with the side setbacks of dwellings within the area which are typically located close to one boundary with a larger setback to the other boundary. The proposal would provide for reasonable separation between dwellings on adjoining lots.

The proposal complies with the standard through the performance criteria.

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

The acceptable solution for this standard requires each dwelling to be provided with a total of 60sqm of private open space. Dwellings 6, 7 and 8 do not comply with this and therefore the proposal must be assessed against the following performance criteria:

*Dwellings must have:*

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

Comment:

Whilst dwellings 5, 6 and 7 would not have 60sqm of private open space, dwelling 6 would be provided with 58sqm of private open space and dwellings 7 and 8 would be provided with 51sqm of private open space. The dwellings would have private open space that is of a size and dimension appropriate for the size of the dwellings, noting the dwellings are only two bedrooms rather than a typical family size.

The private open space would include an area with a minimum horizontal dimension of 4m at the rear of each dwelling, which could be used by occupants for outdoor recreation. A portion of private open space is also provided down the side of the dwellings to accommodate bin enclosures and be used for storage/utilities. Within the private open space there would be ample space to allow for planting of gardens and landscaping whilst still allowing for the 24sqm of private open space required under acceptable solution A2 of Clause 10.4.3.

The proposal complies with the standard through the performance criteria.

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

The acceptable solution for this standard requires a dwelling to have at least one habitable room window (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north. The proposal does not comply with this and therefore the proposal must be assessed against the following performance criteria:

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

Comment:

The dwellings have been designed to ensure the living spaces would receive adequate sunlight. Each of the dwellings would have large windows or sliding glass door facing either north east or north west. There are also smaller windows located on the north eastern and north western elevations of the dwellings to allow additional sunlight to penetrate into the living areas of the dwellings.

Shadow diagrams provided as supporting documentation demonstrate that the location of the dwellings within the site would allow sunlight to enter living areas without being overshadowed.

The proposal complies with the standard through the performance criteria.

#### *10.4.6 Privacy for all dwellings (P3)*

The acceptable solution for this standard requires a shared driveway or parking space (excluding a parking space allocated to that dwelling) to be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least 2.5m. This can be reduced to 1m if separated by a screen of at least 1.7m in

height, or the window, or glazed door, to a habitable room has a sill height of at least 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7m above the floor level.

The bedroom window to dwelling 4 would be located within 2.5m of the shared driveway and would not meet the above acceptable solution. As such, the proposal must be considered against the following performance criteria:

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

Comment:

As the bedroom window would be located at the end of the shared driveway, it is considered reasonable to condition the window to be screened from the shared driveway. The screening would minimise detrimental impacts of vehicle noise and vehicle light intrusion to the bedroom in accordance with the performance criteria.

The proposal complies with the standard through the performance criteria.

## **Part E: Codes**

The following codes of the Scheme apply to this proposal:

### **Road and Rail Asset Code**

#### *E5.5.1 Existing road accesses and junctions (P3)*

The proposal does not meet acceptable solution A3 as the proposal would generate an increase in vehicle movements by more than 20%, or more than 40 vehicle movements per day. A Traffic Impact Assessment was submitted with the application which addresses the following performance criteria:

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

*(a) the increase in traffic caused by the use;*

Comment:

The increase in traffic generation is not considered to be large and can be readily absorbed in the surrounding road network without loss of efficiency or deterioration of road safety performance.

*(b) the nature of the traffic generated by the use;*

Comment:

The traffic generated would be residential in nature which is consistent with traffic in the surrounding road network.

*(c) the nature and efficiency of the access or the junction;*

Comment:

The junction would be a standard driveway access that can cater for the traffic generation.

*(d) the nature and category of the road;*

Comment:

Chapel Street is a collector road than can readily absorb the traffic generated by the development.

*(e) the speed limit and traffic flow of the road;*

Comment:

Chapel Street has a 50km/h speed limit which would provide a safe environment for vehicles accessing the site.

*(f) any alternative access to a road;*

Comment:

There is no alternative access to the road.

*(g) the need for the use;*

Comment:

The proposed use of multiple dwellings is in accordance with the purpose of the zone and would provide a significant social housing benefit.

*(h) any traffic impact assessment; and*

Comment:

A Traffic Impact Assessment was submitted as supporting documentation which was reviewed by Council's Development Engineer. It has been assessed that the development would not have an unreasonable impact on the efficiency of the road.

*(i) any written advice received from the road authority.*

Comment:

Not applicable.

The proposal complies with the standard through the performance criteria.

### **Parking and Access Code**

#### *E6.6.1 Number of Car Parking Spaces (P1)*

Based on the number of dwellings proposed, a total of 16 car parking spaces is required to meet acceptable solution A1. A total of 12 car parking spaces have been provided including one car parking space per dwelling and three visitor car spaces. This results in a shortfall of four car parking spaces. As supporting documentation, a Traffic Impact Assessment was provided with the application.

The original Traffic Impact Assessment provided incorrectly calculated the car parking spaces required under the planning scheme as 21 car spaces and stated a total of 14 spaces were provided with the development. This would have resulted in a shortfall of seven car spaces. The Traffic Impact Assessment stated the car parking demand was more likely to be 12 car spaces and the shortfall of seven car spaces was acceptable.

An amended Traffic Impact Assessment was submitted which correctly identified the number of car parking spaces required under the planning scheme to be 16; however, stated 14 car spaces were provided on site which included one space per dwelling and five visitor spaces. This resulted in a shortfall of two car parking spaces. The Traffic Impact Assessment again stated the likely car parking demand was 12 car parking spaces.

The actual proposal includes only 12 car parking spaces, one space per dwelling and three visitor spaces as shown on the submitted plans. This results in a shortfall of two car parking spaces.

Irrespective of the calculations in the Traffic Impact Assessment, the assessment concludes that 12 car parking spaces for the nine dwellings would be sufficient to meet the likely car parking demand.

As the proposal does not meet the number of car parking spaces required under the acceptable solution, the proposal must be considered against the following 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;*

Comment:

The Traffic Impact Assessment states the actual car parking demand for the nine dwellings is likely to be 12 car parking spaces. This is due to the development consisting of mostly one bedroom dwellings that require less parking than two plus bedroom dwellings.

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

Comment:

There is a large supply of on-street car parking in Chapel Street and the Traffic Impact Assessment states site observations indicate there is a relatively low existing demand for on-street parking.

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

Comment:

A metro bus stop is located under 50m from the subject site and operates on a frequent basis. The bus stop forms part of the 504 bus route

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

Comment:

The site is located within walking distance of local shops located in Chapel Street and within walking distance of open space located at the rear of the site.

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

Comment:

The Traffic Impact Assessment concludes that alternative parking arrangements are not considered necessary for the development.

*(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 above provisions (g-m) are not applicable to this assessment.

The proposal complies with the standard through the performance criteria.

### **Stormwater Management Code**

Council's Development Engineer has assessed the proposal against the Stormwater Management Code and determined the proposal meets the acceptable solutions of all applicable standards as demonstrated in the attached Appendix.

### **PART F: Specific Area Plans**

A Specific Area Plan does not apply to the assessment of the application.

### **INTERNAL REFERRALS**

#### **Development Engineer**

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

#### *E5.0 Road and Railway Assets Code*

The traffic generated by the development is more than 40 vehicle movements per day (or 20% of the average daily traffic whichever is greatest) so does not meet the acceptable solution of Code E5.5.1 A3. A Traffic Impact Assessment has been undertaken and accepted in which the performance criteria for Code E5.5.1 P3 is met. Based on the Traffic Impact Assessment and plans submitted, the proposed development is not expected to have any significant detrimental impacts on the surrounding road network in terms of traffic efficiency or road safety.

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

The proposed development indicates 12 available car parking spaces and therefore does not comply with Code E6 Parking and Access Code.

Based on the findings of the traffic engineer's report and that there will be minimum impact on local traffic conditions, the car parking area complies with the requirements of performance criteria P1 of Clause E6.7.5 of the Planning Scheme.

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

The site falls to both the rear and front of the property. There is no existing Council underground stormwater infrastructure available to the site. The site can be serviced by connection to the existing kerb and gutter. The proposal submitted does not comply with Council's Stormwater Property Connection Policy, but complies with the provisions of the Scheme and Clause E7.7.1.

The stormwater system for the development will incorporate a stormwater drainage system of a size and design sufficient to achieve the stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010, as detailed in Table E7.1 of the Planning Scheme.

*E3.0 Landslide Code*

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

*E15.0 Inundation Prone Areas Code*

There are no flooding issues identified through Council records that affect this development.

**Waste Management**

Council's Waste Services Co-ordinator has assessed the proposal and made the following comments.

Waste Services to the proposed multiple dwelling development would be Council's standard bin service collected fortnightly. The Council's standard bin service includes one (1) x 140L wheelie bin for Waste, one (1) x 240L for Recycling wheelie bin, collected fortnightly.

Please note that this property would have a total of eighteen (18) bins, nine (9) Waste bins and nine (9) 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**

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

**Tas Networks**

TasNetworks have no objection to the application.

**Enwave**

Enwave Australia have no conditions or objections to the application.

**REPRESENTATIONS**

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

**1. Height of dwellings**

The representor states that the height of the double storey dwellings being over 7m is excessive and unnecessary. The representor states that this would affect their north westerly view to the tree line. The representor states that there are no other double storey dwellings in the area.

*Planner's Comment:*

The site is located within the General Residential Zone which allows a maximum height of 8.5m. The four dwellings proposed to be double storey would have a maximum height of 7.369m, which is over a metre less than the maximum height allowed in the

zone. The double storey dwellings would be contained within the building envelope outlined in Clause 10.4.2 Setbacks and building envelope for all dwellings.

In regard to there being no other double storey dwellings in the area, the purpose of the General Residential Zone is to “*provide for residential use or development that accommodate a range of dwelling types and suburban densities, where full infrastructure services are or can be provided*”. The proposal is in keeping with the purpose of the zone by providing a range of dwelling types in the area. The location of the double storey dwellings on the site has been designed to ensure that there is no unreasonable overshadowing of the site to the south so as to not result in an unreasonable loss of amenity of adjoining lots.

It is also noted that there is no desired future character statements for the site.

## **2. Property value**

The representor states that the development will impact their property value.

### *Planner's Comment:*

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

## **CONCLUSION**

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

## **Recommendation:**

That a permit be granted for the proposed use and development of Multiple dwellings (9) (Residential) at 130 Chapel Street Glenorchy subject to the following conditions:

### **Planning**

1. Use and development must be substantially in accordance with planning permit application No. PLN-19-174 and Drawing No. P3 submitted on 1 October 2019, 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. TWDA2019/00969-GCC, dated 15/07/2019, form part of this permit.
3. The window of bedroom 1 in dwelling 4 must be separated from the common driveway by a screen of at least 1.7m in height, or have fixed obscure glazing extending to a height of at least 1.7m above the floor level.

### **Engineering**

4. Prior to the issuing of a Building Approval or the commencement of works on site, including demolition (whichever occurs first), a Soil and Water Management Plan must be submitted detailing proposed sediment and erosion control

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

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

5. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
6. Twelve (12) clearly marked car parking spaces must be provided and kept available for these purposes at all times. Three (3) of the car parking spaces must be clearly delineated as visitor parking.
7. The design and construction of the driveway, parking, access and turning areas must generally comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004, to the satisfaction of Council's Development Engineer. Drawings showing the driveway details must be in accordance with the Australian Standard and submitted with the Building Application for approval by Council's Development Engineer prior to the commencement of works on site. The proposed driveway and parking must comply with the following:
  - (a) Be constructed to a sealed finish and the finished gradient must not exceed the maximum gradient of 25%;
  - (b) All runoff from paved areas must be discharged into Council's stormwater system;
  - (c) The gradient of any parking areas must not exceed 5%;
  - (d) Minimum carriageway width is to be no less than 5.50 metres; and
  - (e) All works required to service each individual dwelling must be installed prior to the occupancy of that dwelling.
8. All internal hydraulic service works required for the development shall be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor. Any alterations or works to Council mains shall be undertaken by Council at the developer's cost. The developer is required to contact Council's Development Engineer on (03) 62166800 to organise for Council to provide a quote to perform the stormwater connection works prior to the issuing of a Building Approval or the commencement of works on site.
9. Lighting is to be provided to all car parking and driveways areas in accordance with Clause 3.1 "Basis of Design" and Clause 3.6 "Car parks" of AS/NZ 1158.3.1: 2005. The illumination of the proposed lights is to be activated prior to occupancy.

10. Landscaping of parking and circulation areas must be provided. This landscaping must be no less than 5 percent of the area of the car park. A landscape design is to be submitted for approval of the Senior Statutory Planner prior to commencement of any works on the site.
11. Prior to the commencement of works, a Water Sensitive Urban Design (WSUD) Maintenance Scheme must be submitted for approval, to the satisfaction of Council's Hydraulic Engineer, defining the maintenance method and frequency for each WSUD elements incorporated in the treatment train. The owners or body corporate managing the site must comply with the WSUD Maintenance Scheme once it is accepted by the Council, and any changes to this Scheme must first be approved by Council.
12. Upon approval of the WSUD Maintenance Scheme, the applicant must enter into a registered agreement with Council, at the sole expense of the applicant, pursuant to Part 5 of the Land Use Planning and Approvals Act 1993, for the area which is subject to this permit.

The Part 5 agreement requires the owner and all successors in title to covenant and agree with the Council:

- (a) All works outlined in the WSUD maintenance Scheme submitted by the applicant, including the maintenance method and frequency for individual WSUD elements, must be implemented and managed by the owner and all successors in title at their sole expense;
- (b) Keep the maintenance records in an accessible form (either printed or 7electronic) for five years from the date of the work was carried out to prove that the maintenance of each WSUD elements have been conducted in accordance with the WSUD Maintenance Scheme;
- (c) Repair and replace all the WSUD elements at the sole expense of the owner and its successors in title so that it functions (removing pollutants from stormwater runoff) in a safe and efficient manner;
- (d) Permit the Council from time to time and upon giving reasonable notice (but in the case of an emergency, at any time and without notice) to enter and inspect the WSUD elements for compliance with the requirements of this agreement;
- (e) Comply with the terms of any written notice issued by the Council in respect of the requirements of this agreement within the time stated in the notice.

### **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.

The designer must ensure that the needs of all providers including TasWater, TasGas, TasNetworks, and Telstra are catered for both in the design and construction of the

works. Underground service providers should be contacted for line marking of their services and any requirements or conditions they may have prior to commencing any works on site. Phone 1100, Dial Before You Dig or visit [www.dialbeforeyoudig.com.au](http://www.dialbeforeyoudig.com.au) for information on the location of underground services and cables in relation to the proposed development prior to commencing any works on site.

*Waste Services*

Please be aware that Council's Waste Management Contractor collection trucks will not enter the property to collect and empty wheelie bins. All bins are to be placed on the kerbside for collection.

## APPENDIX

## 10.0 General Residential Zone

| Standard                                                                  | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                        | Proposed                                               | Complies? |
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| <b>10.4 Development Standards for Residential Buildings and Works</b>     |                                                                                                                                                                                                                                                                                                                                                                            |                                                        |           |
| <b>10.4.1</b><br><b>Residential density for multiple dwellings</b>        | <b>A1</b><br>Multiple dwellings must have a site area per dwelling of not less than:<br>(a) 325m <sup>2</sup> ; or<br>(b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.                                                                                                             | The site area per dwelling is 213.8sqm.                | No        |
| <b>10.4.2</b><br><b>Setbacks and building envelopes for all dwellings</b> | <b>A1</b><br>Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is:<br>(a) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less | The dwellings would be setback 4.5m from the frontage. | Yes       |

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|  | <p>than the setback, from the primary frontage, of any existing dwelling on the site; or</p> <p>(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</p> <p>(c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or</p> <p>(d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.</p> |     |                                     |
|  | <p><b>A2</b></p> <p>A garage or carport must have a setback from a primary frontage of at least:</p> <p>(a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or</p> <p>(b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or</p> <p>(c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.</p>                                                                                                                                                                                                                                                              | N/A | N/A                                 |
|  | <p><b>A3</b></p> <p>A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | (a) | No dwelling 5 does not meet (a)(ii) |

|                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                               |
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|                                                                                           | <p>awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:</p> <p>(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</p> <p>(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</p> <p>(b) only have a setback within 1.5 m of a side boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or</p> <p>(ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).</p> | <p>(i) The dwellings (1 and 9) located at the front of the site would be setback 4.5m from the frontage.</p> <p>(ii) The dwellings (3, 4 and 5) located at the rear of the site would be setback a minimum of 4.53m from the rear boundary. The floor level of dwelling 5 means that the roof of the dwelling would exceed the building envelope.</p> <p>(b) All of the dwellings are setback at least 1.5m from the side boundaries.</p> |                                               |
| <p><b>10.4.3</b></p> <p><b>Site coverage and private open space for all dwellings</b></p> | <p><b>A1</b></p> <p>Dwellings must have:</p> <p>(a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <p>(a) The site coverage would be 29.23% of the overall site.</p> <p>(b) Dwellings 6, 7 and 8 would not be provided with 60sqm of total private open space.</p>                                                                                                                                                                                                                                                                           | <p>No dwellings 6,7 and 8 do not meet (b)</p> |

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |     |
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|  | <p>(b) for multiple dwellings, a total area of private open space of not less than 60 m<sup>2</sup> associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(c) a site area of which at least 25% of the site area is free from impervious surfaces.</p>                                                                                                                                                                                                                                                                                                                                                              | <p>(c) Non-pervious surfaces would be 36.42% of the site area.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |     |
|  | <p><b>A2</b></p> <p>A dwelling must have an area of private open space that:</p> <p>(a) is in one location and is at least:</p> <p>(i) 24 m<sup>2</sup>; or</p> <p>(ii) 12 m<sup>2</sup>, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(b) has a minimum horizontal dimension of:</p> <p>(i) 4 m; or</p> <p>(ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and</p> | <p>(a) Each dwelling is provided with an area of private open space in one location which is at least 24sqm.</p> <p>(b) The areas of private open space all have a minimum horizontal dimension of 4m.</p> <p>(c) The areas of private open space are all directly accessible from the living areas of each dwelling via a sliding door.</p> <p>(d) The areas of private open space are located to the north west, north and north east of the dwellings.</p> <p>(e) None of the areas of private open space are located between the dwellings and the frontage.</p> <p>(f) The areas of private open space have a gradient no steeper than 1:10.</p> | Yes |

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|                                                                     | <p>(d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and</p> <p>(e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and</p> <p>(f) has a gradient not steeper than 1 in 10; and</p> <p>(g) is not used for vehicle access or parking.</p> | (g) The areas of private open space are separate to the areas for vehicle access and parking.                                                                                                                 |     |
| <b>10.4.4</b><br><b>Sunlight and overshadowing of all dwellings</b> | <b>A1</b><br>A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).                                                                                                                                                                                                                                                                                                                                             | The dwellings would not have at least one habitable room window which faces between 30 degrees west of north and 30 degrees east of north.                                                                    | No  |
|                                                                     | <b>A2</b><br>A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c):<br><p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B):</p> <p>(i) at a distance of 3 m from the window; and</p>                                                                             | The dwellings have been designed to ensure that a dwelling is not to the north of a window of a habitable room of another dwelling which faces between 30 degrees west of north and 30 degrees east of north. | Yes |

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

|                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                       |     |
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|                                                                                      | <p>(b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <p>(i) an outbuilding with a building height no more than 2.4 m; or</p> <p>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.</p>                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                       |     |
| <b>10.4.5</b><br><b>Width of openings for garages and carports for all dwellings</b> | <b>A1</b><br>A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).                                                                                                                                                                                                                                                                                                                                                                                                                  | Not applicable – there are no garages or carports proposed within 12m of the frontage.                                                                                                                                                                                                                                                                                                                                | N/A |
| <b>10.4.6</b><br><b>Privacy for all dwellings</b>                                    | <b>A1</b><br>A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: <p>(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</p> <p>(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</p> | <p>The landings for dwelling 4 and 5 are located 1m above natural ground level, however, comply with the setback requirements of the standard being 3m from the side boundaries and 4m from the rear boundary.</p> <p>The landing for dwelling 4 would be screened (1.7m high) from dwelling 5.</p> <p>The entry landing for dwelling 5 would be screened from dwelling 6 via the proposed 1.8m internal fencing.</p> | Yes |

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|  | <p>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m:</p> <p>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</p> <p>(ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |     |
|  | <p><b>A2</b></p> <p>A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <p>(a) The window or glazed door:</p> <p>(i) is to have a setback of at least 3 m from a side boundary; and</p> <p>(ii) is to have a setback of at least 4 m from a rear boundary; and</p> <p>(iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</p> <p>(iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site.</p> <p>(b) The window or glazed door:</p> | <p>All habitable room windows with a floor level more than 1m above natural ground level either have a sill height of 1.7m or obscure glazing.</p> <p>The windows to dwelling 4 comply with (b)(i) as there are no windows on the parallel wall of dwelling 5.</p> <p>The windows to dwelling 5 within 3m of the side boundary have either a sill height of 1.7m or obscure glazing therefore complying with (b)(ii).</p> <p>The first floor windows to dwellings 6, 7, 8 and 9 which face the private open space of the dwellings on the same site are all provided with obscure glazing.</p> | Yes |

|        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                             |     |
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|        | <p>(i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or</p> <p>(ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or</p> <p>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.</p>                                                     |                                                                                                                                                                                                                             |     |
|        | <p><b>A3</b></p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least:</p> <p>(a) 2.5 m; or</p> <p>(b) 1 m if:</p> <p>(i) it is separated by a screen of at least 1.7 m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.</p> | <p>All habitable room windows within 2.5m of the common driveway comply with (b) except for the bedroom window of dwelling 4. A condition has been included to ensure the window complies with the acceptable solution.</p> | No  |
| 10.4.7 | <b>A1</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                             | Yes |

|                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                        |            |
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| <b>Frontage Fences for all dwellings</b>                     | <p>A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than:</p> <ul style="list-style-type: none"> <li>(a) 1.2 m if the fence is solid; or</li> <li>(b) 1.8 m, if any part of the fence that is within 4.5 m of a primary frontage has openings above a height of 1.2 m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).</li> </ul>                                                                                                                                                                                                                                                                                                                    | <p>The proposed front fence would be 1.8m high with a uniform transparency of not less than 30% above 1.2m in accordance with (b).</p> |            |
| <b>10.4.8</b><br><b>Waste Storage for multiple dwellings</b> | <p><b>A1</b></p> <p>A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m<sup>2</sup> per dwelling and is within one of the following locations:</p> <ul style="list-style-type: none"> <li>(a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</li> <li>(b) in a communal storage area with an impervious surface that: <ul style="list-style-type: none"> <li>(i) has a setback of at least 4.5 m from a frontage; and</li> <li>(ii) is at least 5.5 m from any dwelling; and</li> <li>(iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2 m above the finished surface level of the storage area.</li> </ul> </li> </ul> | <p>Each dwelling would be provided with a 1.5sqm storage area for waste and recycling bins. The locations comply with (a).</p>         | <p>Yes</p> |

