

GLENORCHY PLANNING AUTHORITY

AGENDA

MONDAY, 14 MAY 2018



GLENORCHY CITY COUNCIL

QUALIFIED PERSON CERTIFICATION

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



Tony McMullen
General Manager

9 May 2018

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

Chairperson: Alderman K. Johnston

Hour: 5.00 p.m.

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

2. APOLOGIES/LEAVE OF ABSENCE

3. PECUNIARY INTERESTS

4. CONFIRMATION OF MINUTES

That the minutes of the Glenorchy Planning Authority Meeting held on 16 April 2018 be confirmed.

**5. PROPOSED USE AND DEVELOPMENT - SINGLE DWELLING -
44 MCGILL RISE, CLAREMONT**

Author: Planning Officer (Chantelle Griffin)

Qualified Person: Planning Officer (Chantelle Griffin)

Property ID: 3495483

REPORT SUMMARY:

<i>Application No.:</i>	PLN-17-125
<i>Applicant:</i>	Aviation Consolidated Holdings Pty Ltd
<i>Owner:</i>	Aviation Consolidated Holdings Pty Ltd
<i>Zone:</i>	General Residential
<i>Use Class</i>	Residential
<i>Application Status:</i>	Discretionary
<i>Discretions:</i>	Clause 10.4.2 Setbacks and building envelope for all dwellings, Clause 10.4.3 Site coverage and private open space and Clause E6.6.1 Number of car parking spaces (The proposal meets all other applicable standards as demonstrated in the attached appendices)
<i>Level 2 Activity?</i>	No
<i>42 Days Expires:</i>	15 May 2018
<i>Existing Land Use:</i>	Vacant land
<i>Proposal In Brief:</i>	Single Dwelling
<i>Representations:</i>	1
<i>Recommendation:</i>	Approval, subject to conditions

REPORT IN DETAIL:

PROPOSAL

The proposal is for the construction of a single dwelling on the site. The proposed dwelling will be single storey with an open plan living area, three bedrooms, amenities and a garage.

The dwelling will be located in the middle of the site and will be set back 58.9m from the western front boundary for the internal access, 1.5m from the north-west side boundary, 3.126m from the south-west side boundary, and 4.45m from the north-east rear boundary. The building will have a maximum height of 7.4m. The dwelling will be constructed of timber frame with selected cladding, with aluminium windows and Colorbond roofing (figure 1).

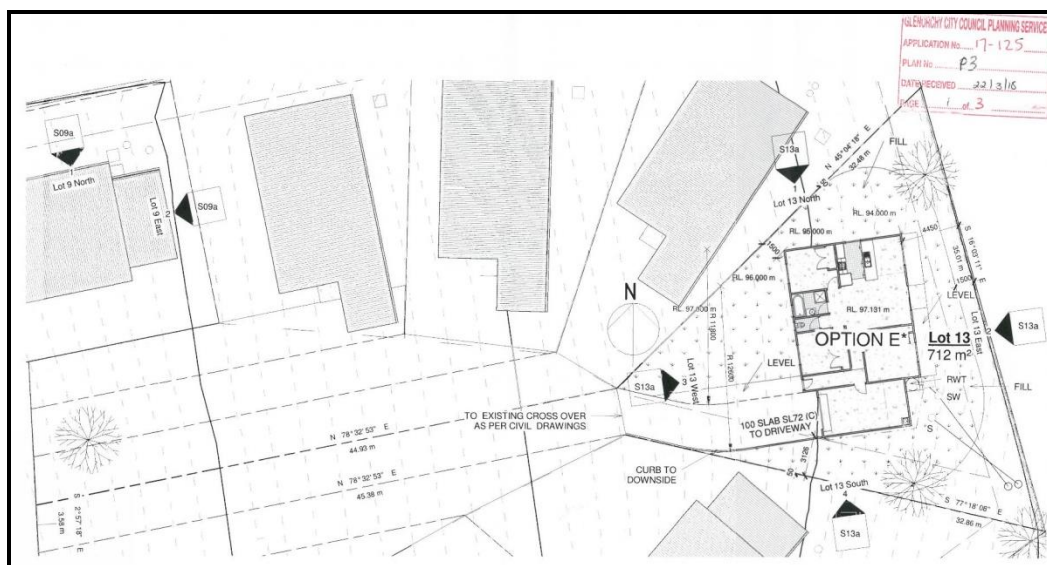


Figure 1: Site Plan for 44 McGill Rise, Claremont.

The proposal will rely on performance criteria for Clause 10.4.2 for setbacks and building envelope for all dwellings, Clause 10.4.3 for site coverage and private open space and Clause 6.6.1 for number of car parking spaces.

SITE and LOCALITY

The subject site is located at the eastern end of McGill Rise, approximately 237m from the intersection with Abbotsfield Road, Claremont. The property has a frontage of 3.64m, an average depth of 18m, and a total area of 715m².

The site has a steep slope and falls toward the east with a slope of 1 in 4.25. The land is vacant and there is no significant vegetation. Vehicular access will be via a sealed shared driveway with an internal cul-de-sac.

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

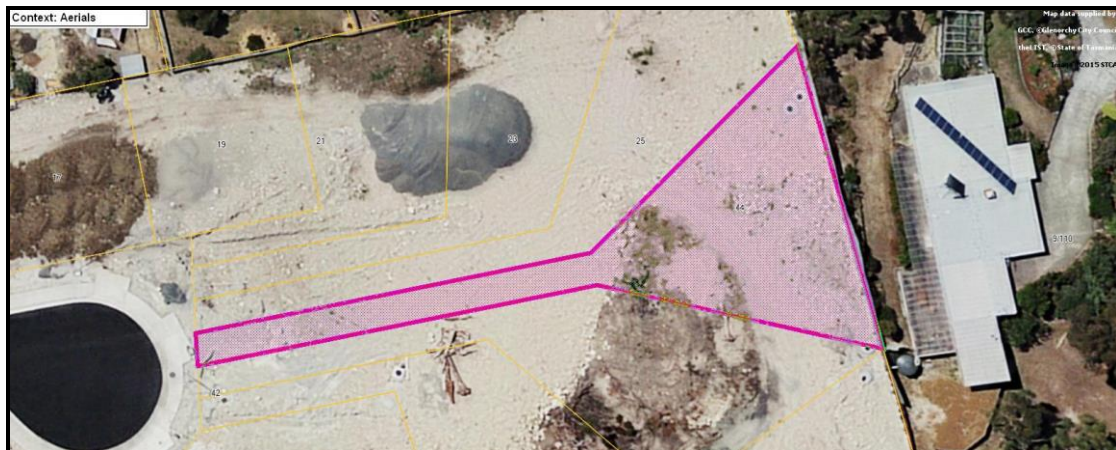


Figure 2: Aerial photo of 44 McGill Rise, Claremont.

ZONE

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