## APPENDIX

## E5.0 Road and Railway Assets Code

| Standard                                                     | Acceptable Solution                                                                                                                                                                                                                                                                          | Proposed                                                                                                                                                                                                                                                                                                                   | Complies? |
|--------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| <b>5.5 Use Standards</b>                                     |                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                            |           |
| <b>E5.5.1</b><br><b>Existing road accesses and junctions</b> | <b>A1</b><br>The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater. |                                                                                                                                                                                                                                                                                                                            | N/A       |
|                                                              | <b>A2</b><br>The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater. |                                                                                                                                                                                                                                                                                                                            | N/A       |
|                                                              | <b>A3</b><br>The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.    | The traffic generated by the development is more than 40 vehicle movements per day, so does not meet the acceptable solution of Code E5.5.1 A3. Based on the TIA submitted, the proposed development is not expected to have any significant detrimental impacts on the surrounding network in terms of traffic efficiency | No        |

| Standard                                                           | Acceptable Solution                                                                                                                                                                                                                                                                                                               | Proposed                                                                          | Complies? |
|--------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------|
|                                                                    |                                                                                                                                                                                                                                                                                                                                   | or road safety. Thus, the performance criteria is met for Code E5.5.1 P3.         |           |
| <b>E5.5.2</b><br><b>Exiting Level Crossings</b>                    | <b>A1</b><br>Where use has access across part of a rail network, the annual average daily traffic (AADT) at an existing level crossing must not be increased by greater than 10% or 10 vehicle movements per day, whichever is the greater.                                                                                       |                                                                                   | N/A       |
| <b>5.6 Development Standards</b>                                   |                                                                                                                                                                                                                                                                                                                                   |                                                                                   |           |
| <b>E5.6.1</b><br><b>Development adjacent to roads and railways</b> | <b>A1.1</b><br>Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h:<br><br>(a) new buildings;<br>(b) other road or earth works; and<br>(c) building envelopes on new lots. | As the accesses are greater than 50 metres from a Category 1 and Category 2 Road. | Yes       |

| Standard                                            | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                          | Proposed | Complies? |
|-----------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
|                                                     | <b>A1.2</b><br>Buildings, may be: <ul style="list-style-type: none"> <li>(a) located within a row of existing buildings and setback no closer than the immediately adjacent building; or</li> <li>(b) an extension which extends no closer than: <ul style="list-style-type: none"> <li>(v) the existing building; or</li> <li>(vi) an immediately adjacent building.</li> </ul> </li> </ul> |          | Yes       |
| <b>E5.6.2</b><br><b>Road accesses and junctions</b> | <b>A1</b><br>No new access or junction to roads in an area subject to a speed limit of more than 60km/h                                                                                                                                                                                                                                                                                      |          | N/A       |
|                                                     | <b>A2</b><br>No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.                                                                                                                                                                                                       |          | Yes       |
| <b>E5.6.3</b><br><b>New Level Crossings</b>         | <b>A1</b><br>No Acceptable Solutions.                                                                                                                                                                                                                                                                                                                                                        |          | N/A       |

| Standard                                                                          | Acceptable Solution                                                                                                                                                                                                                                                                                                                                        | Proposed                                                                                                                                                                                                                           | Complies? |
|-----------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| <b>E5.6.4</b><br><b>Sight distance at accesses, junctions and level crossings</b> | <b>A1</b><br>Sight distances at: <ul style="list-style-type: none"> <li>(a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and</li> <li>(b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.</li> </ul> | The Traffic Impact Assessment undertaken assessed the junction has having adequate sight distance in both directions. The sight distance at the driveway entrance is stated in the TIA as meeting the minimum requirement of 105m. | Yes       |

## APPENDIX

## E6.0 Parking and Access Code

| Standard                                                                                         | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                       | Proposed                                                                                                                                                                                                                                                                                                                                                                                        | Complies? |
|--------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| <b>E6.6 Use Standards</b>                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                 |           |
| <b>E6.6.1</b><br><br><b>Number of Car Parking Spaces</b>                                         | A1<br><br>The number of on-site car parking spaces must be:<br><br>(a) no less than the number specified in Table E6.1 and no more than 10% greater than that number;<br><br>except if:<br><br>(i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;<br><br>(ii) this provision was not used in this planning scheme. | The proposed development indicates 12 available parking spaces and does not comply with Code E6 Parking and Access Code.<br><br>The car parking area complies with the requirements of Performance Criteria P1 of Clause E6.7.5 of the Planning Scheme. Based on the findings of in the traffic engineers report and it is considered there will be minimum impact on local traffic conditions. | No        |
| <b>E6.6.2</b><br><br><b>Number of Accessible Car Parking Spaces for People with a Disability</b> | A1<br><br>Car parking spaces provided for people with a disability must:<br><br>(a) satisfy the relevant provisions of the Building Code of Australia;<br><br>(b) be incorporated into the overall car park design;                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                 | N/A       |

| Standard                                                    | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Proposed                                                  | Complies? |
|-------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|-----------|
|                                                             | (c) be located as close as practicable to the building entrance.                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                           |           |
| <b>E6.6.3</b><br><b>Number of Motorcycle Parking Spaces</b> | A1<br>The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced. |                                                           | N/A       |
| <b>E6.6.4</b><br><b>Number of Bicycle Parking Spaces</b>    | A1<br>The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.                                                                                                                                                                                                                                                                                                                                                                                         |                                                           | N/A       |
| <b>E 6.7 Development Standards</b>                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                           |           |
| <b>E6.7.1</b><br><b>Number of Vehicle Accesses</b>          | A1<br>The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.                                                                                                                                                                                                                                                                                                                                  | Only utilising existing single access onto Chapel Street. | N/A       |

| Standard                                                            | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Proposed                                     | Complies? |
|---------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|-----------|
| <b>E6.7.2</b><br><br><b>Design of Vehicular Accesses</b>            | A1<br><br>Design of vehicle access points must comply with all of the following: <ul style="list-style-type: none"> <li>(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;</li> <li>(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.</li> </ul> | Complies with AS 2890.1                      | Yes       |
| <b>E6.7.3</b><br><br><b>Vehicular Passing Areas Along an Access</b> | A1<br><br>Vehicular passing areas must: <ul style="list-style-type: none"> <li>(a) be provided if any of the following applies to an access: <ul style="list-style-type: none"> <li>(i) it serves more than 5 car parking spaces;</li> <li>(ii) is more than 30 m long;</li> <li>(iii) it meets a road serving more than 6000 vehicles per day;</li> </ul> </li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                            | Proposed driveway allows for two way traffic | Yes       |

| Standard                                            | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                  | Proposed                     | Complies? |
|-----------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-----------|
|                                                     | <ul style="list-style-type: none"> <li>(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway;</li> <li>(c) have the first passing area constructed at the kerb;</li> <li>(d) be at intervals of no more than 30 m along the access.</li> </ul>                                                                                                                         |                              |           |
| <b>E6.7.4</b><br><br><b>On-Site Turning</b>         | A1<br><br>On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following: <ul style="list-style-type: none"> <li>(a) it serves no more than two dwelling units;</li> <li>(b) it meets a road carrying less than 6000 vehicles per day.</li> </ul>                                             |                              | Yes       |
| <b>E6.7.5</b><br><br><b>Layout of Parking Areas</b> | A1<br><br>The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same Standard. | Complies with AS 2890.1:2004 | Yes       |
| <b>E6.7.6</b>                                       | A1                                                                                                                                                                                                                                                                                                                                                                                   |                              | Yes       |

| Standard                                       | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                      | Proposed    | Complies? |
|------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-----------|
| <b>Surface Treatment of Parking Areas</b>      | <p>Parking spaces and vehicle circulation roadways must be in accordance with all of the following;</p> <ul style="list-style-type: none"> <li>(a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway;</li> <li>(b) drained to an approved stormwater system,</li> </ul> <p>unless the road from which access is provided to the property is unsealed.</p> |             |           |
| <b>E6.7.7<br/>Lighting of Parking Areas</b>    | <p>A1</p> <p>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.</p>                                                | Conditioned | Yes       |
| <b>E6.7.8<br/>Landscaping of Parking Areas</b> | <p>A1</p> <p>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.</p>                                                                                                                                     | Conditioned | Yes       |
| <b>E6.7.9</b>                                  | A1                                                                                                                                                                                                                                                                                                                                                                                                                       |             | N/A       |

| Standard                                                | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                         | Proposed | Complies? |
|---------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
| <b>Design of Motorcycle Parking Areas</b>               | <p>The design of motorcycle parking areas must comply with all of the following:</p> <ul style="list-style-type: none"> <li>(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;</li> <li>(b) be located within 30 m of the main entrance to the building.</li> </ul> |          |           |
| <b>E6.7.10<br/>Design of Bicycle Parking Facilities</b> | <p>A1</p> <p>The design of bicycle parking facilities must comply with all the following;</p> <ul style="list-style-type: none"> <li>(a) be provided in accordance with the requirements of Table E6.2;</li> <li>(b) be located within 30 m of the main entrance to the building.</li> </ul>                                                                                                |          | N/A       |
|                                                         | <p>A2</p> <p>The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.</p>                                                                                 |          | N/A       |
| <b>E6.7.11</b>                                          | <p>A1</p> <p>For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower</p>                                                                                                                                                                                                                                  |          | N/A       |

| Standard                                                | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Proposed | Complies? |
|---------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
| <b>Bicycle End of Trip Facilities</b>                   | and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.                                                                                                                                                                                                                                                                                                                                                                                                          |          |           |
| <b>E6.7.12<br/>Siting of Car Parking</b>                | A1<br><br>Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.                                                                                                                                    |          | Yes       |
| <b>E6.7.1.13<br/>Facilities for Commercial Vehicles</b> | A1<br><br>Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless:<br><br><ul style="list-style-type: none"> <li>(a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site;</li> <li>(b) the use is not primarily dependent on outward delivery of goods from the site.</li> </ul> |          | N/A       |

| Standard                                  | Acceptable Solution                                                                       | Proposed | Complies? |
|-------------------------------------------|-------------------------------------------------------------------------------------------|----------|-----------|
| <b>E6.7.14</b><br><b>Access to a Road</b> | A1<br>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? |
|----------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|-----------|
| <b>E7.7 Development Standards</b>                  |                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                        |           |
| <b>E7.7.1<br/>Stormwater Drainage and Disposal</b> | <b>A1</b><br>Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.                                                                                                                                                                                                                                                                                                                | The proposal is to connect the stormwater run-off to the kerb and gutter at the front of the property. | Yes       |
|                                                    | <b>A2</b><br>A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply: <ul style="list-style-type: none"> <li>(a) the size of new impervious area is more than 600 m<sup>2</sup>;</li> <li>(b) new car parking is provided for more than 6 cars;</li> <li>(c) a subdivision is for more than 5 lots.</li> </ul> | Conditioned                                                                                            | Yes       |
|                                                    | <b>A3</b><br>A minor stormwater drainage system must be designed to comply with all of the following: <ul style="list-style-type: none"> <li>(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</li> </ul>                                                                                                                                                      | Conditioned                                                                                            | Yes       |

| Standard | Acceptable Solution                                                                                                                                                                                                                                                              | Proposed | Complies? |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
|          | <p>in the case of industrial zoned land, when the land serviced by the system is fully developed;</p> <p>(b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.</p> |          |           |
|          | <p>A4</p> <p>A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.</p>                                                                                                                                                            |          | N/A       |

**Attachments/Annexures**

**1** Attachments - 130 Chapel Street Glenorchy



**9. PROPOSED USE AND DEVELOPMENT - FOUR (4) MULTIPLE DWELLINGS (ONE EXISTING AND THREE NEW) - 31 O'BRIEN STREET GLENORCHY**

Author: Planning Officer (Sylvia Jeffreys)

Qualified Person: Planning Officer (Sylvia Jeffreys)

Property ID: 5387398

**REPORT SUMMARY:**

|                            |                                                                                                                                                                                                                    |
|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application No.:</b>    | <b>PLN-19-164</b>                                                                                                                                                                                                  |
| <b>Applicant:</b>          | <b>J Shaik</b>                                                                                                                                                                                                     |
| <b>Owner:</b>              | <b>J Shaik and H K Shaik</b>                                                                                                                                                                                       |
| <b>Zone:</b>               | <b>General Residential</b>                                                                                                                                                                                         |
| <b>Use Class</b>           | <b>Residential</b>                                                                                                                                                                                                 |
| <b>Application Status:</b> | <b>Discretionary</b>                                                                                                                                                                                               |
| <b>Discretions:</b>        | <b>10.4.4 P1 Sunlight and overshadowing of all dwellings</b><br><b>E11.7.1 P1 Buildings and Works (WCPC)</b><br><br>(The proposal meets all other applicable standards as demonstrated in the attached appendices) |
| <b>Level 2 Activity?</b>   | <b>No</b>                                                                                                                                                                                                          |
| <b>42 Days Expires:</b>    | <b>11/11/ 2019</b>                                                                                                                                                                                                 |
| <b>Existing Land Use:</b>  | <b>Single Dwelling</b>                                                                                                                                                                                             |
| <b>Representations:</b>    | <b>1</b>                                                                                                                                                                                                           |
| <b>Recommendation:</b>     | <b>Approval, subject to conditions</b>                                                                                                                                                                             |

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

The application is for three additional dwellings at a site with an existing dwelling and demolition of outbuildings. The proposed dwellings would be double storey, three-bedroom dwellings. The dwellings would be constructed from brick for the ground floor and then clad with weatherboards for the first floor. The dwellings would have a black skillion roof each. The driveway would be along the northern side, along a small creek. The application provides for nine carparking spaces. The application is discretionary for window orientation and in relation to the watercourse protection provisions. The proposal is shown in Figure 1.

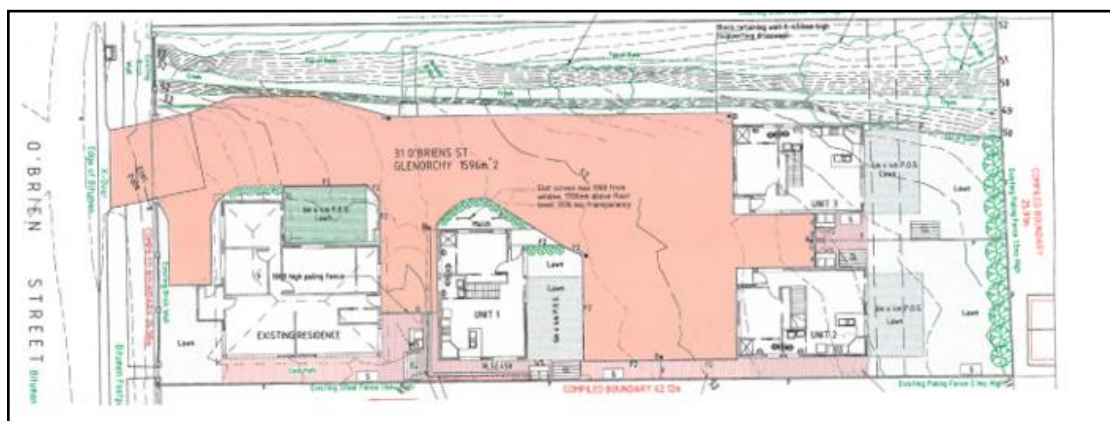


Figure 1: Proposal - BDA Building Designers

**SITE and LOCALITY**

The subject property is located on the eastern side of O'Brien Street, towards the northern end of the street. A portion of the property, along the north-western boundary, is occupied by Littlejohn Creek. The property is rectangular, has an area of 1596m<sup>2</sup> and is near level, except for the creek corridor. The land is occupied by a single dwelling and three outbuildings. The property adjoins three other residential lots. The neighbouring properties to the northwest and to the rear contain single dwellings, whilst the adjoining property to the southeast contains four dwellings. The site is shown in Figure 2.



Figure 2: Subject Site - Council Database 2019

**ZONE**

The subject land is situated within the General Residential Zone in red, which also applies to the surrounding land as shown in Figure 3 below.

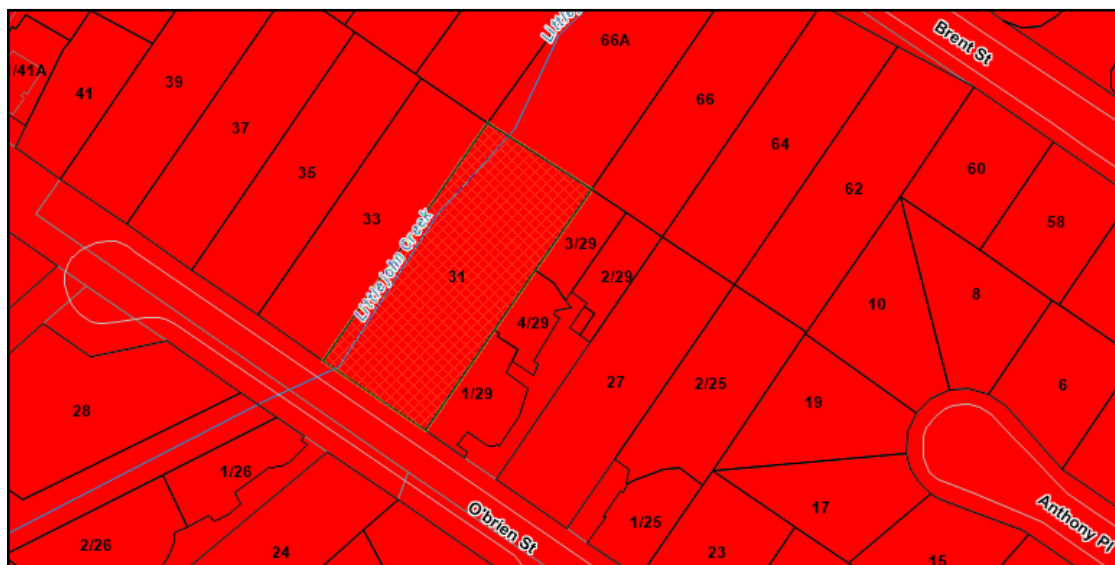


Figure 3: Zoning Map - GIPS 2015

## BACKGROUND

## Application

The following supporting information was submitted:

- Traffic Impact Statement by Midson Traffic PTY. LTD. dated September 2019
- Stormwater, Inundation and WCPC Report by JSA Consulting Engineers dated 12/09/19

## Permits

There is no background information relevant to this 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 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
- E15.0 Inundation Prone Areas
- E11.0 Waterway and Coastal Protection Code

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

Multiple Dwellings:

The application proposes three additional dwellings on a site with an existing dwelling, which fits under the use class Residential (Multiple Dwellings) as defined in Table 8.2 as follows:

##### Residential

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

##### Other relevant definitions (Clause 4.1):

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

##### *Multiple Dwelling*

*means 2 or more dwellings on a site*

##### *Dwelling*

*Means a building, or part of a building, used as a self-contained residence and which includes food preparation facilities, a bath or shower, laundry facilities, a toilet and sink, and any outbuilding and works normally forming part of a dwelling.*

### **Discretionary Use or Development**

The application is discretionary under Clause 8.8 as follows:

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

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

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

- 10.4.4 P1 Sunlight and overshadowing of all dwellings
- E11.7.1 P1 Buildings and Works (WCPC)

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

The application includes demolition of three sheds and various hard surface areas, a shown on the submitted demolition plan.

The following special provisions of the Scheme apply to demolition:

#### **9.4 Demolition**

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

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

#### **Comment**

The proposed demolition is considered acceptable. The sheds are not heritage listed. The Waterway and Coastal Protection Code applies, but any impacts from erosion and debris will be managed appropriately (see later section in this report). The proposal would not be contrary to the objectives of the General Residential Zone as it would allow for a new residential development to be constructed.

### **Part D: Zones**

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

### **Zone Purpose Statements**

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

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

### **Comment**

The proposal accords with the above purpose as it is for residential development utilising serviced land.

### **Use Table**

The use class Residential (Multiple Dwellings) is 'permitted' within the General Residential Zone in 10.2 Use Table.

### **Use Standards**

The standards in Clause 10.3 Use Standards specifically relate to non-residential use, visitor accommodation and local shop and are therefore not applicable to this proposal.

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

The application accords with all relevant Acceptable Solutions as demonstrated in the attached appendix, except as follows:

#### ***10.4.4 A1 Sunlight and overshadowing of all dwellings***

The proposal does not accord with the Acceptable Solution in 10.4.4 A1 with respect to window orientation. Therefore, the proposal relies on the related Performance Criteria as follows:

#### ***10.4.4 P1 Sunlight and overshadowing of all dwellings***

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

### **Comment**

The proposed dwellings have open plan living areas with the main window orientated 40° east or west of north, instead of 30° required by the Acceptable Solution. The window orientation is a result of the lot orientation. All of the dwellings have windows on two sides of the building for the living areas. Overall, it is considered that the dwellings are designed to receive sunlight to the living areas.

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

### E6.0 Access and Parking Code

The proposal accords with the relevant Acceptable Solutions as demonstrated in the attached Appendix. In particular, the proposal provides for nine carparking spaces. There would be two spaces for each dwelling and one visitor space, which complies. For further comments 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.

### E15.0 Inundation Prone Areas

The land is identified as a Flood Property at Risk on Council's mapping system as shown in Figure 4.

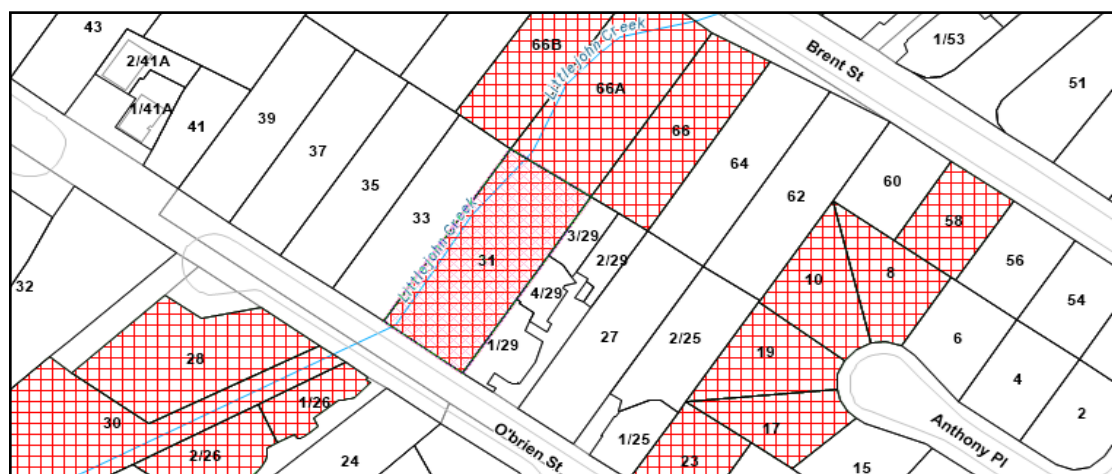


Figure 4: Flood Property at Risk - Council Database 2019

Therefore, the Inundation Prone Areas Code applies. The proposal accords with all relevant Acceptable Solutions as demonstrated in the attached appendix.

### E11.0 Waterway and Coastal Protection Code

The property is covered by the Waterway and Coastal Protection Area as shown in Figure 5.

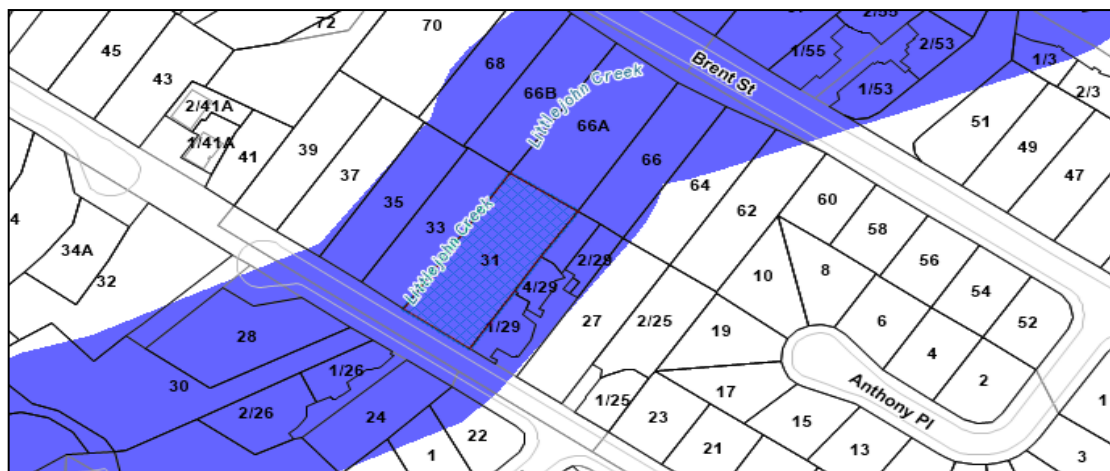


Figure 5: Waterway and Coastal Protection Area - GIPS 2015

### **E11.7.1 A1 Buildings and Works**

The proposal cannot accord with the Acceptable Solution in E11.7.1 A1 because there is no building area on the title plan. Therefore, the proposal relies on the related Performance Criteria as follows:

#### *E11.7.1 P1 Buildings and Works*

*Building and works within a Waterway and Coastal Protection Area must satisfy all of the following:*

- (a) *avoid or mitigate impact on natural values;*
- (b) *mitigate and manage adverse erosion, sedimentation and runoff impacts on natural values;*
- (c) *avoid or mitigate impacts on riparian or littoral vegetation;*
- (d) *maintain natural streambank and streambed condition, (where it exists);*
- (e) *maintain in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;*
- (f) *avoid significantly impeding natural flow and drainage;*
- (g) *maintain fish passage (where applicable);*
- (h) *avoid landfilling of wetlands;*
- (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.*

#### *Comment*

Little John Creek runs along the northwest boundary of the property and is covered by the Waterway and Coastal Protection Area. The watercourse discharges into Elwick Bay, approximately 1.7km to the northwest of the property. The application is supported by an Engineering Assessment, that explains that the 1.7km section of the creek is heavily developed, with large sections of the creek underground. The existing channel within the boundaries of the subject property is well defined and heavily

modified. There is existing development to the edge of the channel. The proposed works are outside the channel and do not alter the existing flow path. Therefore, natural values would not be affected. Erosion and runoff from construction activity will be avoided with appropriate soil and water management. There, will be no machinery within the channel. The Development Engineer recommends a condition for appropriate soil and water management. Overall, it is considered that the proposal satisfies the Performance Criteria above.

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

## **PART F: Specific Area Plans**

No Specific Area Plan applies.

## **INTERNAL REFERRALS**

### **Development Engineer**

#### ***Comments***

The development application seeks an approval for multiple dwellings (four dwellings in total with three additional).

#### ***Representation***

During the advertised period, one representation was received that raised concerns about traffic, on-street parking, the number of dwellings and potential increase of rubbish to the creek.

#### ***Response:***

O'Brien Street is a local no through road with traffic count less than 6,000 vehicles per day. The development application proposes to increase up to 27 vpd as per TIA. This complies with the acceptable solution. Therefore, it is not expected the local traffic condition is significantly affected.

The developer also proposes the passing bay at the access point, this also allows for better line of sight. This also complies with the requirement for the sight distance at access.

With regards to the rubbish into the creek, during the construction period the developer would be required to install control measures for sediment and erosion for the construction site. A condition to this effect is recommended.

### **E5.0 Road and Railway Assets Code**

The site is proposed to be accessed via an existing vehicle crossing, no new access is proposed. The existing access is to be upgraded and widened to 5.5m to provide for a passing bay. The increased traffic is expected to be 27 vehicles per day (9 vpd per each new dwelling). Therefore, the development is not expected to increase vehicle movements, to and from the site, over 40 vehicle movements. This complies with the Acceptable solution A3 of E5.5.1. Clause A2 of the E5.6.2 states that no more than one providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to speed limit of 60km/h or less. The development application proposes to use the existing access; hence complies with the acceptable solution. The sight distance at the accesses for frontage road speed of 50 km/h comply

with the acceptable solution A1 under clause E5.6.4. Therefore, the development is considered satisfy and comply with Code E5 Road and Railway Assets Code.

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

The site can be accessed off the existing vehicular access which will be widened to provide for a passing bay; and onto the driveway and parking area. No change is proposed to the parking and access arrangements for the existing dwelling. A total of nine (9) car parking spaces are proposed; that is two (2) car parking spaces per each dwelling and one (1) visitor car parking space. This complies with the acceptable solution A1 of the Code E6.6.1. The requirement for the accessible, motorcycle and bicycle parking spaces are not an applicable standard for the scope of the proposed development; therefore, are not required.

The site can be accessed off the existing vehicle crossing, and no new access is proposed. The existing access is to be widened to provide for a passing bay and turning path; this complies with A1 under clause E6.7.1. A passing bay and on-site turning area are required for the development. Plans submitted demonstrate sufficient passing area and on-site turning to the AS2890.1 standard and hence comply with the acceptable solution under the clauses. A plan showing the turning and swept path has been provided.

The layout of the parking area, surface treatment and access to the road comply with the Acceptable Solution. Therefore, the development complies with Code E6 Parking and Access Code and is considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected.

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

The development is considered to meet the requirements of the Stormwater Management Code.

There are no GCC stormwater mains affected by this application. The applicant proposes to locate the stormwater main so that the site's drainage will be connected and discharged to the proposed stormwater lot connection. Therefore, the SW arrangement complies with the acceptable solution, A1. The development is also considered to comply with the acceptable solution in A2. Consulting engineers JSA propose that the stormwater system incorporates water sensitive urban design principles in accordance with the Water Sensitive Urban Design Engineering Procedures. The development application also satisfies the acceptable solution A3 in that the design can accommodate a storm with an ARI of 20 years and stormwater detention is proposed to accommodate the increased of the runoff. The development is not over an overland flow path as the flow path falls towards the creek. This satisfies the acceptable solution A4 under the clause E7.7.1.

#### ***Other***

##### ***E3.0 Landslide Code***

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

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

The site is subject to the Waterway and Coastal Protection overlay, but the development does not involve any new stormwater point discharge into the watercourse, as it relies on the existing one. Therefore, the proposal complies with E11.7.2 A3.

#### *E15.0 Inundation Prone Areas Code*

The site is subjected to the inundation prone area. The plans submitted demonstrate the 1% AEP storm event flood level and the finishing floor level at 300mm above the flood level. Therefore, the development complies with the acceptable solution, A1, please refer to the figure below, which shows the AEP flood levels and Unit habitable FFLs.



The development is also referred to Council's senior Civil Engineer who provided comments and recommended conditions in the Hydraulics Referral documents.

### **Hydraulics**

The property is adjacent to Little John Creek and is subject to inundation during heavy rainfall events, as demonstrated by hydraulic modelling completed as part of the Glenorchy CBD Stormwater System Management Plan (2018).

The applicant was requested to provide additional details to demonstrate compliance with E7.7.1 Stormwater Drainage and Disposal and E15.7.4 Riverine Inundation Hazard Areas. The submitted response addressing these issues are discussed further below.

#### **E7.7.1 Stormwater Drainage and Disposal**

A1/P1 - Stormwater from new and impervious surfaces is disposed of by gravity to Little John Creek, therefore Acceptable Solution A1 is met.

A2/P2 - New car parking is provided for nine cars; therefore the development must incorporate WSUD principles for the treatment of stormwater. The submitted response notes that rainwater tanks will be provided for each unit providing detention and reuse for garden areas. First flush devices are installed on downpipes to divert initial runoff from the roof. SPEL StormSack's are to be installed in the stormwater pits collecting runoff from the hardstand areas. Although the treatment devices are detailed, it is not

demonstrated that Table E7.1 Acceptable Stormwater Quality and Quantity Targets, have been met.

A3 – 1000L detention is provided for each unit, however no calculations have been provided demonstrating that stormwater runoff will be no greater than the pre-existing runoff.

A4 – Overland flow from the property falls towards Little John Creek, therefore A4 has been met.

#### ***E15.7.4 Riverine Inundation Hazard Areas***

A1/P1 – The floor levels of the new habitable buildings have been shown as 300mm above the 1% AEP storm event as shown in the Glenorchy CBD Stormwater System Management Plan. Therefore, A1 is met.

#### ***Recommendations***

Based on the above information, from a hydraulics perspective, there is no objections to the proposed development subject conditions for on-site stormwater detention, finished floor levels, water sensitive urban design elements and stormwater outfall design.

#### **Waste Management Officer**

Waste Services to the proposed multiple dwellings would be Council's standard bin service collected fortnightly.

- The Council's Standard Bin Service includes one (1) x 140L wheelie bin for Waste and one (1) x 240L wheelie bin for recycling to each of the dwelling, collected fortnightly.
- Please note that this property would have a total of eight (8) bins, four (4) Waste bins and recycling (4) Recycling Bins.
- This property has an existing kerbside/nature strip area for placement of the bins therefore the dwellings would have their own individual bins.
- All bins are to be placed on the kerbside for collection.
- Council's Waste Management Contractor collection trucks will not enter the property to collect and empty the wheelie bins.

#### **EXTERNAL REFERRALS**

##### **TasWater**

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

#### **REPRESENTATIONS**

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

##### **Traffic and Parking**

The representor states that traffic in the area has been terrible as there are too many units being built in that little street. Further that, the insurance went up when moving to

this location due to the many accidents in the street caused by too much on-street parking. On-street parking has been a problem for getting in and out of the driveway at 33 O'Brien Street.

Planner's Comment:

This issue has been previously addressed by the Development Engineer. The traffic generation of the proposal is approximately twenty-seven vehicles per day, which satisfies the Acceptable Solution in E5.5.1 A3 so that there is no discretion. The proposal also provides the required number of parking spaces, which is nine spaces. Therefore, the proposal complies with the Acceptable Solution in E6.6.1 A1 so that there is no discretion.

### **Density**

The representor states the property was bought because of ample open space in the area, so one does not feel closed in. Furthermore, that it was bad enough to read about an additional three dwellings being approved opposite (at 32 O'Brien Street), which will take the view away. However, having another three dwellings adjacent (at 31 O'Brien Street) is way too much for this little street.

Planner's Comment:

The proposal accords with the standard controlling density in 10.4.1 A1 Residential density for multiple dwellings, which requires a minimum area of 325m<sup>2</sup> per dwelling. The land has an area of 1596m<sup>2</sup>, which is divided into four and equals 399m<sup>2</sup>, which complies. It is noted that the dwellings also comply with the building envelope. Therefore, there is no discretion in this regard.

### **Fencing and Rubbish**

The representor states that there is rubbish being blown to the creek running between the two properties, because there is no fence along the creek at 31 O'Brien Street.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application. The creek is within private property that extends to the other side of the creek where the common boundary is between 31 and 33 O'Brien Street. There is a fence along that boundary. As such, there would be no fence erected along the other side of the creek.

### **CONCLUSION**

The proposal is for three additional dwellings at a site with an existing dwelling and within the General Residential Zone. The use of Residential (multiple dwellings) is permitted within the zone. The application is discretionary for window orientation and for the Watercourse and Coastal Protection Code. The main windows of the open plan living areas are orientated 40° to the east or west of north instead of 30° because of the orientation of the land. Nevertheless, all of the living areas would receive sunlight, which satisfies the Performance Criteria. In terms of the watercourse protection provisions, the proposal would be located outside the channel and within an already developed area so that no natural values would be affected. A condition is recommended to ensure there would be no adverse impacts on the creek through erosion and sediment control.

Council received one representation during the advertising period that raised concerns about traffic and parking; density and rubbish in the creek. The proposal complies with the standards of the Scheme in terms of traffic generation, parking and density. Fencing to prevent rubbish being blown into the creek cannot be required as part of this application.

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 Four (4) multiple dwelling (one existing and three new) at 31 O'Brien Street Glenorchy subject to the following conditions:

**Planning**

1. Use and development must be substantially in accordance with planning permit application No. PLN-19-164 and Drawing No. P2 submitted on 19/09/19 (pages 1 to 14), 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 2019/01534-GCC, dated 22/10/2019, form part of this permit.
3. Any fence within 4.5 m of the 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).
4. The private outdoor space for the existing dwelling must be screened with a fence at least 1.7m in height for privacy.
5. All landscaping must be completed to the satisfaction of Council's Senior Statutory Planner and prior to a certificate of occupancy of the dwelling to which the landscaping relates to. The landscaping for the existing dwelling must be completed at the same time as the works for the driveway and parking areas adjacent to the dwelling.

**Engineering**

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

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

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

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

7. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
8. All internal hydraulic service works required for the development 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.
9. 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. 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) Nine (9) clearly marked car parking spaces (two per dwelling) must be provided in accordance with the approved plan and kept available for these purposes at all times;
  - c) Of the proposed number of car parking spaces, one (1) visitor parking space must be provided, clearly line-marked and kept available for these purposes at all times;
  - d) All runoff from paved and driveway areas must be discharged into Council's stormwater system;
  - e) Be clearly line-marked or physically separated to each space in accordance with the approved plan;
  - f) Landscaping of parking and circulation areas must be provided and must be no less than 5 percent of the area of the car park;
  - g) The gradient of any parking areas must not exceed 5%; and
  - h) Minimum carriageway width is to be no less than 3.0 metres.

To comply with the above requirements, the developer must submit engineering drawings demonstrating compliance with the requirements to the satisfaction of Council's Development Engineer prior to the issuing of the Building Permit. All works required by this condition must be installed prior to the occupancy of any additional dwelling.

10. Prior to the commencement of the use or development, a new stormwater connection to Council's public stormwater system onto the property boundary must be installed in accordance with the approved plans.

*Advice:* The stormwater connection(s) must be constructed by a suitably qualified person to the satisfaction of Council. To ensure the connection(s) is constructed to Council's satisfaction, the applicant must contact Council, by completing the Stormwater Connection Request Form, to arrange the visual inspection by Council for any alterations or works to Council's public stormwater network. A copy of the Stormwater Connection Request Form can be obtained via Council's Customer Service or via Council's website:

<https://www.gcc.tas.gov.au/planning-and-development/plumbing/plumbing-forms.aspx>, which outlines the process and conditions for stormwater connections.

11. Widening to the existing vehicle crossing for the new unit development at the access point must be constructed in accordance with the Tasmanian standard drawing TSD-R09-v1, TSD-R11-v1 and TSD-R14-v1 between the kerb and the property boundary and completed to the satisfaction of Council's Development Engineer prior to the occupancy of any additional dwelling. The detail design must be submitted and approved prior to the issuing of a Building Permit Approval.

*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>

12. The development must incorporate the onsite detention (OSD) as part of the development. The onsite detention element and its associated components must be designed and constructed to the satisfaction of the Council's Senior Civil Engineer and completed prior to a Certificate of Occupancy being issued for any of the dwellings. OSD modelling results must be provided along with the detailed engineering design, to the satisfaction of Council's Senior Civil Engineer, in association with a Building Permit Application.
13. The proposed dwellings must be constructed with finished floor levels (FFLs) no less than the levels nominated below for each unit: Minimum dwelling FFLs, relative to the Australian Height Datum (m AHD), are designated as follows:
  - Unit 1 – 52.6
  - Unit 2 – 52.0
  - Unit 3 – 51.8
14. The development must incorporate the nominated Water Sensitive Urban Design (WSUD) element(s) and must achieve the acceptable stormwater quality and quantity targets stated in Table E7.1 of the Glenorchy Interim Planning Scheme 2015, for the treatment of stormwater discharging from the development, and be submitted and approved in association with a Building Permit Application.
15. WSUD modelling results must be provided along with the detailed engineering designs, to the satisfaction of Council's Senior Civil Engineer, in association with a Building Permit Application. The WSUD elements must be installed and completed prior to a Certificate of Occupancy being issued for any of the dwellings.

16. In association with a Building Permit Application, a WSUD and OSD Maintenance Scheme must be submitted for approval, to the satisfaction of Council's Senior Civil Engineer, defining the maintenance method and frequency for each WSUD or OSD element incorporated in the development. The Owner and all successors in title must ensure ongoing compliance with the approved WSUD and OSD Maintenance Scheme for the duration of the approved use. Council must first approve any changes to the approved WSUD and OSD Maintenance Scheme.
17. Detailed engineering design drawings must be submitted for approval, to the satisfaction of the Council's Senior Civil Engineer, demonstrating the proposed outfall design to Little John Creek and erosion protection measures.

***Advice to Applicant:***

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

***Other Permits***

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

***Other Services***

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

***Road Opening Permit***

Prior to the commencement of any work within the road reservation by a private contractor, the contractor must obtain a road opening permit from the Council's Facilities Co-ordinator. This permit shall include items such as hours of work, road safety, reinstatement, soil and water management, etc. The Road Opening Permit Application Form is available via Council's website <https://www.gcc.tas.gov.au/your-council/council-works/digging-and-construction.aspx>

***Waste Management***

Waste Services will be Council's standard bin service collected fortnightly:

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

- Please note that this property would have a total of eight (8) bins, four (4) Waste bins and recycling (4) Recycling 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.

**APPENDIX****10.0 General Residential Zone**

| Standard                                                              | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Proposed                                     | Complies? |
|-----------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|-----------|
| <b>10.4 Development Standards for Residential Buildings and Works</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                              |           |
| <b>10.4.1</b><br>Residential density for multiple dwellings           | <b>A1</b><br>Multiple dwellings must have a site area per dwelling of not less than:<br>(a) 325m <sup>2</sup> ; or<br>(b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Land 1596m <sup>2</sup> /4=399m <sup>2</sup> | Yes       |
| <b>10.4.2</b><br>Setbacks and building envelopes for all dwellings    | <b>A1</b><br>Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is:<br>(a) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or<br>(b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or<br>(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<br>(d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road. | Front setback existing 4.5m                  | NA        |

|                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                               |     |
|----------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
|                                                                                        | <p><b>A2</b><br/>A garage or carport must have a setback from a primary frontage of at least:</p> <ul style="list-style-type: none"> <li>(a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or</li> <li>(b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or</li> <li>(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.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | None proposed                                                                                                                                                                                                                                 | NA  |
|                                                                                        | <p><b>A3</b><br/>A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must:</p> <ul style="list-style-type: none"> <li>(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: <ul style="list-style-type: none"> <li>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and</li> <li>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and</li> </ul> </li> <li>(b) only have a setback within 1.5 m of a side boundary if the dwelling: <ul style="list-style-type: none"> <li>(i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or</li> <li>(ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).</li> </ul> </li> </ul> | All dwellings are within the building envelope as demonstrated on the elevation plans. The existing front setback is 4.5m and the rear setback is 10.192m.                                                                                    | Yes |
| <p><b>10.4.3</b><br/><b>Site coverage and private open space for all dwellings</b></p> | <p><b>A1</b><br/>Dwellings must have:</p> <ul style="list-style-type: none"> <li>(a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <ul style="list-style-type: none"> <li>a) Site coverage (Building foot print 304.53m<sup>2</sup>) = 19%</li> <li>b) Total POS ranges between 69.70m<sup>2</sup> and 128.25m<sup>2</sup></li> <li>c) Fee of impervious surfaces 49%</li> </ul> | Yes |

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |     |
|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
|  | <p>(b) for multiple dwellings, a total area of private open space of not less than 60 m<sup>2</sup> associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(c) a site area of which at least 25% of the site area is free from impervious surfaces.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |     |
|  | <p><b>A2</b><br/>A dwelling must have an area of private open space that:</p> <p>(a) is in one location and is at least:</p> <p>(i) 24 m<sup>2</sup>; or</p> <p>(ii) 12 m<sup>2</sup>, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(b) has a minimum horizontal dimension of:</p> <p>(i) 4 m; or</p> <p>(ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and</p> <p>(d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and</p> <p>(e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and</p> <p>(f) has a gradient not steeper than 1 in 10; and</p> | <p>All of the dwellings would have a level minimum area of POS of 4m x 6m which complies in terms of width, area and grade. All of the dwellings would have a sliding door directly off the living areas, which complies in terms of accessibility. The POS of the existing dwelling is orientated to the northwest, whilst the POS if Units 1, 2 and 3 is orientated to the northeast, which complies. None of the POS areas are used for vehicle parking or are located at the frontage.</p> | Yes |

|                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                        |                 |
|---------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
|                                                               | (g) is not used for vehicle access or parking.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                        |                 |
| <b>10.4.4<br/>Sunlight and overshadowing of all dwellings</b> | <b>A1</b><br>A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | The living room windows of all proposed dwellings would face between 40° west of north and 40° east of north, which does not comply.                                                                                                                                   | No - Discretion |
|                                                               | <b>A2</b><br>A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c):<br><br>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B):<br><br>(i) at a distance of 3 m from the window; and<br><br>(ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.<br><br>(b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.<br><br>(c) That part, of a multiple dwelling, consisting of:<br><br>(i) an outbuilding with a building height no more than 2.4 m; or<br><br>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling. | The proposed dwellings are to the northeast of one another. Unit 2 and Unit 3 are separated by 15.104m from Unit 1. Unit 1 is separated by 3.915m from the existing dwelling and complies with clause (a). Therefore, all of the dwellings have sufficient separation. | Yes             |
|                                                               | <b>A3</b><br>A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c):<br><br>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C):                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Units 2 and 3 would be to the northeast of the POS of Unit 1 but would be separated by 10m, which complies.                                                                                                                                                            | Yes             |

|                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |               |    |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|----|
|                                                                                      | <ul style="list-style-type: none"> <li>(i) at a distance of 3 m from the northern edge of the private open space; and</li> <li>(ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.</li> </ul> <p>(b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"> <li>(i) an outbuilding with a building height no more than 2.4 m; or</li> <li>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.</li> </ul>                                                                                                                                                                                                                                                                                                |               |    |
| <b>10.4.5</b><br><b>Width of openings for garages and carports for all dwellings</b> | <p><b>A1</b></p> <p>A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | None proposed | NA |
| <b>10.4.6</b><br><b>Privacy for all dwellings</b>                                    | <p><b>A1</b></p> <p>A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:</p> <ul style="list-style-type: none"> <li>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary; and</li> <li>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4 m from the rear boundary; and</li> <li>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m: <ul style="list-style-type: none"> <li>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</li> </ul> </li> </ul> | None proposed | NA |

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |     |
|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
|  | (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |     |
|  | <p><b>A2</b><br/>A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <p>(a) The window or glazed door:</p> <ul style="list-style-type: none"> <li>(i) is to have a setback of at least 3 m from a side boundary; and</li> <li>(ii) is to have a setback of at least 4 m from a rear boundary; and</li> <li>(iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</li> <li>(iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site.</li> </ul> <p>(b) The window or glazed door:</p> <ul style="list-style-type: none"> <li>(i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or</li> <li>(ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or</li> </ul> <p>(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%.</p> | <p>Southeast boundary<br/>Unit 1 and Unit 2 are stepped in so that the ground floor is 1.5m from the southeast side boundary and the second floor 3.672m and 3.534m respectively. Therefore, the windows on the second floor would be more than 3m from the side boundary, which complies.</p> <p>Rear boundary<br/>The windows on the second floor of Unit 2 and 3 are both more than 4m from the rear boundary, which complies.</p> <p>Separation between dwellings<br/>Unit 2 is closer than 6m to the existing dwelling (3.915m), but the window of the living area on the south elevation has a sill height of 1.7m above floor area. A second window on the same elevation is of a non-habitable room.<br/>Therefore, all dwellings comply.</p> | Yes |
|  | <p><b>A3</b><br/>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least:</p> <p>(a) 2.5 m; or</p> <p>(b) 1 m if:</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <p>Driveway<br/>The driveway is in proximity to the existing dwelling and Unit 3. The existing dwelling does not have any windows on the west elevation so that no separation is required. Unit 3 has frosted windows on the south elevation which satisfies (b).</p> <p>Parking Spaces</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Yes |

|                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                 |     |
|--------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
|                                                              | <ul style="list-style-type: none"> <li>(i) it is separated by a screen of at least 1.7 m in height; or</li> <li>(ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                 | Parking spaces are adjacent to the existing dwelling, Unit 2 and Unit 3. The parking spaces for the existing dwelling and Unit 2 are not shared spaces, so that no separation is required. The parking space for Unit 3 is adjacent to Unit 2, however the adjacent window is to the hallway, which is not a habitable room, so that no separation is required. |     |
| <b>10.4.7</b><br><b>Frontage Fences for all dwellings</b>    | <p><b>A1</b><br/>A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than:</p> <ul style="list-style-type: none"> <li>(a) 1.2 m if the fence is solid; or</li> <li>(b) 1.8 m, if any part of the fence that is within 4.5 m of a primary frontage has openings above a height of 1.2 m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).</li> </ul>                                                                                                                                                                                                                                                                                                   | The plans show two types of fences, a vertical lapped paling fence at 1.8m in height and a fence with horizontal timber slats 1.8m high with 30% transparency. The site plan does not show where the fencing would be located, but its assumed that the lower fence will be the front fence. A condition is recommended to ensure compliance.                   | Yes |
| <b>10.4.8</b><br><b>Waste Storage for multiple dwellings</b> | <p><b>A1</b><br/>A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m<sup>2</sup> per dwelling and is within one of the following locations:</p> <ul style="list-style-type: none"> <li>(a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</li> <li>(b) in a communal storage area with an impervious surface that: <ul style="list-style-type: none"> <li>(i) has a setback of at least 4.5 m from a frontage; and</li> <li>(ii) is at least 5.5 m from any dwelling; and</li> <li>(iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2 m above the finished surface level of the storage area.</li> </ul> </li> </ul> | There would be individual bins for each dwelling and enough room to accommodate the bins.                                                                                                                                                                                                                                                                       | Yes |

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

| Standard                                                                      | Acceptable Solution                                                                                                                                                                                        | Proposed                                                                                                                                                                                                          | Complies?       |
|-------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| <b>E11.7 Development Standards</b>                                            |                                                                                                                                                                                                            |                                                                                                                                                                                                                   |                 |
| <b>E11.7.1<br/>Buildings and Works</b>                                        | <b>A1</b><br>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 plan.                                                                                                                                                                      | No – Discretion |
|                                                                               | <b>A2</b><br>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.                                          |                                                                                                                                                                                                                   | NA              |
|                                                                               | <b>A3</b><br>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.                                           |                                                                                                                                                                                                                   | NA              |
|                                                                               | <b>A4</b><br>Development must involve no new stormwater point discharge into a watercourse, wetland or lake.                                                                                               | All stormwater will go the public stormwater system and will be connected the existing stormwater point in the rear north corner of the property. However, the existing stormwater point discharges to the creek. | Yes             |
| <b>E11.7.2<br/>Building and Works<br/>Dependent on a Coastal<br/>Location</b> | <b>A1</b><br>An extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date. |                                                                                                                                                                                                                   | NA              |
|                                                                               | <b>A2</b><br>No Acceptable Solution for dredging and reclamation.                                                                                                                                          |                                                                                                                                                                                                                   | NA              |

| Standard | Acceptable Solution                                                                               | Proposed | Complies? |
|----------|---------------------------------------------------------------------------------------------------|----------|-----------|
|          | <b>A3</b><br>No Acceptable Solution for coastal protection works initiated by the private sector. |          | NA        |

## APPENDIX

### E15.0 Inundation Prone Areas Code

| Standard                                                      | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                       | Proposed | Complies? |
|---------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
| <b>E15.6 Use Standards</b>                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                           |          |           |
| <b>E15.6</b><br><b>Use Standards</b>                          | <b>A1</b><br>Change of use of a non-habitable building to a habitable building or a use involving habitable rooms must comply with all of the following:<br><br>(a) floor level of habitable rooms is no less than the AHD level for the Coastal Inundation Low Hazard Area in Table E15.1;<br><br>(b) floor level of habitable rooms is no less than the AHD level for the 1% AEP plus 300mm if in an area subject to riverine flooding. |          | NA        |
| <b>E15.7 Development Standards for Buildings and Works</b>    |                                                                                                                                                                                                                                                                                                                                                                                                                                           |          |           |
| <b>E15.7.1</b><br><b>Coastal Inundation High Hazard Areas</b> | <b>A1</b><br>For a habitable building, including extensions to existing habitable buildings, there is no Acceptable Solution.                                                                                                                                                                                                                                                                                                             |          | NA        |

|                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  |    |
|-----------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|----|
|                                                           | <b>A2</b><br>For a non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, there is no Acceptable Solution.                                                                                                                                                                                                                                                                                                                                                                                                                                               |  | NA |
| <b>E15.7.2<br/>Coastal Inundation Medium Hazard Areas</b> | <b>A1</b><br>For a new habitable building there is no acceptable solution.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  | NA |
|                                                           | <b>A2</b><br>Except for new rooms associated with habitable buildings other than dwellings, for which there is no acceptable solution, an extension to an existing habitable building must comply with one of the following:<br><br>(a) new habitable rooms must comply with both of the following:<br>(i) floor level no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1,<br>(ii) floor area of the extension no more than 40 m <sup>2</sup> from the date of commencement of this planning scheme;<br><br>(b) new habitable rooms must be above ground floor. |  | NA |
|                                                           | <b>A3</b><br>A non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, must have a floor area no more than 40 m <sup>2</sup> .                                                                                                                                                                                                                                                                                                                                                                                                                            |  | NA |
| <b>E15.7.3<br/>Coastal Inundation Low Hazard Areas</b>    | <b>A1</b><br>A new habitable building must comply with the following:<br><br>(a) floor level no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1.                                                                                                                                                                                                                                                                                                                                                                                                                |  | NA |
|                                                           | <b>A2</b><br>An extension to a habitable building must comply with either of the following:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  | NA |

|                                                                                                   |                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                           |     |
|---------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|-----|
|                                                                                                   | <p>(a) floor level of habitable rooms is no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1;</p> <p>(b) floor area is no more than 60 m<sup>2</sup>.</p>                                                                                                                                                     |                                                                                                                                           |     |
|                                                                                                   | <p><b>A3</b><br/>A non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, must have a floor area no more than 60 m<sup>2</sup>.</p>                                                                                                                                                                   |                                                                                                                                           | NA  |
| <b>E15.7.4<br/>Riverine Inundation Hazard Areas</b>                                               | <p><b>A1</b><br/>A new habitable building must have a floor level no lower than the 1% AEP (100 yr ARI) storm event plus 300 mm.</p>                                                                                                                                                                                                                | The plans demonstrate that the proposed dwellings would have a floor level no lower than the 1% AEP (100 yr ARI) storm event plus 300 mm. | Yes |
|                                                                                                   | <p><b>A2</b><br/>An extension to an existing habitable building must comply with one of the following:</p> <p>(a) floor level of habitable rooms is no lower than the 1% AEP (100 yr ARI) storm event plus 300 mm;</p> <p>(b) floor area of the extension no more than 60 m<sup>2</sup> as at the date of commencement of this planning scheme.</p> |                                                                                                                                           | NA  |
|                                                                                                   | <p><b>A3</b><br/>The total floor area of all non-habitable buildings, outbuildings and Class 10b buildings under the Building Code of Australia, on a site must be no more than 60 m<sup>2</sup>.</p>                                                                                                                                               | None proposed                                                                                                                             | NA  |
| <b>15.7.5<br/>Riverine, Coastal Investigation Area, Low, Medium, High Inundation Hazard Areas</b> | <p><b>A1</b><br/>For landfill, or solid walls greater than 5 m in length and 0.5 m in height, there is no acceptable solution.</p>                                                                                                                                                                                                                  | No land fill or retaining walls are proposed                                                                                              | NA  |
|                                                                                                   | <p><b>A2</b><br/>No acceptable solution for dredging and reclamation</p>                                                                                                                                                                                                                                                                            |                                                                                                                                           | NA  |

|                                                                |                                                                                                                                                                                                                                                                                                                                                                                                |              |    |
|----------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|----|
|                                                                | <b>A3</b><br>A land application area for onsite wastewater management must comply with all of the following: <ul style="list-style-type: none"> <li>(a) horizontal separation distance from high water mark or from the top of bank of a watercourse or lake must be no less than 100 m;</li> <li>(b) vertical separation distance from the water table must be no less than 1.5 m.</li> </ul> | Not proposed | NA |
| <b>E15.7.6<br/>Development Dependent on a Coastal Location</b> | <b>A1</b><br>An extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date.                                                                                                                                                                                     |              | NA |
|                                                                | <b>A2</b><br>No acceptable solution                                                                                                                                                                                                                                                                                                                                                            |              | NA |
|                                                                | <b>A3</b><br>No Acceptable Solution for coastal protection works initiated by the private sector.                                                                                                                                                                                                                                                                                              |              | NA |

**APPENDIX****E5 Road and Railway Assets Code**

| Standard                 | Acceptable Solution | Proposed | Complies? |
|--------------------------|---------------------|----------|-----------|
| <b>5.5 Use Standards</b> |                     |          |           |

| Standard                                                         | Acceptable Solution                                                                                                                                                                                                                                                                              | Proposed | Complies? |
|------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
| <b>E5.5.1</b><br><br><b>Existing road accesses and junctions</b> | <b>A1</b><br><br>The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater. |          | NA        |
|                                                                  | <b>A2</b><br><br>The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater. |          | NA        |
|                                                                  | <b>A3</b><br><br>The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.    |          | Yes       |
| <b>E5.5.2</b><br><br><b>Exiting Level Crossings</b>              | <b>A1</b><br><br>Where use has access across part of a rail network, the annual average daily traffic (AADT) at an existing level crossing must not be increased by greater than 10% or 10 vehicle movements per day, whichever is the greater.                                                  |          | NA        |
| <b>5.6 Development Standards</b>                                 |                                                                                                                                                                                                                                                                                                  |          |           |

| Standard                                                               | Acceptable Solution                                                                                                                                                                                                                                                                                                                   | Proposed | Complies? |
|------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
| <b>E5.6.1</b><br><br><b>Development adjacent to roads and railways</b> | <b>A1.1</b><br><br>Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h:<br><br>(a) new buildings;<br>(b) other road or earth works; and<br>(c) building envelopes on new lots. |          | NA        |
|                                                                        | <b>A1.2</b><br><br>Buildings, may be:<br><br>(a) located within a row of existing buildings and setback no closer than the immediately adjacent building; or<br>(b) an extension which extends no closer than:<br>(i) the existing building; or<br>(ii) an immediately adjacent building.                                             |          | NA        |
| <b>E5.6.2</b>                                                          | <b>A1</b><br><br>No new access or junction to roads in an area subject to a speed limit of more than 60km/h                                                                                                                                                                                                                           |          | NA        |

| Standard                                                                       | Acceptable Solution                                                                                                                                                                                                                                                                                           | Proposed | Complies? |
|--------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
| Road accesses and junctions                                                    | <b>A2</b><br><br>No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.                                                                                                                    |          | Yes       |
| <b>E5.6.3</b><br><br>New Level Crossings                                       | <b>A1</b><br><br>No Acceptable Solutions.                                                                                                                                                                                                                                                                     |          | NA        |
| <b>E5.6.4</b><br><br>Sight distance at accesses, junctions and level crossings | <b>A1</b><br><br>Sight distances at:<br><br>(a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and<br>(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?        |
|---------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|------------------|
| <b>E6.6 Use Standards</b>                         |                                                                                                                                                                              |          |                  |
| <b>E6.6.1</b><br><br>Number of Car Parking Spaces | <b>A1</b><br><br>The number of on-site car parking spaces must be:<br><br>(a) no less than the number specified in Table E6.1 and no more than 10% greater than that number; |          | Yes – 9 in total |

| Standard                                                                                  | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Proposed | Complies? |
|-------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
|                                                                                           | <p>except if:</p> <p>(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;</p> <p>(ii) this provision was not used in this planning scheme.</p>                                                                                                                                                                                                                                                     |          |           |
| <p>E6.6.2</p> <p>Number of Accessible Car Parking Spaces for People with a Disability</p> | <p>A1</p> <p>Car parking spaces provided for people with a disability must:</p> <p>(a) satisfy the relevant provisions of the Building Code of Australia;</p> <p>(b) be incorporated into the overall car park design;</p> <p>(c) be located as close as practicable to the building entrance.</p>                                                                                                                                                                                                                      |          | N/A       |
| <p>E6.6.3</p> <p>Number of Motorcycle Parking Spaces</p>                                  | <p>A1</p> <p>The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.</p> |          | N/A       |
| <p>E6.6.4</p> <p>Number of Bicycle Parking Spaces</p>                                     | <p>A1</p> <p>The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.</p>                                                                                                                                                                                                                                                                                                                                                                                         |          | N/A       |

| Standard                                          | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Proposed | Complies?                                     |
|---------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------------------------------------------|
| <b>E 6.7 Development Standards</b>                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |          |                                               |
| E6.7.1<br>Number of Vehicle Accesses              | A1<br>The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |          | Yes                                           |
| E6.7.2<br>Design of Vehicular Accesses            | A1<br>Design of vehicle access points must comply with all of the following:<br><br>(a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;<br><br>(b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities. |          | Yes – widened in accordance with the LGAT TSD |
| E6.7.3<br>Vehicular Passing Areas Along an Access | A1<br>Vehicular passing areas must:<br><br>(a) be provided if any of the following applies to an access:<br>(i) it serves more than 5 car parking spaces;<br><br>(ii) is more than 30 m long;<br><br>(iii) it meets a road serving more than 6000 vehicles per day;                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |          | Yes                                           |

| Standard                                                | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                         | Proposed | Complies? |
|---------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
|                                                         | <p>(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway;</p> <p>(c) have the first passing area constructed at the kerb;</p> <p>(d) be at intervals of no more than 30 m along the access.</p>                                                                                                                                                                               |          |           |
| <p>E6.7.4</p> <p>On-Site Turning</p>                    | <p>A1</p> <p>On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following:</p> <p>(a) it serves no more than two dwelling units;</p> <p>(b) it meets a road carrying less than 6000 vehicles per day.</p>                                                                                          |          | Yes       |
| <p>E6.7.5</p> <p>Layout of Parking Areas</p>            | <p>A1</p> <p>The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same Standard.</p> |          | Yes       |
| <p>E6.7.6</p> <p>Surface Treatment of Parking Areas</p> | <p>A1</p> <p>Parking spaces and vehicle circulation roadways must be in accordance with all of the following;</p> <p>(a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway;</p> <p>(b) drained to an approved stormwater system,</p>                                                                                         |          | Yes       |

| Standard                                        | Acceptable Solution                                                                                                                                                                                                                                                                                                                                            | Proposed | Complies? |
|-------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
|                                                 | unless the road from which access is provided to the property is unsealed.                                                                                                                                                                                                                                                                                     |          |           |
| E6.7.7<br>Lighting of Parking Areas             | A1<br>Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting. |          | N/A       |
| E6.7.8<br>Landscaping of Parking Areas          | A1<br>Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.                                                                                      |          | Yes       |
| E6.7.9<br>Design of Motorcycle Parking Areas    | A1<br>The design of motorcycle parking areas must comply with all of the following:<br><br>(a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;<br>(b) be located within 30 m of the main entrance to the building.                      |          | N/A       |
| E6.7.10<br>Design of Bicycle Parking Facilities | A1<br>The design of bicycle parking facilities must comply with all the following;                                                                                                                                                                                                                                                                             |          | N/A       |

| Standard                                                   | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                         | Proposed | Complies? |
|------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
|                                                            | <p>(a) be provided in accordance with the requirements of Table E6.2;</p> <p>(b) be located within 30 m of the main entrance to the building.</p>                                                                                                                                                                                                                                                           |          |           |
|                                                            | <p>A2</p> <p>The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.</p>                                                                                                 |          |           |
| <p>E6.7.11</p> <p>Bicycle End of Trip Facilities</p>       | <p>A1</p> <p>For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.</p>                                                                                                                   |          | N/A       |
| <p>E6.7.12</p> <p>Siting of Car Parking</p>                | <p>A1</p> <p>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.</p> |          | Yes       |
| <p>E6.7.1.13</p> <p>Facilities for Commercial Vehicles</p> | <p>A1</p> <p>Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless:</p>                                                                                                                                                               | N/A      | N/A       |

| Standard                    | Acceptable Solution                                                                                                                                                                                                                          | Proposed | Complies? |
|-----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
|                             | <p>(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;</p> <p>(b) the use is not primarily dependent on outward delivery of goods from the site.</p> |          |           |
| E6.7.14<br>Access to a Road | <p>A1</p> <p>Access to a road must be in accordance with the requirements of the road authority.</p>                                                                                                                                         |          | Yes       |

## APPENDIX

### E7.0 Stormwater Management Code

| Standard                                   | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                          | Proposed | Complies? |
|--------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
| <b>E7.7 Development Standards</b>          |                                                                                                                                                                                                                                                                                                                                                                                              |          |           |
| E7.7.1<br>Stormwater Drainage and Disposal | <p>A1</p> <p>Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.</p>                                                                                                                                                                                                                                                                 |          | Yes       |
|                                            | <p>A2</p> <p>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:</p> <p>(a) the size of new impervious area is more than 600 m<sup>2</sup>;</p> <p>(b) new car parking is provided for more than 6 cars;</p> <p>(c) a subdivision is for more than 5 lots.</p> |          | Yes       |

| Standard | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Proposed | Complies? |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
|          | <p>A3</p> <p>A minor stormwater drainage system must be designed to comply with all of the following:</p> <ul style="list-style-type: none"> <li>(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;</li> <li>(b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.</li> </ul> |          | Yes       |
|          | <p>A4</p> <p>A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                              |          | Yes       |

**Attachments/Annexures**

**1** Attachments - 31 O'Brien Street Glenorchy



**10. PROPOSED USE AND DEVELOPMENT – OUTBUILDING  
ASSOCIATED WITH THE SINGLE DWELLING (RESIDENTIAL) AND  
CHANGE OF TO VISITOR ACCOMMODATION - 290 MONTROSE  
ROAD MONTROSE**

Author: Senior Statutory Planner (Vanessa Tomlin)

Qualified Person: Senior Statutory Planner (Vanessa Tomlin)

Property ID: 7765284

**REPORT SUMMARY:**

|                            |                                                                                                                                                                                                |
|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application No.:</b>    | <b>PLN-19-219</b>                                                                                                                                                                              |
| <b>Applicant:</b>          | <b>L J G Millar</b>                                                                                                                                                                            |
| <b>Owner:</b>              | <b>L J G Millar and L Yan</b>                                                                                                                                                                  |
| <b>Zone:</b>               | <b>Environmental Living</b>                                                                                                                                                                    |
| <b>Use Class</b>           | <b>Residential</b>                                                                                                                                                                             |
| <b>Application Status:</b> | <b>Discretionary</b>                                                                                                                                                                           |
| <b>Discretions:</b>        | <b>3.1(e) P1; 14.4.2 P2; 14.4.2 P4; 14.4.3 P3; 14.4.4 P1, E6.6.1 P1, and E14.7.2 P1.</b><br><br>(The proposal meets all other applicable standards as demonstrated in the attached appendices) |
| <b>Level 2 Activity?</b>   | <b>No</b>                                                                                                                                                                                      |
| <b>42 Days Expires:</b>    | <b>12 Nov 2019</b>                                                                                                                                                                             |
| <b>Representations:</b>    | <b>2</b>                                                                                                                                                                                       |
| <b>Recommendation:</b>     | <b>Approval, subject to conditions</b>                                                                                                                                                         |

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

The application proposes the construction of a residential outbuilding, a change of use of an existing building to visitor accommodation and a 2.1m high boundary fence.

The proposed outbuilding is to be 8m by 16m and is to have a maximum height of 3.64m. The proposed outbuilding is to be divided into two non-habitable sections, one section is to have two single garage roll doors, a pedestrian door and a window in the western elevation; the section is to have a sliding glass door on the northern elevation. The proposed outbuilding is to be setback 18m from the eastern side boundary and approximately 19m from the existing building and a further 27m from the existing dwelling. The existing driveway is to be extended to the proposed outbuilding.

The existing building, which is the subject of the change of use is 88.65m<sup>2</sup> and is to consist of a kitchen, dining/living area, two bedrooms, a bathroom and store. The building has glass sliding doors and three windows on the northern elevation and another door and small window on the southern elevation. A parking space is to be provided specifically for the proposed visitor accommodation.

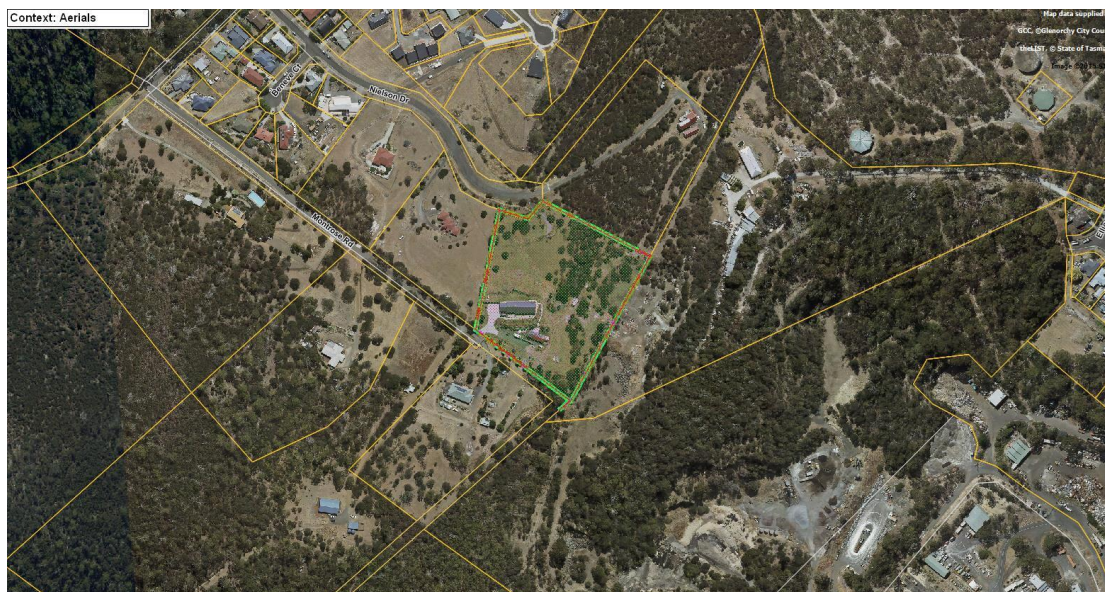
The existing dwelling, existing building and proposed outbuilding are to be connected to and serviced by public infrastructure. No known native vegetation is to be removed as part of this proposal.

The proposed boundary fence is to be a 2.1m high timber paling fence that is to extend along the southern boundary with a total length of 76.53m. Another 2.1m high timber paling fence is proposed for the western boundary fence for a total length of 26.46m. Where the proposed boundary fence is adjacent to the frontage and within 4.5m of that frontage, the boundary fence is to be 1.2m in height. The purpose of the boundary fence is to provide privacy.

The proposal relies on performance criteria to comply with Visitor Accommodation use standard 3.1(e) P1; 14.4.2 Setbacks P2 (side and rear boundary); 14.4.2 Setbacks P4; 14.4.3 Design P3; 14.4.4 Outbuildings P1, E6.6.1 Number of Car Parking Spaces P1, and E14.7.2 P1.

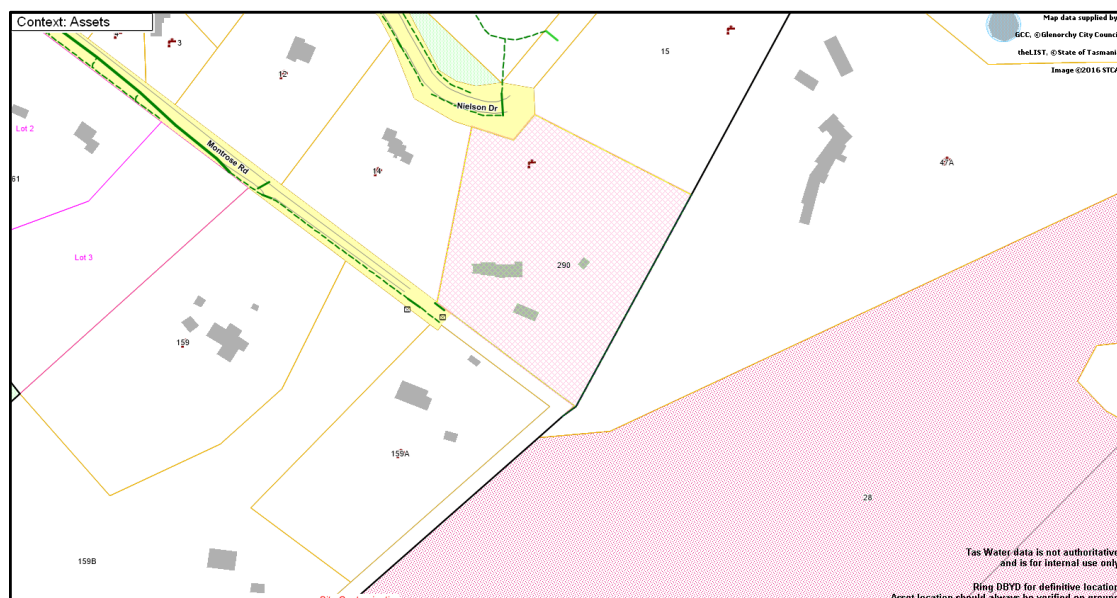
**SITE and LOCALITY**

The site is situated in proximity to the foothills of Wellington Park and the more immediate locality is characterised by bushland interspersed with cleared residential allotments. The development pattern consists of large allotments with residential development (buildings) clustered in proximity to other development, thereby reducing the overall impact on the natural and landscape values of the area (Fig. 1).



**Figure 1.** An aerial view of the site and the locality.

The site is located on the southern side of Nielson Drive and the northern side of Montrose Road, Montrose. The site has 49.28m of frontage to Nielson Drive, approximately 11m of frontage to Montrose Road and an area of 1.802ha. Remnant vegetation extends along the eastern boundary of the site, although the site is largely cleared. A single dwelling is located on the southern portion of the site with associated driveway, parking area and an outbuilding. The site is serviced by public infrastructure (Fig. 2)



**Figure 2.** Council's municipal map showing the extent of public roads (yellow) and public stormwater infrastructure (green dashed line).

The subject site is separated from the neighbouring property to the south, 159A Montrose Road, by a strip of Council owned land identified as a road casement. However, Council's municipal map shows Montrose Road terminating approximately 11m from the western side boundary of the subject site. The general public do not have permanent right of passage to the casement given the location of the boundary

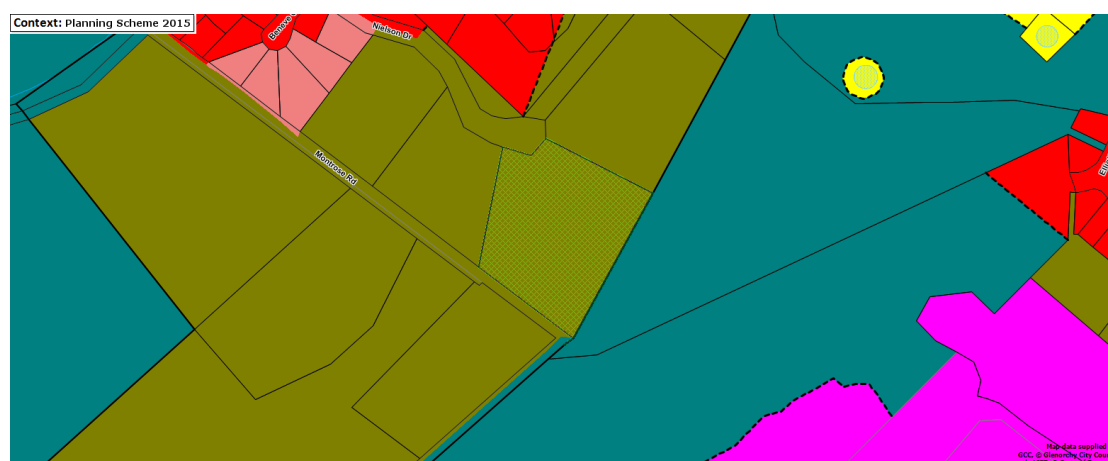
gate to 159A Montrose Road, Montrose and the unconstructed road pavement. A right of way to others also burdens the casement (Fig. 3).



**Figure 3.** A view of the end of Montrose Road, showing the green boundary gate and timber rail fence of 159A Montrose Road and the subject site access.

## ZONE

The site is located within the Environmental Living zone. The Environmental Management zone borders the site to the east and the General Residential zone and the Low-Density Residential zones are located to the north and west of the site (Fig. 4).



**Figure 4.** A view of the zoning pattern in the locality, showing the subject site zoned Environmental Living (olive), the Environmental Management zone (teal) and the Light Industrial zone (pink) to the east, the General Residential zone (red) and the Low-Density Residential zone (light coral) to the west.

## BACKGROUND

PLN-11-065 Single dwelling and associated outbuilding with variation to road alignment setback, approved 20/04/11

PLN-11-065.01 (S.56 LUPAA) Single dwelling and associated outbuilding with variation to road alignment setback, approved 27/05/13.

For this permit, the single dwelling was never constructed, but the outbuilding was (Building/Plumbing permit BP13/0017 – Garage, approved 09/08/13).

PLN-14-010 Single Dwelling (earth sheltered) and outbuildings in bushfire prone area, approved 26/02/14

Pre-application advice was given to include the outbuilding previously approved into this application, even though it was legally constructed. This was preventing the approved dwelling and the proposed dwelling from both being constructed on the site. In addition, a condition is recommended for this permit to the effect that only one dwelling can be constructed on site.

This permit was not acted on.

PLN-15-074 Single Dwelling, approved 13/05/15.

This dwelling was constructed.

PLN-16-160 Proposed single dwelling (Residential use class), relying on performance criteria, approved 16/09/16

The proposal is for the re-approval the single dwelling approved in May 2015 under the now-superseded Glenorchy Interim Planning Scheme 1992 when the land was zoned Landscape and Conservation. The owners constructed the dwelling but altered the location from that approved in the planning permit. A fresh assessment was required under the Glenorchy Interim Planning Scheme 2015 because the setback requirements had changes from the former planning scheme.

*Planning Directive No. 6 – Exemption and Standards for Visitor Accommodation in Planning Schemes*

This planning directive applies to interim planning schemes (Glenorchy Interim Planning Scheme 2015) that have been declared or made under the *Land Use Planning and Approvals Act 1993* (the Act). Accordingly, the proposed visitor accommodation is assessed under the provisions of this directive.

## 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**

A permit is not required to commence or carry out a use or development if it is exempt from requiring a permit under clause 6.0 Limited Exemption.

**6.4 Fences**

Clause 6.4.2 (a) exempts from assessment the construction or demolition of side and rear boundary fences that are not adjoining a road or public reserve or not within 4.5m of the site's primary frontage, and not more than a total height of 2.1m above natural ground level.

Clause 6.4.2 (b) exempts from assessment boundary fences adjoining a road or public reserve or within 4.5m of the site's primary frontage, that are not more than a total height of 1.2m above natural ground level.

The proposal included the construction of a 2.4m high boundary fence within 4.5m of a primary frontage to Montrose Road. Since this proposed height of the boundary fence was to be more than 2.4, irrespective of its proximity to the frontage, the proposed fence was not exempt from assessment. However, in response to concerns raised in representations, the applicant redesigned the proposed boundary fencing to be 1.2m in height where within 4.5m of the Montrose Road frontage and 2.1m in height along the side boundaries that is not within 1.2m of the frontage or adjoining a road. It is noted that the road terminates at the entrance to 159A Montrose Road, Montrose.

The redesign of the proposed boundary fencing occurred after the plans were advertised. The re-designed boundary fencing is taken to meet the above-mentioned exemption and since no discretion is sought for the fencing, the amended plans were not re-advertised, but were circulated to the representors for comment.

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

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

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

The proposal is for multiple uses, those being the existing Residential use and the proposed visitor accommodation use.

Residential is 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.

Visitor accommodation means the use of land for providing short- or medium-term accommodation, for persons away from their normal place of residence, on a commercial basis or otherwise available to the general public at no cost. Examples include a backpacker's hostel, bed and breakfast establishment, camping and caravan

park, holiday cabin, holiday unit, motel, overnight camping area, residential hotel and serviced apartment.

**Other relevant definitions (Clause 4.1):**

The terms in this planning scheme have their ordinary meaning unless they are defined in the Act or specifically defined in subclause 4.1.3 or in a code in Part E or a specific area plan in Part F.

**Amenity** means, in relation to a locality, place or building, any quality, condition or factor that makes or contributes to making the locality, place or building harmonious, pleasant or enjoyable.

**Ancillary Dwelling** means an additional dwelling:

- (a) with a floor area not greater than 60m<sup>2</sup>;
- (b) that is appurtenant to a single dwelling; and
- (c) that shares with that single dwelling access and parking, and water, sewerage, gas, electricity and telecommunications connections and meters.

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

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

**Building** means as defined in the Act. The Act defines building to include

- (a) a structure and part of a building or structure; and
- (b) fences, walls, out-buildings, service installations and other appurtenances of a building; and
- (c) a boat or a pontoon which is permanently moored or fixed to land.

**Development** means as defined in the Act. The Act defines development to include:

- (a) the construction, exterior alteration or exterior decoration of a building; and
- (b) the demolition or removal of a building or works; and
- (c) the construction or carrying out of works; and
- (d) the subdivision or consolidation of land, including buildings or airspace; and
- (e) the placing or relocation of a building or works on land; and
- (f) the construction or putting up for display of signs or hoardings –

but does not include any development of a class or description, including a class or description mentioned in paragraphs (a) to (f), prescribed by the regulations for the purposes of this definition.

**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.

**Native vegetation** means plants that are indigenous to Tasmania including trees, shrubs, herbs and grasses that have not been planted for domestic or commercial purposes.

**Primary frontage** means, where there are 2 or more frontages, the frontage with the shortest dimensions measured parallel to the road irrespective of minor deviations and corner truncations.

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

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

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

**Works** means as defined in the Act. The Act defines works to include any change to the natural or existing condition or topography of land including the removal, destruction or lopping of trees and the removal of vegetation or topsoil, but does not include forest practices, as defined in the *Forest Practices Act 1985*, carried out in State forests.

Section 208 *Local Government Act 1993* requires Council to keep up to date a map of its municipal area showing the following:

- (a) all local highways maintainable by the council;
- (b) all other highways, other than State highways, made, formed, paved or otherwise made good;
- (c) all roads that an owner is liable to maintain;
- (d) all streets that the council has resolved to construct under Part V of the Local Government (Highways) Act 1982 ;
- (e) all roads leased under section 63 (2) of the Local Government (Highways) Act 1982 ;
- (f) all lands not wholly subject to a highway;
- (g) all declared landslip areas.

**Part C: Special Provisions**

No special provisions of the Scheme apply to this proposal.

**Part D: Zones**

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

**Zone Purpose Statements**

- 14.1.1.1 To provide for residential use or development in areas where existing natural and landscape values are to be retained. This may include areas not suitable or needed for resource development or agriculture and characterised by native vegetation cover, and where services are limited, and residential amenity may be impacted on by nearby or adjacent rural activities.
- 14.1.1.2 To ensure development is reflective and responsive to the natural or landscape values of the land.
- 14.1.1.3 To provide for the management and protection of natural and landscape values, including skylines and ridgelines.
- 14.1.1.4 To protect the privacy and seclusion that residents of this zone enjoy.
- 14.1.1.5 To provide for limited community, tourism and recreational uses that do not impact on natural values or residential amenity.
- 14.1.1.6 To encourage passive recreational opportunities through the inclusion of single or multiple use trail linkages.
- 14.1.1.7 To avoid land use conflict with adjacent Rural Resource or Significant Agriculture zoned land by providing for adequate buffer areas.

The identified bushland values of the locality are taken to be retained by the siting of the proposed outbuilding in a clearing, below the skyline and ridgeline, and clustered close to other buildings on the site. This, together with the proposed use of a neutral colour palette for the relatively low scale non-habitable outbuilding is considered to preserve the privacy of residents in the locality. The proposed visitor accommodation is assessed as having limited impact on natural values and residential amenity by being located within an existing building that is to be screened from adjoining properties. The proposal is assessed as being consistent with the objectives of the zone.

**Use Table**

Residential is a permitted use within the Environmental Living zone provided it is for a single dwelling or a home-based business. The proposed outbuilding is in association to the existing Residential use.

In accordance with Planning Directive No.6, Visitor Accommodation is a permitted use within the Environmental Living zone.

The application is discretionary, because it relies on performance criteria to comply with applicable standards.

**Use Standards**

The use standards relate to non-residential uses, visitor accommodation and a local shop. These standards are not applicable to the assessment of the proposed residential outbuilding. For the assessment of the change of use to visitor accommodation, the use standard for visitor accommodation in Planning Directive No. 6 is in substitution for the visitor accommodation use standard in the zone, 14.3.2 Visitor Accommodation.

*Planning Directive No. 6 - Effect of the Planning Directive 3.1(e)*

The objective of the use standard is that Visitor Accommodation:

- (a) is compatible with the character and use of the area;
- (b) does not cause an unreasonable loss of residential amenity; and
- (c) does not impact the safety and efficiency of local roads or rights of way.

The proposal is unable to comply with acceptable solution and relies on performance criteria 3.1(e), which requires Visitor Accommodation to be compatible with the character and use of the area and not cause an unreasonable loss of residential amenity, having regard to:

- (a) the privacy of adjoining properties;
- (b) any likely increase in noise to adjoining properties;
- (c) the scale of the use and its compatibility with the surrounding character and uses within the area;
- (d) retaining the primary residential function of an area;
- (e) the impact on the safety and efficiency of the local road network; and
- (f) any impact on the owners and users rights of way.

The proposed visitor accommodation is taken to not compromise the residential function of the area because it is to occupy an existing building on the site. The residential amenity is to be maintained by the existing building being situated approximately 24m from the southern side boundary and screened from the neighbouring property to the south. In addition, a 2.1m high boundary fence is to be constructed along the southern and western boundaries, which is designed to provide added privacy to the adjoining residential lots. Furthermore, the proposed visitor accommodation is not expected to generate a noise nuisance because the caretaker/land owners will be onsite to actively monitor such behaviours.

The potential traffic generated from the proposal is considered to be low and the surrounding road next work is assessed as being capable of absorbing the anticipated low volume of traffic.

For those reasons, the proposed visitor accommodation is not expected to cause an unreasonable loss of residential amenity and is assessed as being compatible with the character of the area.

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

## Development Standards for Residential Buildings & Works

### *Planning Directive No. 6 - Effect of the Planning Directive 3.1(d) and Application of Standards and planning requirements 4.0*

For the assessment of the development associated with the proposed change of use to Visitor accommodation, all relevant zone development standards for buildings and works, and all relevant use and development standards if within an applicable zone or code must be complied with. However, if any provision or requirement in the planning scheme to which this planning directive applies is directly or indirectly inconsistent with the provisions or requirements specified in subclauses 3.1, 3.2 or 3.3 of the Directive, that provision or requirement of the planning scheme does not apply to the extent of the inconsistency.

#### *14.4.2 Setback*

The objective of this standard is to maintain desirable characteristics of the landscape, protect amenity of adjoining lots, avoid land use conflict and fettering of use on adjoining rural land and protect environmental values on adjoining land zoned Environmental Management.

#### *14.4.2 Setbacks A1 (frontage)*

The frontage is taken to be the portion of the boundary that abuts the road, as identified on the municipal map. This is approximately 11m of the southern boundary (Fig. 5).



**Figure 5.** An aerial view of the site showing the portion of the lot that abuts the road. This portion of the lot is taken to be the frontage.

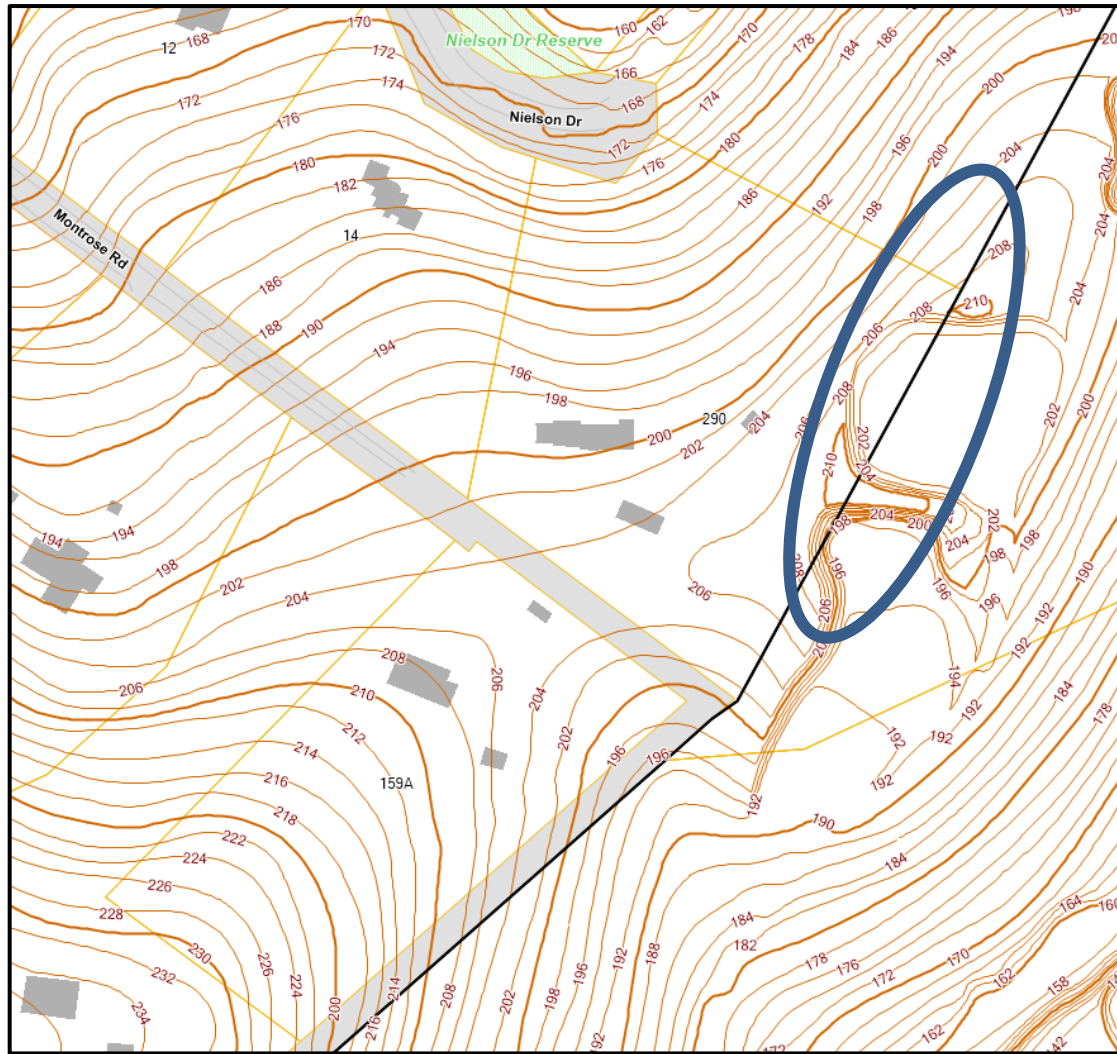
The frontage setback of the proposed visitor accommodation building is not an applicable consideration because the location of the building has been previously approved. The proposed boundary fence is taken to be exempt from assessment and the proposed outbuilding is located more than 30m from the frontage. Accordingly, the proposal complies with acceptable solution A1.

#### *14.4.2 Setbacks P2 (side and rear boundary)*

The proposed outbuilding is to be set back 18m from the eastern side boundary. As such the proposal relies on the performance criteria, which require buildings setback from side and rear boundaries to maintain the desirable characteristics of the surrounding landscape and protect the amenity of adjoining lots, having regard to all the following:

- (a) the topography of the site;
- (b) the size and shape of the site;
- (c) the location of existing buildings on the site;
- (d) the proposed colours and external materials of the building;
- (e) visual impact on skylines and prominent ridgelines;
- (f) impact on native vegetation;
- (g) be sufficient to prevent unreasonable adverse impacts on residential amenity on adjoining lots by:
  - (i) overlooking and loss of privacy;
  - (ii) visual impact, when viewed from adjoining lots, through building bulk and massing.

The proposed outbuilding is to be positioned approximately 35m west of a ridge line and is to be located below the skyline in this location that is formed by the ranges within Wellington Park (Fig. 6).



**Figure 6.** A view of the contours in the area showing the topography of the site where the nearest ridge line to the proposal, circled in blue (208-210m above mean sea level) and the skyline, progressing in height to the south.

The site, although large has limited building potential given the northern portion of the site has a gradient of approximately 1 in 3.5 and is reasonably steep. The existing buildings are clustered on the relatively flat portion of the site, in proximity to Montrose Road. This portion of the site has been previously cleared of native vegetation (bushland) and no further clearing of bushland is proposed. As such, the siting of the proposed outbuilding is assessed as maintaining the desirable bushland values of the landscape. In addition, the muted tones of the proposed outbuilding are taken to be sympathetic to the characteristics of the locality. The proposed outbuilding is not to be used as a habitable room and there are no openings proposed on the southern and eastern elevations that could cause an opportunity for overlooking of the adjoining lots. Furthermore, the proposed outbuilding is low in scale at a height of 3.64m and is compatible in bulk to other outbuildings in the locality. As a result, unreasonable adverse impacts on residential amenity by way of visual impact are taken to be mitigated.

The proposed outbuilding is assessed as meeting the performance criteria and complies with the objective of the standard.

#### *14.4.2 Setbacks P4*

The proposed building and works are to be set back 18m from the neighbouring Environmental Management zone and the proposal relies on performance criteria, which require buildings and works to be setback from land zoned Environmental Management to minimise unreasonable impact from development on environmental values, having regard to all of the following:

- (a) the size of the site;
- (b) the location of existing buildings on the site;
- (c) the potential for the spread of weeds or soil pathogens;
- (d) the potential for contamination or sedimentation from water runoff;
- (e) any alternatives for development.

The subject site is relatively large with buildings grouped in the southern portion of the site. The grouping of the buildings in one area prevents wider disturbance of the site and the adjoining land. The proposed outbuilding is to be sited such that no further clearing is required, and stormwater is to be managed through connection to storage tanks and public stormwater infrastructure.

Accordingly, the proposal is assessed as satisfying the performance criteria and complies with the objective of the standard.

#### *14.4.3 Design P3*

The combined gross floor area exceeds 300m<sup>2</sup> and the proposal relies on performance criteria to comply with the standard. The performance criteria require the combined gross floor area of buildings to satisfy all of the following:

- (a) there is no unreasonable impact on natural values;
- (b) there is no unreasonable impact on the landscape;
- (c) buildings are consistent with the domestic scale of dwellings on the site or in close visual proximity; and
- (d) be consistent with any Desired Future Character Statements provided for the area.

The proposed outbuilding is to be 8m by 16m and is to consist of a double bay garage and workshop space. The existing building for the proposed visitor accommodation is 88.65m<sup>2</sup> and the existing dwelling is 341.19m<sup>2</sup>, a relatively large dwelling on a large site. All the buildings, both existing and proposed are to be clustered on previously cleared land which mitigates any impact to the natural and landscape values of the area.

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

#### *14.4.4 Outbuildings P1*

The proposal is unable to comply with the acceptable solution because the outbuilding will be more than 80m<sup>2</sup>. The performance criteria require outbuildings (including garages and carports not incorporated within the dwelling) to be designed and located to satisfy all of the following:

- (a) be less visually prominent than the existing or proposed dwelling on the site;
- (b) be consistent with the scale of outbuildings on the site or in close visual proximity
- (c) be consistent with any Desired Future Character Statements provided for the area or, if no such statements are provided, have regard to the landscape.

The proposed outbuilding is to be clad in muted colours and is to be positioned to the east of the existing dwelling. The proposed outbuilding is lower in scale to the existing dwelling given its floor area and height and is taken to be less visually prominent than the existing dwelling. The existing building for the proposed visitor accommodation was previously approved as an outbuilding. The proposed outbuilding is assessed as being compatible in scale to that previously approved outbuilding, and less visually prominent than the existing dwelling on the site.

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

### **Part E: Codes**

The following codes of the Scheme apply to this proposal:

#### **Landslide Code**

The landslide hazard area (medium) overlays part of the site. However, the proposal meets exemption E3.4(f) because the proposal is an outbuilding.

#### **Road and Railway Assets Code**

The proposal is assessed as complying with the applicable standards of this code through the acceptable solution. Council's Transport Engineer has reviewed the local road condition and capacity and commented that under the Glenorchy Interim Planning Scheme the development meets the applicable standard of the planning scheme and because of the minimal increase in traffic, it is viewed that the proposed development will not unduly impact on Montrose Road. The concerns raised by the representations regarding Montrose Road can be dealt with outside the planning permit application process by the Road Authority of Council. The representations have been forwarded to the Road Authority to action accordingly. Further detail is provided in the Internal referral's comments section of the report

#### **Parking and Access Code**

##### *E6.6.1 Number of Car Parking Spaces P1*

The existing dwelling and proposed outbuilding are together required to provide two parking spaces, and the proposed visitor accommodation is required to provide one parking space, in accordance with Table E6.1. Considering two parking spaces are provided within the attached garage of the existing dwelling and two parking spaces are proposed within the outbuilding, the proposal provides a surplus of parking spaces. For that reason, the proposal relies on performance criteria to comply with the standard.

The objective of the standard is to ensure that:

(a) there is enough car parking to meet the reasonable needs of all users of a use or development, taking into account the level of parking available on or outside of the land and the access afforded by other modes of transport.

(b) a use or development does not detract from the amenity of users or the locality by:

(i) preventing regular parking overspill;

(ii) minimising the impact of car parking on heritage and local character.

To meet that objective the performance criteria, require the number of on-site car parking spaces to 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 proposal is able to accommodate the required parking spaces on the site, with no overspill onto the street/road or reliance on alternative transport modes. Accordingly, the parking surplus is considered to meet the performance criteria and complies with the standard.

It is noted that criteria (f) through to (m) is not applicable to the assessment.

Council's Development Engineer has reviewed the proposal and is satisfied that the proposal complies with the acceptable solutions of the remaining applicable standards.

**Stormwater Management Code**

The proposal is assessed as complying with the applicable standard of the code through the acceptable solution. Council's Development Engineer has reviewed the application and is satisfied with the stormwater management proposed.

**Biodiversity Code**

The site is overlaid with the Biodiversity Protection Area. However, in accordance with E10.2 this code applies to development involving clearance and conversion or disturbance of native vegetation within a Biodiversity Protection Area. Considering no native vegetation is to be cleared, converted or disturbed as part of this proposal, the code does not apply to the assessment of the proposal.

**Scenic Landscapes Code**

The site is identified as being within the Scenic Landscape Area and the code applies to the assessment of the application.

*E14.7.2 Appearance of Buildings and Works within Scenic Landscape Areas P1*

The proposal is unable to comply with the acceptable solution and relies on the performance criteria, which require buildings visible from public spaces to maintain scenic landscape value by satisfying one or more of the following, as necessary:

- (a) have external finishes that are non-reflective and coloured to blend with the landscape;
- (b) be designed to:
  - (i) incorporate low roof lines that follow the natural form of the land;
  - (ii) minimise visual impact in height and bulk;
  - (iii) minimise cut and fill;
- (c) be located below skylines;
- (d) be located to take advantage of any existing native vegetation or exotic vegetation for visual screening purposes.

The scenic landscape values are considered to be maintained by the proposed use of non-reflective and muted colour in the external finishes of the outbuilding; and through the low-pitched skillion roof to a maximum height of 3.64m, with the extent of any cut and fill limited to the foundations of the building.

The proposed outbuilding is to be located below the recognised skyline of the Wellington ranges and is sited near native vegetation on the eastern side of the site, which would provide some level of screening from the public spaces to the east.

For these reasons, the proposal is assessed as not causing an unreasonable change to, or have an unreasonable adverse impact on, the scenic landscape value of Scenic Landscape Area when viewed from public spaces. The proposal complies with the standard through the performance criteria.

**PART F: Specific Area Plans**

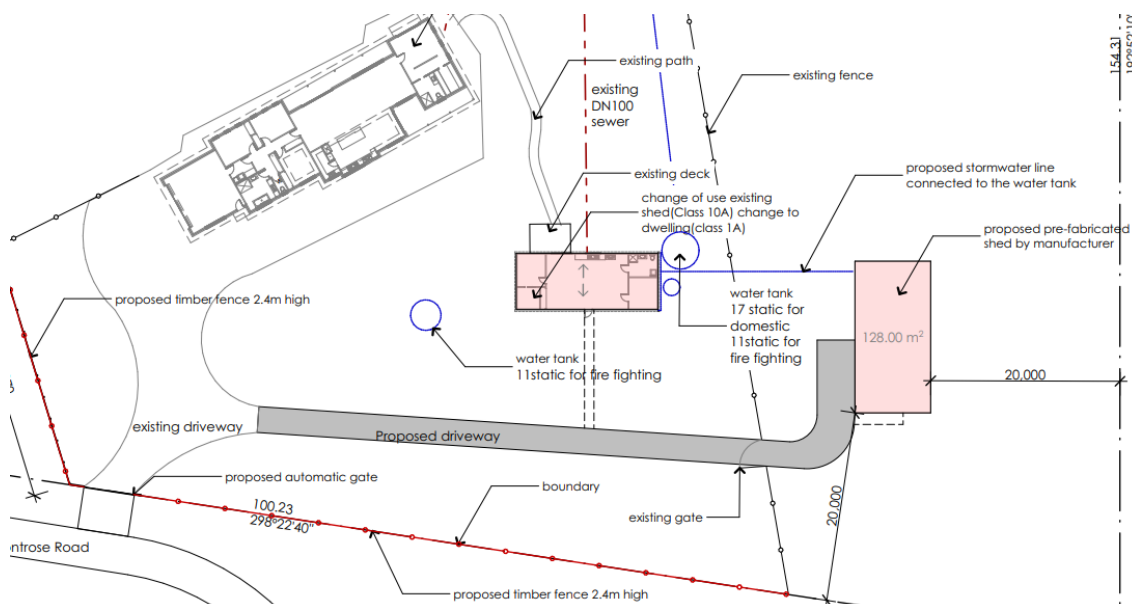
No SAP is applicable to the assessment.

## INTERNAL REFERRALS

### Development Engineer

Council's Development Engineer has made the following comments and recommended conditions of approval.

The development application seeks an approval for a new 16m by 8m storage shed and short-term visitor accommodation, see below.



### Representation:

During the advertising period the development application received one representation. The representation addressed concerns regarding traffic safety in relation to the existing Montrose Road conditions.

**DE response:** The development application is not expected to generate more than 40 vehicles per day and hence complies with the acceptable solution. With regards to the road safety the representation has been referred to Council's Traffic Engineer to seek for comments. The officer response is provided as follows:

"Under the Glenorchy Interim Planning Scheme, the development meets the acceptable solution of E5.5.1 - existing road access and junctions, as the annual average traffic has not increased by more than 40 vehicle movements per day. If the acceptable solution was not met, then the performance criteria would likely assess the concerns raised by the representations in regards the Montrose Road of its condition, width and safety for vehicles and pedestrians.

Due to the minimal increase in traffic, it is viewed that the proposed development will not unduly impact on Montrose Road and meets the requirements of the Glenorchy Interim Planning Scheme. The concerns raised by the representations regarding Montrose Road should be assessed outside the planning scheme by the Road Authority being Council's Transport Engineer. The representations will be sent to the Road Authority to action accordingly."

*E5.0 Road and Railway Assets Code*

The new use will not increase vehicle movements, to and from the site, over 40 vehicle movements and therefore complies with the Acceptable solution A3 of E5.5.1. The site can be accessed off the existing vehicle crossing, and no new access is proposed; this complies with AA1 and A2 of the E5.6.2. Therefore, the development complies with Code E5 Road and Railway Assets Code.

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

The development complies with Code E6 Parking and Access Code and is considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected.

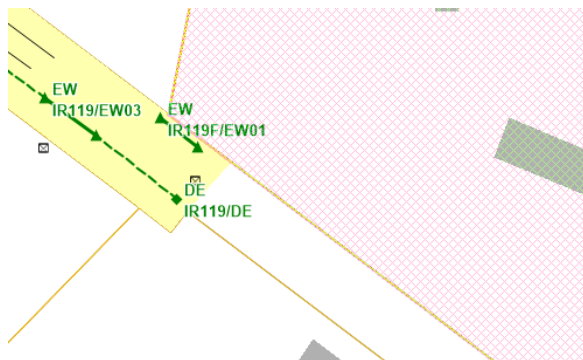
The requirement under the E6.6.1, requires the total of three (3) car parking spaces for the development application. The applicant proposes the three (3) spaces for the dwellings and visitor accommodation plus two (2) spaces in the storage shed. The number of car parking proposed is therefore over 10% of the number specified in the Table E6.1; hence the application does not comply with the acceptable solution. It is considered that the surplus is acceptable for the lot size and suits the demand of the proposed uses. The site can be accessed off the existing vehicular access onto the driveway and parking area. The existing driveway from the access to the existing dwelling is sealed surface (concrete). The driveway to the visitor accommodation is existing blue metal driveway. The blue metal driveway is proposed to extend to the storage shed. The surface treatment of parking areas considers satisfy the clause and will be conditioned in the permit.

The requirement for employee bicycle parking is 1 space of class 3 (low security level); while the application is not proposing any, there are sufficient and appropriate area to provide for class 3 bicycle parking outside or within the building; this considers adequate to satisfy the clause.

The on-site turning area can be achieved as demonstrated on the plan. The parking and access arrangement generally comply with the code and Australian standard AS2890. Therefore, the development is considered safe and efficient and that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected.

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

Council has no record that the site is serviced by a stormwater connection; however, the runoff from the shed should be able to discharge to the existing drainage system and to GCC drainage system as shown in the figure below.

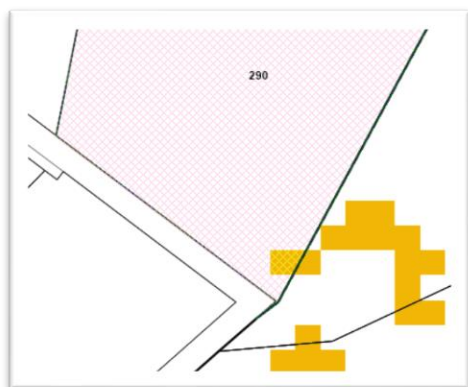


*Other*

*E3.0 Landslide Code*

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

[http://www.dpac.tas.gov.au/divisions/local\\_government/osem/mitigating\\_natural\\_hazards](http://www.dpac.tas.gov.au/divisions/local_government/osem/mitigating_natural_hazards)



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

Not applicable.

*E15.0 Inundation Prone Areas Code*

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

## EXTERNAL REFERRALS

### TasWater

TasWater is supportive of the proposal and has recommended condition to be placed on the permit if approved.

## REPRESENTATIONS

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

### 1. Road Safety

The representor states that the width of Montrose Road between 127 to 290 Montrose Road at 3m is barely sufficient for the current traffic flow and the road design is not able to cope with the predicted additional flow of traffic reasonably expected by the proposed use and development. Several accidents have occurred along this stretch of road and particularly at the junction. It is hardly indicative of the decent roads' tourists could reasonably expect when visiting Tasmania.

*Planner's Comment:*

Council's Traffic Engineer has reviewed the application and assessed the condition of the road with respect to the proposal. The increase in traffic generated by the proposal is found to meet the applicable standards of the planning scheme. However, Council's Traffic Engineer has requested that the issues be forwarded to the Road Authority of Council to action appropriately in that capacity.

**2. Non-compliance with other permits**

The representor states that is improper to authorise new development when there may be outstanding compliance matters.

*Planner's Comments*

Whether there are compliance issues or not, this has no relevance to the assessment of the proposal against the applicable standards of the planning scheme.

**3. Visitor accommodation**

The representor states that the proposed visitor accommodation contravenes the zone purpose statement; that it is not of a scale that accords with the bushland character and use of the area; and is not accommodated in an existing habitable building, which is the intent of the acceptable solution, otherwise a dog kennel; or a poultry pen could be used to flout the objective for visitor accommodation. Furthermore, the site is windy and there is concern about the suitability of the former outbuilding being structurally sound from an engineering perspective.

*Planner's Comment:*

As previously reported, the proposed change of use to visitor accommodation is to occupy an existing single storey 6m by 15m outbuilding. This building will need to be retro fitted in accordance with the Building Code requirements for accommodation prior to certification under the *Building Act 2016*. The proposed change of use is assessed as being compatible with the purpose of the zone by having limited impact on natural values and residential amenity by being located within an existing building that is to be screened from adjoining properties.

**4. Visitor Accommodation – 14.3.2 Use Standard**

The representor states that the proposed change of use fails to fulfil the performance criteria in 14.3.2 P1 in that:

- a) The existing shed glass door and window (southern elevation) overlook the adjoining lot;
- b) The glass door is presently screened but the shed window is not and was put in without Council approval;
- c) The new window directly conflicts with a condition on an existing planning permit for PLN-16-160 and was installed without consent;
- d) the visitor accommodation with two bedrooms will accommodate four persons at any time. This will adversely impact the neighbours given the proximity of the use.

*Planner's Comment:*

The visitor accommodation use standard in Planning Directive No. 6 – Exemption and Standards for Visitor Accommodation in Planning Schemes is in substitution for Clause 14.3.2. Therefore, the performance criteria of 14.3.2 is not an applicable consideration for the assessment of the application. However, the proposal is assessed as satisfying performance criteria P1 of the Directive by not causing an unreasonable loss of residential amenity, as discussed under the Use Standards section of this report.

Compliance with permit conditions of a previous permit is not a consideration for the determination of this application.

**5. Use of the proposed outbuilding**

The representor states that the outbuilding is to be used in the future for commercial purposes and this would be greater than a 'home-based business'.

*Planner's Comment:*

The application is for a residential outbuilding and it has been assessed accordingly. A condition of approval is recommended to ensure the outbuilding is used for a non-habitable residential purpose.

A home-based business is not part of this application. Should the applicant wish to operate a business from home, this would require a fresh planning permit application.

**6. Proposed Outbuilding – Clause 14.4.1 Building Height**

The representor states that the proposed outbuilding does not comply with performance criteria P1 of 14.4.1 because the proposed structure is larger than the existing outbuilding and will be more visually prominent due to its location in the ridgeline.

*Planner's comment:*

The proposed outbuilding is to have a maximum height above natural ground level of 3.64m. The acceptable solution allows for a building height of 7.5m. The proposal complies with the standard through the acceptable solution and the performance criteria of 14.4.1 is not a relevant consideration.

**7. Proposed Outbuilding – Clause 14.4.2 P1 Frontage Setback**

The representor states that the proposed outbuilding is shown in the incorrect location on the submitted plans. The proposed outbuilding does not meet performance criteria P1 of 14.4.2 having regard to the prevailing setbacks in the area which are mostly 30m from the frontages and the shape and size of the site would allow the outbuilding to be positioned such that it would comply; and the visual impact of the proposed outbuilding when viewed from the adjoining roadway would not be in keeping with the characteristics of the surrounding landscape or protect the amenity of adjoining lots.

*Planner's Comment:*

The proposed outbuilding is assessed as meeting acceptable solution A1 of 14.4.2, as discussed earlier in the report. As such, the application is not assessed against the associated performance criteria P1 of 14.4.2.

**8. Proposed Outbuilding – Clause 14.4.2 P2 Side and rear Boundary Setback**

The proposal does not meet performance criteria P2 of 14.4.2, because of the proposed outbuilding is to be located on a visually prominent ridgeline and will dominate the northerly view from the neighbouring property to the south. In addition, the openings on the western elevation of the proposed outbuilding will cause overlooking of the neighbouring site causing an adverse impact on privacy and seclusion of that site.

*Planner's Comment*

The proposal relies on performance criteria to comply with this standard. As previously reported, the application satisfies the performance criteria and complies with this standard.

It is noted that perceived impacts on views is not a matter for consideration in determining whether a proposal would comply with an applicable standard.

**9. Proposed Outbuilding – Clause 14.4.3 A1/P1 Design**

The representor states that the proposal does not comply with acceptable solution A1 of 14.4.3 and in relation to the performance criteria, the proposed outbuilding should be repositioned lower down on the site away from the ridge line.

*Planner's Comment:*

As reported in the appendix section, the proposal is assessed as satisfying the acceptable solution by not requiring the clearing of native vegetation and by not being located on the ridge line.

**10. Proposed Outbuilding – Clause 14.4.3 A3/P3 Design**

The representor states that the performance criteria cannot be met because:

- a) There is already is and will be unreasonable effect on the natural values of view lines both in respect of the shed;
- b) The landscape will be unreasonably impacted by the increased footprint of the buildings;
- c) The buildings of some 482m<sup>2</sup> are not consistent with the domestic scale of the dwellings on the site or in close proximity.

*Planner's Comments*

The assessment concludes that the proposal satisfies the performance criteria by all the buildings, both existing and proposed being clustered on previously cleared land which mitigates any impact to the natural and landscape values of the area. More detail is under the Development Standards for Residential Buildings & Works section of this report.

**11. Proposed Outbuilding – Clause 14.4.4 Outbuilding**

The representor states that the proposal does not meet the acceptable solution of this standard because the combined gross floor area is more than 80m<sup>2</sup>. As a result, no further buildings can be built on the site.

*Planner's Comment:*

The proposal relies on the performance criteria to comply with the standard. The assessment concludes that the proposal would satisfy the performance criteria and complies with the standard.

**12. Proposed timber paling boundary fence**

The representor states that the proposed boundary fence does not meet performance criteria P1 14.4.1, because the fence would have devastating effect on the residential amenity and the views from the neighbouring site to the south. The fence would dominate the northern vista further blocking scenic views of the River Derwent and environs.

The representor provided the following comments on the amended plans showing a reduced boundary fence height:

In summary, the representor states that 6.4.2 is designed for residential purposes and not for fences in the Environmental Living zone where properties have acreage; and claims that the proposed boundary fence does not meet the exemption as described in 6.4.2 (a) or (b). The representor suggests a boundary fence to a height of 1.2m would provide privacy to both properties and on that basis would withdraw their objection to the boundary fence.

*Planner's Comment:*

The amended plans showing a southern boundary fence to a height of 2.1m where not within 4.5m of the frontage and is to be 1.2m when within 4.5m of the frontage. The proposed boundary fences are taken to meet the exemption and a condition of approval is recommended to ensure ongoing compliance with this exemption.

**13. Property values**

The representor commissioned a valuation of their property post construction of the proposed development and change of use. The valuation estimates a substantial loss in property price as a result of the proposal.

*Planner's Comment:*

Property values are not a Planning consideration and are not able to be considered in determining the merit of the proposal against the planning scheme provisions.

## CONCLUSION

The proposal is relying on the performance criteria to comply with applicable standards. The proposal is assessed as satisfying the performance criteria and complies with those standards. The proposal is assessed as complying with all other use and development standards in the Environmental Living zone, as well as the applicable standards of the Road and Railway Assets code, Parking and Access code, Stormwater Management code and the Scenic Landscape code. The application was publicly advertised for the statutory 14-day period and two representations were received. The concerns raised by the representors have been considered as part of the assessment.

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

## Recommendation:

That a permit be granted for the proposed use and development of Outbuilding associated with the single dwelling (Residential) and change of use to Visitor Accommodation at 290 Montrose Road Montrose subject to the following conditions:

## Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-19-219 and Drawing No. P4 (pages 1-5 of 8) submitted on 25 October 2019, 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 2019/01360-GCC, dated 20 September 2019, form part of this permit.
3. This permit allows the 88.65m<sup>2</sup> existing building to be used for Visitor Accommodation (Serviced Apartment) for short or medium term stay for persons away from their normal place of residence.
4. This permit allows for the use of the outbuilding (128m<sup>2</sup>) as a non-habitable detached building of Class 10a of the Building Code of Australia.
5. The external finishes of the outbuilding must be in neutral tones that blend with the landscape and have a light reflectance of less than 40%.
6. The southern and western boundary fences must be 2.1m in height where not within 4.5m of the frontage. All boundary fences within 4.5m of the frontage must be no more than 1.2m in height.

## 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. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
9. 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.
10. The design and construction of the parking, driveway 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 paved finish or treated with a durable all-weather pavement in dark coloured materials and the finished gradient must not exceed the maximum gradient of 20%;
  - b) All runoff from paved and driveway areas must be discharged into Council's stormwater system;
  - c) The gradient of any parking areas must not exceed 5%; and
  - d) Minimum carriageway width is to be no less than 3.0 metres.

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

### **Advice to Applicant**

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

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

### **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.

## APPENDIX

## 14.0 Environmental Living

| Standard                              | Acceptable Solution                                                                                                                                                                                                                                                                                  | Proposed | Complies? |
|---------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
| <b>14.3 Use Standards</b>             |                                                                                                                                                                                                                                                                                                      |          |           |
| <b>14.3.1<br/>Non-Residential Use</b> | <b>A1</b><br>Hours of operation must be within:<br>(a) 8.00 am to 6.00 pm Mondays to Fridays inclusive;<br>(b) 9.00 am to 12.00 noon Saturdays;<br>(c) nil Sundays and Public Holidays;<br>except for office and administrative tasks or visitor accommodation.                                      |          | NA        |
|                                       | <b>A2</b><br>Noise emissions measured at the boundary of the site must not exceed the following:<br>(a) 55 dB(A) (LAeq) between the hours of 8.00 am to 6.00 pm;<br>(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; |          | NA        |

| Standard                                                  | Acceptable Solution                                                                                                                                                                                                                                                                                  | Proposed                                                                                                                                                  | Complies? |
|-----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
|                                                           | (c) 65dB(A) (L <sub>Amax</sub> ) at any time.                                                                                                                                                                                                                                                        |                                                                                                                                                           |           |
| <b>14.3.2<br/>Visitor Accommodation</b>                   | <b>A1</b><br>Visitor accommodation must comply with all of the following:<br>(a) is accommodated in existing buildings;<br>(b) provides for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site;<br>(c) has a floor area of no more than 160m <sup>2</sup> . | See assessment against Planning Directive No. 6 Exemption and Standards for Visitor Accommodation in Planning Schemes                                     | NA        |
| <b>14.4 Development Standards for Buildings and Works</b> |                                                                                                                                                                                                                                                                                                      |                                                                                                                                                           |           |
| <b>14.4.1<br/>Building Height</b>                         | <b>A1</b><br>Building height must not be more than:<br>7.5 m.                                                                                                                                                                                                                                        | The proposed outbuilding is to be 3.8m in height. The existing height of the building subject to the change of use is not changing from what is approved. | Yes       |
| <b>14.4.2<br/>Setbacks</b>                                | <b>A1</b><br>Building setback from frontage must be no less than:<br>30 m.                                                                                                                                                                                                                           | Proposed outbuilding is setback more than 30m from the frontage;<br>The frontage setback for the existing building is not changing from what is approved. | Yes       |
|                                                           | <b>A2</b><br>Building setback from side and rear boundaries must be no less than:                                                                                                                                                                                                                    | Proposed outbuilding setback is 18m;<br>The side and rear setback for the existing building is not changing from what is approved.                        | No        |

| Standard                       | Acceptable Solution                                                                                                                                                                                                                                                                                                                                          | Proposed                                                                                                                               | Complies? |
|--------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|-----------|
|                                | 30 m.                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                        |           |
|                                | <b>A3</b><br>Building setback for buildings for sensitive use (including residential use) must comply with all of the following:<br>(i) be sufficient to provide a separation distance from land zoned Rural Resource no less than 100 m;<br>(ii) be sufficient to provide a separation distance from land zoned Significant Agriculture no less than 200 m. | The proposal is not to be within 100m of land zoned Rural Resource and is not to be within 200m of land zoned Significant Agriculture. | Yes       |
|                                | <b>A4</b><br>Buildings and works must be setback from land zoned Environmental Management no less than 100 m.                                                                                                                                                                                                                                                | The adjoining land is zoned Environmental Management. The proposed setback is 20m.                                                     | No        |
| <b>14.4.3</b><br><b>Design</b> | <b>A1</b><br>The location of buildings and works must comply with any of the following:<br>(a) be located within a building area, if provided on the title;<br>(b) be an addition or alteration to an existing building.<br>(c) be located on a site that does not require the clearing of native vegetation and is not on a skyline or ridgeline.           | The proposed development does not require the clearing of native vegetation and is not on a skyline or ridgeline.                      | Yes       |

| Standard                             | Acceptable Solution                                                                                                                                                                                                                                                                                                                | Proposed                                                                                                                                                                                                             | Complies? |
|--------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
|                                      | <b>A2</b><br>Exterior building surfaces must be coloured using colours with a light reflectance value not greater than 40 percent.                                                                                                                                                                                                 | The external building finished are to be in neutral tones with a light reflectance of less than 40.<br><br>To ensure ongoing compliance a condition of approval is recommended to that effect.                       | Yes       |
|                                      | <b>A3</b><br>The combined gross floor area of buildings must be no more than:<br>300m <sup>2</sup> .                                                                                                                                                                                                                               | The single dwelling is 341.19m <sup>2</sup> ; the visitor accommodation is 88.65m <sup>2</sup> and the proposed outbuilding is to be 128m <sup>2</sup> . A total combined gross floor area of 557.84m <sup>2</sup> . | No        |
|                                      | <b>A4</b><br>Fill and excavation must comply with all of the following:<br><br>(a) height of fill and depth of excavation is no more than 1 m from natural ground level, except where required for building foundations;<br><br>(b) extent is limited to the area required for the construction of buildings and vehicular access. | Minimal cut and fill is proposed for the outbuilding. Any cut and fill is to be to the extent required for the building foundations and for the construction of the access.                                          | Yes       |
| <b>14.4.4</b><br><b>Outbuildings</b> | <b>A1</b><br>Outbuildings (including garages and carports not incorporated within the dwelling) must comply with all of the following:                                                                                                                                                                                             | The proposal is unable to comply with (a).                                                                                                                                                                           | No        |

| Standard | Acceptable Solution                                                                                                                                                                                                                                          | Proposed | Complies? |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
|          | (a) have a combine floor area no more than 80 m <sup>2</sup> ;<br>(b) have a wall height no more than 5.5 m and a building height not more than 6.5 m;<br>(c) have setback from frontage no less than that of the existing or proposed dwelling on the site. |          |           |

**APPENDIX****E14 Scenic Landscapes Code**

| Standard                                                                  | Acceptable Solution                                                                                                                                                                                                     | Proposed                                           | Complies? |
|---------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|-----------|
| <b>E14.7 Development Standards</b>                                        |                                                                                                                                                                                                                         |                                                    |           |
| <b>E14.7.1<br/>Removal of Bushland within<br/>Scenic Landscape Areas.</b> | <b>A1</b><br>Removal or disturbance of bushland must comply with both of the following:<br><br>(a) be on land no less than 50 m (in elevation) from a skyline;<br><br>(b) be no more than 500 m <sup>2</sup> in extent. | No removal or disturbance of bushland is proposed. | NA        |

| Standard                                                                                                     | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Proposed                                                                                                                                           | Complies? |
|--------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| <b>E14.7.2</b><br><b>Appearance of Buildings</b><br><b>and Works within Scenic</b><br><b>Landscape Areas</b> | <b>A1</b><br>Buildings must comply with one of the following: <ul style="list-style-type: none"> <li>(a) not be visible from public spaces;</li> <li>(b) be an addition or alteration to an existing building that;               <ul style="list-style-type: none"> <li>(i) increases the gross floor area by no more than 25%;</li> <li>(i) does not increase the building height;</li> <li>(ii) provides external finishes the same or similar to existing.</li> </ul> </li> </ul> | The proposed outbuilding may be visible from public spaces and is not an addition or alteration to an existing building.                           | No        |
|                                                                                                              | <b>A2</b><br>Works must not be visible from public spaces.                                                                                                                                                                                                                                                                                                                                                                                                                            | The works required for the driveway extension and cut and fill for the foundations of the proposed outbuilding are not visible from public spaces. | Yes       |

**APPENDIX****E5 Road and Railway Assets Code**

| Standard                                                     | Acceptable Solution                                                                                                                                                                                                                                                                              | Proposed | Complies? |
|--------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
| <b>5.5 Use Standards</b>                                     |                                                                                                                                                                                                                                                                                                  |          |           |
| <b>E5.5.1</b><br><b>Existing road accesses and junctions</b> | <b>A1</b><br><br>The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater. |          | NA        |
|                                                              | <b>A2</b><br><br>The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater. |          | NA        |
|                                                              | <b>A3</b><br><br>The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.    |          | Yes       |

| Standard                                                               | Acceptable Solution                                                                                                                                                                                                                                                                                                                   | Proposed | Complies? |
|------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
| <b>E5.5.2</b><br><br><b>Exiting Level Crossings</b>                    | <b>A1</b><br><br>Where use has access across part of a rail network, the annual average daily traffic (AADT) at an existing level crossing must not be increased by greater than 10% or 10 vehicle movements per day, whichever is the greater.                                                                                       |          | NA        |
| <b>5.6 Development Standards</b>                                       |                                                                                                                                                                                                                                                                                                                                       |          |           |
| <b>E5.6.1</b><br><br><b>Development adjacent to roads and railways</b> | <b>A1.1</b><br><br>Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h:<br><br>(a) new buildings;<br>(b) other road or earth works; and<br>(c) building envelopes on new lots. |          | NA        |

| Standard                                                | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                        | Proposed | Complies? |
|---------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
|                                                         | <b>A1.2</b><br>Buildings, may be: <ul style="list-style-type: none"> <li>(a) located within a row of existing buildings and setback no closer than the immediately adjacent building; or</li> <li>(b) an extension which extends no closer than:               <ul style="list-style-type: none"> <li>(i) the existing building; or</li> <li>(ii) an immediately adjacent building.</li> </ul> </li> </ul> |          | NA        |
|                                                         |                                                                                                                                                                                                                                                                                                                                                                                                            |          |           |
| <b>E5.6.2</b><br><br><b>Road accesses and junctions</b> | <b>A1</b><br>No new access or junction to roads in an area subject to a speed limit of more than 60km/h                                                                                                                                                                                                                                                                                                    |          | NA        |
|                                                         | <b>A2</b><br>No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.                                                                                                                                                                                                                     |          | Yes       |
| <b>E5.6.3</b><br><br><b>New Level Crossings</b>         | <b>A1</b><br>No Acceptable Solutions.                                                                                                                                                                                                                                                                                                                                                                      |          | NA        |

| Standard                                                                              | Acceptable Solution                                                                                                                                                                                                                                                                                                                                            | Proposed | Complies? |
|---------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
| <b>E5.6.4</b><br><br><b>Sight distance at accesses, junctions and level crossings</b> | <b>A1</b><br><br>Sight distances at: <ul style="list-style-type: none"> <li>(a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and</li> <li>(b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.</li> </ul> |          | N/A       |

## APPENDIX

### E6.0 Parking and Access Code

| Standard                                          | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                    | Proposed | Complies?                                                 |
|---------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------------------------------------------------------|
| <b>E6.6 Use Standards</b>                         |                                                                                                                                                                                                                                                                                                                                                                                        |          |                                                           |
| <b>E6.6.1</b><br><br>Number of Car Parking Spaces | <b>A1</b><br><br>The number of on-site car parking spaces must be: <ul style="list-style-type: none"> <li>(a) no less than the number specified in Table E6.1 and no more than 10% greater than that number; except if: <ul style="list-style-type: none"> <li>(i) the site is subject to a parking plan for the area adopted by Council, in which case parking</li> </ul> </li> </ul> |          | Discretion and assessed against the performance criteria. |

| Standard                                                                                  | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Proposed | Complies? |
|-------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
|                                                                                           | <p>provision (spaces or cash-in-lieu) must be in accordance with that plan;</p> <p>(ii) this provision was not used in this planning scheme.</p>                                                                                                                                                                                                                                                                                                                                                                        |          |           |
| <p>E6.6.2</p> <p>Number of Accessible Car Parking Spaces for People with a Disability</p> | <p>A1</p> <p>Car parking spaces provided for people with a disability must:</p> <ul style="list-style-type: none"> <li>(a) satisfy the relevant provisions of the Building Code of Australia;</li> <li>(b) be incorporated into the overall car park design;</li> <li>(c) be located as close as practicable to the building entrance.</li> </ul>                                                                                                                                                                       |          | N/A       |
| <p>E6.6.3</p> <p>Number of Motorcycle Parking Spaces</p>                                  | <p>A1</p> <p>The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.</p> |          | N/A       |

| Standard                                       | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Proposed | Complies? |
|------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
| E6.6.4<br><br>Number of Bicycle Parking Spaces | A1<br><br>The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |          | Yes       |
| <b>E 6.7 Development Standards</b>             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |          |           |
| E6.7.1<br><br>Number of Vehicle Accesses       | A1<br><br>The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |          | Yes       |
| E6.7.2<br><br>Design of Vehicular Accesses     | A1<br><br>Design of vehicle access points must comply with all of the following:<br><br>(a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;<br><br>(b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation |          | N/A       |

| Standard                                                 | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Proposed | Complies? |
|----------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
|                                                          | Roadways" of AS2890.2 - 2002 Parking facilities<br>Part 2: Off-street commercial vehicle facilities.                                                                                                                                                                                                                                                                                                                                                                          |          |           |
| E6.7.3<br><br>Vehicular Passing Areas<br>Along an Access | A1<br><br>Vehicular passing areas must:<br><br>(a) be provided if any of the following applies to an access:<br>(i) it serves more than 5 car parking spaces;<br>(ii) is more than 30 m long;<br>(iii) it meets a road serving more than 6000 vehicles per day;<br><br>(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway;<br><br>(c) have the first passing area constructed at the kerb;<br><br>(d) be at intervals of no more than 30 m along the access. |          | Yes       |
| E6.7.4<br><br>On-Site Turning                            | A1<br><br>On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following:<br><br>(a) it serves no more than two dwelling units;<br><br>(b) it meets a road carrying less than 6000 vehicles per day.                                                                                                                                                                                   |          | Yes       |

| Standard                                         | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                  | Proposed | Complies? |
|--------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
| E6.7.5<br><br>Layout of Parking Areas            | A1<br><br>The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 "Design of Parking Modules, Circulation Roadways and Ramps" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 "Headroom" of the same Standard. |          | Yes       |
| E6.7.6<br><br>Surface Treatment of Parking Areas | A1<br><br>Parking spaces and vehicle circulation roadways must be in accordance with all of the following;<br><br>(a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway;<br><br>(b) drained to an approved stormwater system,<br><br>unless the road from which access is provided to the property is unsealed.       |          | Yes       |
| E6.7.7<br><br>Lighting of Parking Areas          | A1<br><br>Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.                   |          | N/A       |

| Standard                                        | Acceptable Solution                                                                                                                                                                                                                                                                                                                       | Proposed | Complies? |
|-------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
| E6.7.8<br>Landscaping of Parking Areas          | A1<br>Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.                                                                 |          | N/A       |
| E6.7.9<br>Design of Motorcycle Parking Areas    | A1<br>The design of motorcycle parking areas must comply with all of the following:<br><br>(a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;<br>(b) be located within 30 m of the main entrance to the building. |          | N/A       |
| E6.7.10<br>Design of Bicycle Parking Facilities | A1<br>The design of bicycle parking facilities must comply with all the following;<br><br>(a) be provided in accordance with the requirements of Table E6.2;<br><br>(b) be located within 30 m of the main entrance to the building.                                                                                                      |          | N/A       |
|                                                 | A2                                                                                                                                                                                                                                                                                                                                        |          |           |

| Standard                                        | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                              | Proposed | Complies? |
|-------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
|                                                 | The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.                                                                                                       |          |           |
| E6.7.11<br>Bicycle End of Trip Facilities       | A1<br>For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.                                                                                                                   |          | N/A       |
| E6.7.12<br>Siting of Car Parking                | A1<br>Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre. |          | N/A       |
| E6.7.1.13<br>Facilities for Commercial Vehicles | A1<br>Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless:                                                                                                                                                               | N/A      | N/A       |

| Standard                    | Acceptable Solution                                                                                                                                                                                                                          | Proposed | Complies? |
|-----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
|                             | <p>(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;</p> <p>(b) the use is not primarily dependent on outward delivery of goods from the site.</p> |          |           |
| E6.7.14<br>Access to a Road | A1<br>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? |
|--------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
| <b>E7.7 Development Standards</b>          |                                                                                                                                                                                                                                                                            |          |           |
| E7.7.1<br>Stormwater Drainage and Disposal | A1<br>Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.                                                                                                                                                          |          | Yes       |
|                                            | <p>A2<br/>A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply:</p> <p>(a) the size of new impervious area is more than 600 m<sup>2</sup>;</p> |          | Yes       |

| Standard | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Proposed | Complies? |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
|          | (b) new car parking is provided for more than 6 cars;<br>(c) a subdivision is for more than 5 lots.                                                                                                                                                                                                                                                                                                                                                                                                                                                         |          |           |
|          | A3<br><br>A minor stormwater drainage system must be designed to comply with all of the following: <ul style="list-style-type: none"> <li>(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;</li> <li>(b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.</li> </ul> |          | Yes       |
|          | A4<br><br>A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.                                                                                                                                                                                                                                                                                                                                                                                                                                              |          | Yes       |

**Attachments/Annexures**

- 1** Attachments - 290 Montrose Road Montrose



**11. PROPOSED USE AND DEVELOPMENT - SINGLE DWELLING - 8  
MILLINGTON COURT GLENORCHY**

Author: Planning Officer (Chantelle Griffin)

Qualified Person: Planning Officer (Chantelle Griffin)

Property ID: 3591475

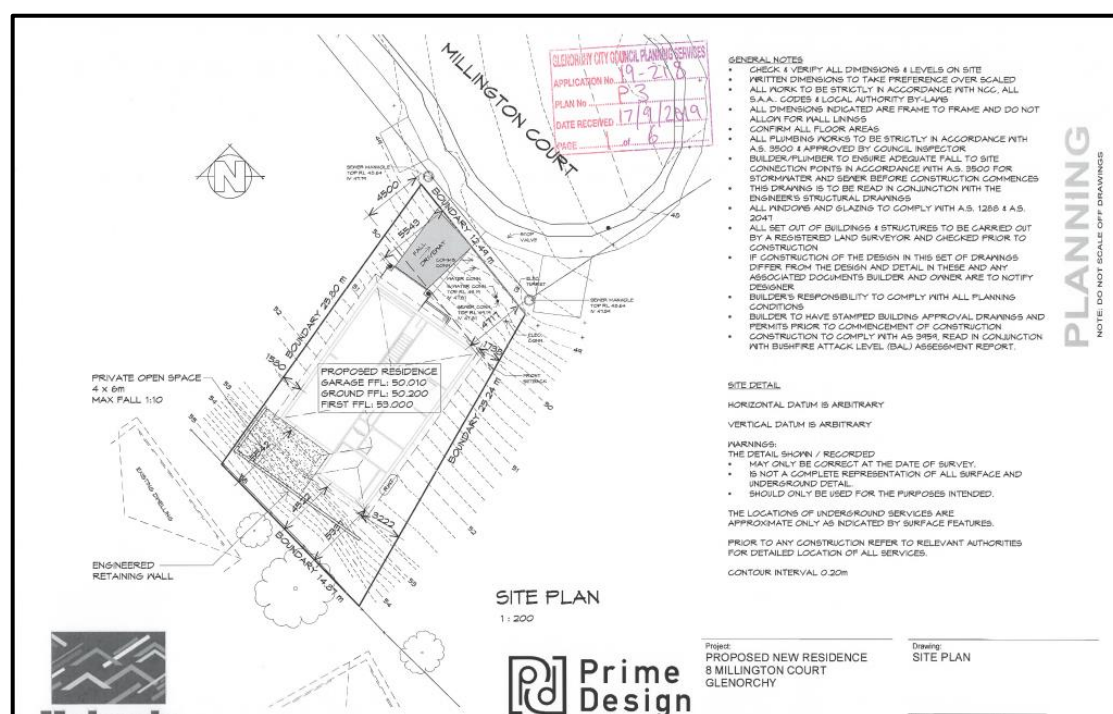
**REPORT SUMMARY:**

|                            |                                                                                                                                                                                                                                                                                                                                        |
|----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application No.:</b>    | <b>PLN-19-218</b>                                                                                                                                                                                                                                                                                                                      |
| <b>Applicant:</b>          | <b>Prime Design (New Town)</b>                                                                                                                                                                                                                                                                                                         |
| <b>Owner:</b>              | <b>S Bhattarai Upadhyay and S Upadhyay</b>                                                                                                                                                                                                                                                                                             |
| <b>Zone:</b>               | <b>General Residential</b>                                                                                                                                                                                                                                                                                                             |
| <b>Use Class</b>           | <b>Residential</b>                                                                                                                                                                                                                                                                                                                     |
| <b>Application Status:</b> | <b>Discretionary</b>                                                                                                                                                                                                                                                                                                                   |
| <b>Discretions:</b>        | <p><b>Clause 10.4.2 Setbacks and building envelope for all dwellings, Clause 10.4.4 Sunlight and overshadowing for all dwellings, Clause 10.4.6 Privacy for all dwellings and Clause E6.6.1 Number of Car Parking Spaces</b></p> <p>(The proposal meets all other applicable standards as demonstrated in the attached appendices)</p> |
| <b>Level 2 Activity?</b>   | <b>No</b>                                                                                                                                                                                                                                                                                                                              |
| <b>42 Days Expires:</b>    | <b>Extension of time until 12 Nov 2019</b>                                                                                                                                                                                                                                                                                             |
| <b>Existing Land Use:</b>  | <b>Vacant land</b>                                                                                                                                                                                                                                                                                                                     |
| <b>Representations:</b>    | <b>0</b>                                                                                                                                                                                                                                                                                                                               |
| <b>Recommendation:</b>     | <b>Approval, subject to conditions</b>                                                                                                                                                                                                                                                                                                 |

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

The proposal is for the construction of a dwelling on the site. The building will be one storey to the south-west rear and two storeys to the north-east front of the property. The dwelling will have a single garage and rumpus room on the lower level and three bedrooms with an open plan living area and amenities on the upper level.

The dwelling will be setback 4.717m from the north-east front boundary, 1.738m from the south-east side boundary, 4.522m from the south-west rear boundary, and 1.58 m from the south-east side boundary. The dwelling will have a maximum height of 5.867m and will be constructed with brick veneer, aluminium windows and Colorbond roofing (Figure 1).



**Figure 1: Site Plan for 8 Millington Court, Glenorchy.**

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 sunlight and overshadowing for all dwellings, Clause 10.4.6 for privacy for all dwellings and Clause E6.6.1 for number of car parking spaces.

**SITE and LOCALITY**

The subject site is located at the south-east end of the cul-de-sac for Millington Court, approximately 43m to the south-east Lonergan Road, Glenorchy.

The property has a frontage of 12.5m, an average depth of 25.4m, and a total area of 336m<sup>2</sup>. The site has a moderate to steep slope and falls toward the north-east, with an average gradient of 1 in 5. The land is vacant with no significant vegetation and a vehicular crossover is located near the middle of the site (Figure 2).

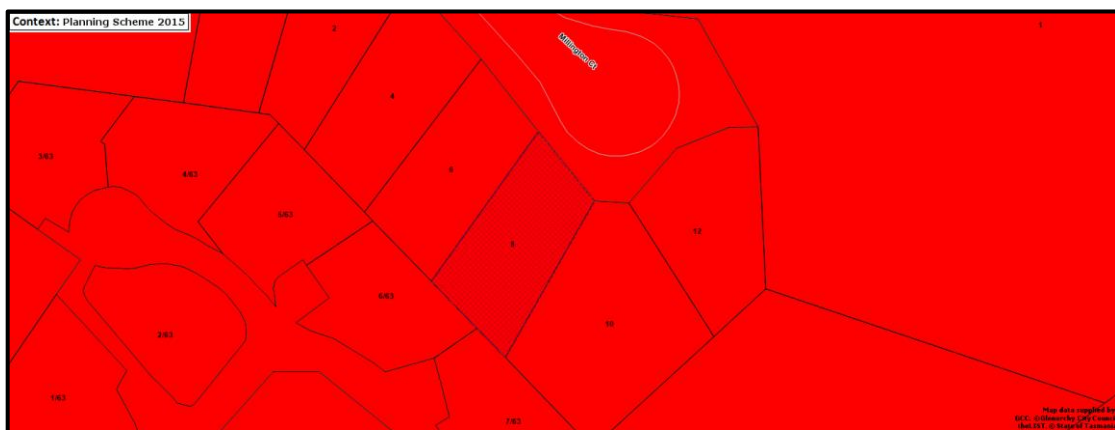
The site is located within a General Residential area with a mix of single dwellings, multiple dwellings and vacant residential land.



*Figure 2: Aerial photo of 8 Millington Court, Glenorchy.*

## 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 8 Millington Court, Glenorchy.*

## BACKGROUND

There is no background relevant to this application.

## 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 the deck addition)
- Clause 10.4.4 A1 Sunlight and overshadowing for all dwellings (window angle)
- Clause 10.4.6 A2 Privacy for all dwellings (windows on the south-east façade)
- 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. 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, 10.4.4, 10.4.6 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 A3, Setbacks and building envelope for all dwellings*

The proposed dwelling would require a minimum setback of 2.4m from the north-west side boundary and 3.1m from the south-east side boundary, to be in accordance with Clause 10.4.2 – Standard A3. The dwelling will be set back a minimum of 1.58m from the north-west side boundary and 1.738m from the south-east side boundary. The proposal is considered 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 proposed dwelling will be single storey to the rear and two storeys along the frontage with a hip roof. The building has been designed so that the rear portion of the lot is partially excavated. The topography together with the sloping roofline would reduce the area falling outside the building envelope. Therefore, the potential impact on overshadowing would be limited. The neighbouring property to the south-east is vacant. However, shadow diagrams submitted by the applicant demonstrate the lot would still receive a reasonable amount of direct sunlight. Therefore, a majority of the adjoining site will receive more than 3 hours of sunlight between 9am and 3pm on the Winter Solstice.

#### *Visual Impact and Separation*

The dwelling will be similar to the visual scale and bulk of surrounding residential development in the area. The adjoining and surrounding properties have structures located approximately 1.5m from a shared boundary, with similar separation distance to the proposed.

Therefore, it is considered that reliance on the performance criteria would be acceptable in this instance, to comply with the standard.

#### *Clause 10.4.4 – Standard A1, Sunlight and overshadowing for all dwellings*

A proposed window to a habitable room (other than a bedroom) would require an orientation between 30 degrees west of north and 30 degrees east of north, to be in accordance with Clause 10.4.4 – Standard A1. Whereas the proposed windows to a habitable room other than a bedroom are to be located at an angle of 35 degrees to the east of north. The proposal is considered to be in accordance with the performance criteria:

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

The proposed dwelling has been designed with large windows for the living area and reasonable separation from the nearby dwelling to the north-east. In addition, the windows would have access to a reasonable level of sunlight along the frontage of the site. Therefore, it is considered that reliance on the performance criteria would be acceptable in this instance, to comply with the standard.

#### *Clause 10.4.6 – Standard A1, Privacy for all dwellings*

The proposed deck facing the north-west side boundary will provide a timber screen up to 1.8m from floor level. Thereby providing '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 south-east side boundary and where the distance is less than 3m. The timber privacy screen for the deck will comply with the acceptable solution, in accordance with Clause 10.4.6 – Standard A1. A condition has been recommended to ensure ongoing compliance.

*Clause 10.4.6 – Standard A2, Privacy for all dwellings*

#### *North-west Elevation*

The proposed windows facing the north-west side boundary will comply with Clause 10.4.6 (b)(i) of the Scheme. The windows will be offset more than 1.5m from the edge of a window to a habitable room of another dwelling.

#### *South-east Elevation*

The proposal would require a setback of 3m from a habitable room, or either obscure glazing or a sill height or screening with 25% transparency up to a minimum height of 1.7m above the finished floor level, to be in accordance with Clause 10.4.6 – Standard A2. The proposed facade facing the south-east side boundary will include two windows for a habitable room, with a floor level higher than 1m above natural ground level. The window for bedroom one has a sill height of 1.5m above the finished floor level and the window for bedroom two has a sill height of 0.9m. The proposal is considered in accordance with the performance criteria:

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

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

#### *North-east side window for the bedroom one*

The bedroom window for the proposed dwelling has a sill height of 1.5m from the finished floor level. While the main window will be located on the north-east façade along the frontage. The sill height would be designed at a similar level to the acceptable solution this would minimise the potential for direct overlooking from the secondary window facing south-east. Hence, the proposal is unlikely to cause unreasonable detrimental on privacy of the adjoining property.

#### *North-east side window for the bedroom two*

The bedroom window has a sill height of 0.9m from the finished floor level of the proposed dwelling. The room has been designed so that the only window for the room faces the adjoining property to the north-east. This has potential for direct overlooking of the property and a condition has been recommended for screening up to 1.7m from the finished floor level to achieve a reasonable level of privacy to the adjoining vacant lot.

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:

**E5.0 Road and Railway Assets Code**

The proposal is not exempt under Clause E5.4. However, the proposal complies with the acceptable solutions of the standards in Section E5.0.

**E6.0 Parking and Access Code***Clause E6.6.1 – Standard A1, Number of Car Parking Spaces*

The proposal would require a total of two car parking spaces in accordance with Clause E6.6.1 – standard A1. Whereas, the proposal provides one car parking space for a single dwelling. 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 proposal has been designed with a vehicular access that would be sufficient length to accommodate a second parking space. However, the gradient of the access does not comply with the Australian Standard for a parking space. The property is located within a new subdivision and will have sufficient frontage to accommodate an additional parking on the street. The existing distances between accesses range between 3.5m and 18m. 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, and complies with the standard.

#### **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:

##### **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 application meets the acceptable solution of clause E5.5.1 Existing road accesses A3.*

*Adequate sight for the access is available to satisfy the acceptable solution of clause E5.6.4 Sight distance at accesses.*

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

*This code applies to all use and development.*

*One car parking space is proposed instead of the two required by 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 dwelling. The one carparking space is proposed to be accommodated within a garage and although the deficient car parking space can be accommodated in a jockey arrangement in the driveway between the garage and the front property boundary, the proposed grades do not comply with standards for required for a compliant car parking space. This section of Millington Street is approximately a 50m long section of cul-de-sac. Adequate on-street parking is available to accommodate the proposed carparking deficiency within the cul-de-sac and Lonergan Road. In addition, with the proposed development being within 400 meters to public transport (bus route) it is considered*

*the deficient car parking space will not create any adverse traffic or parking issues and is considered to satisfy the performance criteria of clause E6.6.1 Number of Car Parking Spaces.*

*There are no traffic or parking issues associated with this application.*

**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 Councils 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.*

*The applicant has not addressed A3 and A4 of this code and this is proposed to be a condition of the planning permit to satisfy the acceptable solution.*

*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.*

**EXTERNAL REFERRALS**

**TasWater**

The application was referred to TasWater which 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 with no representations being 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, sunlight and overshadowing for all dwellings, privacy 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 Road and Railway Assets Code, 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 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 8 Millington Court Glenorchy subject to the following conditions:

**Planning**

1. Use and development must be substantially in accordance with planning permit application No. PLN-19-218 and Drawing No. P3 submitted on 17 September 2019, except as otherwise required by this permit.
2. Privacy screen/wall to a minimum height of 1.7 m from finished floor level must be constructed along the north-west elevation of the deck. The privacy screen/wall must be constructed and finished with solid or translucent materials with uniform transparency of no more than 25%, to prevent direct overlooking of the adjacent lot. The privacy screen must remain in-situ, for the duration of the use.
3. Privacy screen/wall to a height of 1.7 m from finished floor level must be constructed on the north-east elevation for the window of bedroom two. The privacy screen/wall must be constructed and finished with solid or translucent materials (with uniform transparency of no more than 25%), to prevent direct overlooking of the adjacent lot. The privacy screen must remain in-situ, for the duration of the use.

Advice: The privacy screen may consist of obscure glass in the window.

**Engineering**

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

7. The minor stormwater drainage system must be designed to accommodate a storm with an ARI of 20 years and the major stormwater drainage system must accommodate a storm with an ARI of 100 years. 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.
8. All internal hydraulic service works required for the development shall be at the Developer’s expense and must comply with the requirements of Council’s Plumbing Surveyor.

### **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.

**APPENDIX 1****10.0 General Residential Zone**

| Standard                                                                  | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Proposed           | Complies? |
|---------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-----------|
| <b>10.4 Development Standards for Residential Buildings and Works</b>     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                    |           |
| <b>10.4.1</b><br><b>Residential density for multiple dwellings</b>        | <b>A1</b><br>Multiple dwellings must have a site area per dwelling of not less than:<br>(a) 325m <sup>2</sup> ; or<br>(b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Not applicable.    | N/A       |
| <b>10.4.2</b><br><b>Setbacks and building envelopes for all dwellings</b> | <b>A1</b><br>Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is:<br>(a) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or<br>(b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or<br>(c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or | Complies with (a). | Yes       |

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                          |                                          |
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|  | less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or<br>(d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                          |                                          |
|  | <b>A2</b><br>A garage or carport must have a setback from a primary frontage of at least:<br>(a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or<br>(b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or<br>(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.                                                                                                                                                                                                                                                                                                                                                              | Complies with (a).                                                                                                                                                                                                                                       | Yes                                      |
|  | <b>A3</b><br>A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must:<br>(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:<br>(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<br>(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 | The dwelling will have minimum setbacks of 1.58m from the north-west side boundary and 1.738m from the south-east side boundary. Compliance will require setbacks of 2.4m and 3.1m respectively. Therefore, the proposal relies on performance criteria. | No<br>Refer to discussion in the report. |

|                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                      |     |
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|                                                                                | <ul style="list-style-type: none"> <li>(b) only have a setback within 1.5 m of a side boundary if the dwelling: <ul style="list-style-type: none"> <li>(i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or</li> <li>(ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).</li> </ul> </li> </ul>                                                                                                                                                                                                                                                                                 |                                                      |     |
| <b>10.4.3</b><br><b>Site coverage and private open space for all dwellings</b> | <b>A1</b><br>Dwellings must have: <ul style="list-style-type: none"> <li>(a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and</li> <li>(b) for multiple dwellings, a total area of private open space of not less than 60 m<sup>2</sup> associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</li> <li>(c) a site area of which at least 25% of the site area is free from impervious surfaces.</li> </ul>                                                                                                                                | Complies with (a) and (c).                           | Yes |
|                                                                                | <b>A2</b><br>A dwelling must have an area of private open space that: <ul style="list-style-type: none"> <li>(a) is in one location and is at least: <ul style="list-style-type: none"> <li>(i) 24 m<sup>2</sup>; or</li> <li>(ii) 12 m<sup>2</sup>, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</li> </ul> </li> <li>(b) has a minimum horizontal dimension of: <ul style="list-style-type: none"> <li>(i) 4 m; or</li> <li>(ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m</li> </ul> </li> </ul> | Complies with (a)(i), (b)(i), (c), (d), (f) and (g). | Yes |

|                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                  |                                       |
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|                                                                         | <p>above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and</p> <p>(d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and</p> <p>(e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and</p> <p>(f) has a gradient not steeper than 1 in 10; and</p> <p>(g) is not used for vehicle access or parking.</p> |                                                                                                                                                                                                                                                                                                                                                                  |                                       |
| <b>10.4.4</b><br><br><b>Sunlight and overshadowing of all dwellings</b> | <b>A1</b><br><br>A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | The proposed windows to a habitable room other than a bedroom will be located at an angle of 35 degrees to the east of north.<br><br>Compliance will require the window to a habitable room (other than a bedroom) to have an orientation between 30 degrees west of north and 30 degrees east of north. Therefore, the proposal relies on performance criteria. | No Refer to discussion in the report. |
|                                                                         | <b>A2</b><br><br>A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c):<br><br>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B):<br><br>(i) at a distance of 3 m from the window; and                                                                                                                                                                                                                                                                           | Not applicable.                                                                                                                                                                                                                                                                                                                                                  | N/A                                   |

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                 |     |
|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----|
|  | <ul style="list-style-type: none"> <li>(ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.</li> <li>(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.</li> <li>(c) That part, of a multiple dwelling, consisting of: <ul style="list-style-type: none"> <li>(i) an outbuilding with a building height no more than 2.4 m; or</li> <li>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.</li> </ul> </li> </ul>                                                                                                                                                                                                                                                                                                                                                                    |                 |     |
|  | <p><b>A3</b></p> <p>A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c):</p> <ul style="list-style-type: none"> <li>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C): <ul style="list-style-type: none"> <li>(i) at a distance of 3 m from the northern edge of the private open space; and</li> <li>(ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.</li> </ul> </li> <li>(b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.</li> <li>(c) That part, of a multiple dwelling, consisting of: <ul style="list-style-type: none"> <li>(i) an outbuilding with a building height no more than 2.4 m; or</li> </ul> </li> </ul> | Not applicable. | N/A |

|                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                        |     |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
|                                                                                      | (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                        |     |
| <b>10.4.5</b><br><b>Width of openings for garages and carports for all dwellings</b> | <b>A1</b><br>A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Complies.                                                                                                                                              | Yes |
| <b>10.4.6</b><br><b>Privacy for all dwellings</b>                                    | <b>A1</b><br>A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:<br><br>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary; and<br><br>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4 m from the rear boundary; and<br><br>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m:<br><br>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or<br><br>(ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site. | Complies with (a). A condition has been recommended.                                                                                                   | Yes |
|                                                                                      | <b>A2</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | The proposal would not provide obscure glass, screening or a sill height up to 1.7m for the bedroom windows along the south-east elevation. Compliance | No  |

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                         |                                           |
|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|
|  | <p>A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <p>(a) The window or glazed door:</p> <ul style="list-style-type: none"> <li>(i) is to have a setback of at least 3 m from a side boundary; and</li> <li>(ii) is to have a setback of at least 4 m from a rear boundary; and</li> <li>(iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</li> <li>(iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site.</li> </ul> <p>(b) The window or glazed door:</p> <ul style="list-style-type: none"> <li>(i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or</li> <li>(ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or</li> </ul> <p>(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%.</p> | <p>would require a permanently fixed screen or sill to a height of at least 1.7m above the finished floor level or a fixed obscure glazing screen extending to a height of at least 1.7m above floor level. Therefore, the proposal relies on performance criteria.</p> | <p>Refer to discussion in the report.</p> |
|  | <p><b>A3</b></p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least:</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p>Not applicable.</p>                                                                                                                                                                                                                                                  | <p>N/A</p>                                |

|                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                 |     |
|-------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----|
|                                                                         | <p>(a) 2.5 m; or</p> <p>(b) 1 m if:</p> <ul style="list-style-type: none"> <li>(i) it is separated by a screen of at least 1.7 m in height; or</li> <li>(ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.</li> </ul>                                                                                                                                                                                                               |                 |     |
| <p><b>10.4.7</b></p> <p><b>Frontage Fences for all dwellings</b></p>    | <p><b>A1</b></p> <p>A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than:</p> <ul style="list-style-type: none"> <li>(a) 1.2 m if the fence is solid; or</li> <li>(b) 1.8 m, if any part of the fence that is within 4.5 m of a primary frontage has openings above a height of 1.2 m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).</li> </ul>                                                                                                                                       | Not applicable. | N/A |
| <p><b>10.4.8</b></p> <p><b>Waste Storage for multiple dwellings</b></p> | <p><b>A1</b></p> <p>A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m<sup>2</sup> per dwelling and is within one of the following locations:</p> <ul style="list-style-type: none"> <li>(a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</li> <li>(b) in a communal storage area with an impervious surface that: <ul style="list-style-type: none"> <li>(i) has a setback of at least 4.5 m from a frontage; and</li> <li>(ii) is at least 5.5 m from any dwelling; and</li> </ul> </li> </ul> | Not applicable. | N/A |

|  |                                                                                                                                                    |  |  |
|--|----------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
|  | (iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2 m above the finished surface level of the storage area. |  |  |
|--|----------------------------------------------------------------------------------------------------------------------------------------------------|--|--|

## APPENDIX 2

### E5 Road and Railway Assets Code

| Standard                                                         | Acceptable Solution                                                                                                                                                                                                                                                                              | Proposed        | Complies? |
|------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------|
| <b>5.5 Use Standards</b>                                         |                                                                                                                                                                                                                                                                                                  |                 |           |
| <b>E5.5.1</b><br><br><b>Existing road accesses and junctions</b> | <b>A1</b><br><br>The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater. | Not applicable. | NA        |
|                                                                  | <b>A2</b><br><br>The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater. | Not applicable. | NA        |
|                                                                  | <b>A3</b><br><br>The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.    | Not applicable. | Yes       |

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

| Standard                                                                          | Acceptable Solution                                                                                                                                                                                                                                                                                   | Proposed           | Complies? |
|-----------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-----------|
| <b>E5.6.2</b><br><b>Road accesses and junctions</b>                               | <b>A1</b><br>No new access or junction to roads in an area subject to a speed limit of more than 60km/h                                                                                                                                                                                               | Not applicable.    | NA        |
|                                                                                   | <b>A2</b><br>No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.                                                                                                                | Not applicable.    | NA        |
| <b>E5.6.3</b><br><b>New Level Crossings</b>                                       | <b>A1</b><br>No Acceptable Solutions.                                                                                                                                                                                                                                                                 | Not applicable.    | NA        |
| <b>E5.6.4</b><br><b>Sight distance at accesses, junctions and level crossings</b> | <b>A1</b><br>Sight distances at:<br>(a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and<br>(b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia. | Complies with (a). | Yes       |

**APPENDIX 3****E6.0 Parking and Access Code**

| Standard                                                                                     | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                          | Proposed                                                                                                                                                                          | Complies?                                    |
|----------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|
| <b>E6.6 Use Standards</b>                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                   |                                              |
| <b>E6.6.1</b><br><b>Number of Car Parking Spaces</b>                                         | <b>A1</b><br>The number of on-site car parking spaces must be:<br>(a) no less than the number specified in Table E6.1 and no more than 10% greater than that number;<br>except if:<br>(i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;<br>(ii) this provision was not used in this planning scheme. | The proposal 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<br><br>Refer to discussion in the report. |
| <b>E6.6.2</b><br><b>Number of Accessible Car Parking Spaces for People with a Disability</b> | <b>A1</b><br>Car parking spaces provided for people with a disability must:<br>(a) satisfy the relevant provisions of the Building Code of Australia;<br>(b) be incorporated into the overall car park design;<br>(c) be located as close as practicable to the building entrance.                                                                                                                                           | Not applicable.                                                                                                                                                                   | N/A                                          |
| <b>E6.6.3</b>                                                                                | <b>A1</b><br>The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces                                                                                                                                                                                                                                                                                             | Not applicable.                                                                                                                                                                   | N/A                                          |

| Standard                                           | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Proposed        | Complies? |
|----------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------|
| <b>Number of Motorcycle Parking Spaces</b>         | 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.                                                                                                                                                                                                          |                 |           |
| <b>E6.6.4<br/>Number of Bicycle Parking Spaces</b> | <b>A1</b><br>The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Not applicable. | N/A       |
| <b>E 6.7 Development Standards</b>                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                 |           |
| <b>E6.7.1<br/>Number of Vehicle Accesses</b>       | <b>A1</b><br>The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.                                                                                                                                                                                                                                                                                                                                                                                                          | Complies.       | Yes       |
| <b>E6.7.2<br/>Design of Vehicular Accesses</b>     | <b>A1</b><br>Design of vehicle access points must comply with all of the following:<br><br>(a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;<br><br>(b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all | Not applicable. | N/A       |

| Standard                                                        | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Proposed        | Complies? |
|-----------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------|
|                                                                 | access driveway provisions in section 3 "Access Driveways and Circulation Roadways" of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.                                                                                                                                                                                                                                                                                                                                                                                                                   |                 |           |
| <b>E6.7.3</b><br><b>Vehicular Passing Areas Along an Access</b> | <b>A1</b><br>Vehicular passing areas must: <ul style="list-style-type: none"> <li>(a) be provided if any of the following applies to an access: <ul style="list-style-type: none"> <li>(i) it serves more than 5 car parking spaces;</li> <li>(ii) is more than 30 m long;</li> <li>(iii) it meets a road serving more than 6000 vehicles per day;</li> </ul> </li> <li>(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway;</li> <li>(c) have the first passing area constructed at the kerb;</li> <li>(d) be at intervals of no more than 30 m along the access.</li> </ul> | Not applicable. | N/A       |
| <b>E6.7.4</b><br><b>On-Site Turning</b>                         | <b>A1</b><br>On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following: <ul style="list-style-type: none"> <li>(a) it serves no more than two dwelling units;</li> <li>(b) it meets a road carrying less than 6000 vehicles per day.</li> </ul>                                                                                                                                                                                                                                                   | Not applicable. | N/A       |
| <b>E6.7.5</b><br><b>Layout of Parking Areas</b>                 | <b>A1</b><br>The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 "Design of Parking Modules, Circulation                                                                                                                                                                                                                                                                                                                                                                                                | Complies.       | Yes       |

| Standard                                                   | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                               | Proposed                                                     | Complies? |
|------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|-----------|
|                                                            | 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.                                                                                                                                                                                          |                                                              |           |
| <b>E6.7.6</b><br><b>Surface Treatment of Parking Areas</b> | <b>A1</b><br>Parking spaces and vehicle circulation roadways must be in accordance with all of the following;<br><br>(a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway;<br><br>(b) drained to an approved stormwater system,<br><br>unless the road from which access is provided to the property is unsealed. | Complies with (a) and (b). A condition has been recommended. | Yes       |
| <b>E6.7.7</b><br><b>Lighting of Parking Areas</b>          | <b>A1</b><br>Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.             | Not applicable.                                              | N/A       |
| <b>E6.7.8</b><br><b>Landscaping of Parking Areas</b>       | <b>A1</b><br>Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.                                                                                                  | Not applicable.                                              | N/A       |
| <b>E6.7.9</b>                                              | <b>A1</b>                                                                                                                                                                                                                                                                                                                                                                         | Not applicable.                                              | N/A       |

| Standard                                                | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                         | Proposed        | Complies? |
|---------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------|
| <b>Design of Motorcycle Parking Areas</b>               | <p>The design of motorcycle parking areas must comply with all of the following:</p> <ul style="list-style-type: none"> <li>(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;</li> <li>(b) be located within 30 m of the main entrance to the building.</li> </ul> |                 |           |
| <b>E6.7.10<br/>Design of Bicycle Parking Facilities</b> | <p><b>A1</b></p> <p>The design of bicycle parking facilities must comply with all the following;</p> <ul style="list-style-type: none"> <li>(a) be provided in accordance with the requirements of Table E6.2;</li> <li>(b) be located within 30 m of the main entrance to the building.</li> </ul>                                                                                         | Not applicable. | N/A       |
|                                                         | <p><b>A2</b></p> <p>The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.</p>                                                                          | Not applicable. | N/A       |
| <b>E6.7.11<br/>Bicycle End of Trip Facilities</b>       | <p><b>A1</b></p> <p>For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.</p>                                                                                            | Not applicable. | N/A       |

| Standard                                                      | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Proposed        | Complies? |
|---------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------|
| <b>E6.7.12</b><br><b>Siting of Car Parking</b>                | <b>A1</b><br>Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.                                                                                | Not applicable. | N/A       |
| <b>E6.7.1.13</b><br><b>Facilities for Commercial Vehicles</b> | <b>A1</b><br>Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless:<br><br>(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;<br><br>(b) the use is not primarily dependent on outward delivery of goods from the site. | Not applicable. | N/A       |
| <b>E6.7.14</b><br><b>Access to a Road</b>                     | <b>A1</b><br>Access to a road must be in accordance with the requirements of the road authority.                                                                                                                                                                                                                                                                                                                                                                                       | Complies.       | Yes       |

**APPENDIX 4****E7.0 Stormwater Management Code**

| Standard                                           | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                            | Proposed                                                     | Complies? |
|----------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|-----------|
| <b>E7.7 Development Standards</b>                  |                                                                                                                                                                                                                                                                                                                                                                                |                                                              |           |
| <b>E7.7.1<br/>Stormwater Drainage and Disposal</b> | <b>A1</b><br>Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.                                                                                                                                                                                                                                                       | Complies. A condition has been recommended.                  | Yes       |
|                                                    | <b>A2</b><br>A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply:<br>(a) the size of new impervious area is more than 600 m <sup>2</sup> ;<br>(b) new car parking is provided for more than 6 cars;<br>(c) a subdivision is for more than 5 lots. | Not applicable.                                              | N/A       |
|                                                    | <b>A3</b><br>A minor stormwater drainage system must be designed to comply with all of the following:<br>(a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed;                                             | Complies with (a) and (b). A condition has been recommended. | Yes       |

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

**Attachments/Annexures**

- 1 Attachments - 8 Millington Court Glenorchy



## **CLOSED TO MEMBERS OF THE PUBLIC**

|                          |
|--------------------------|
| <b>12. APPEAL REPORT</b> |
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*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) (In relation to subregulation 15(3) only, matters relating to legal (or possible future legal) action taken (or may be taken) by or involving the Council).*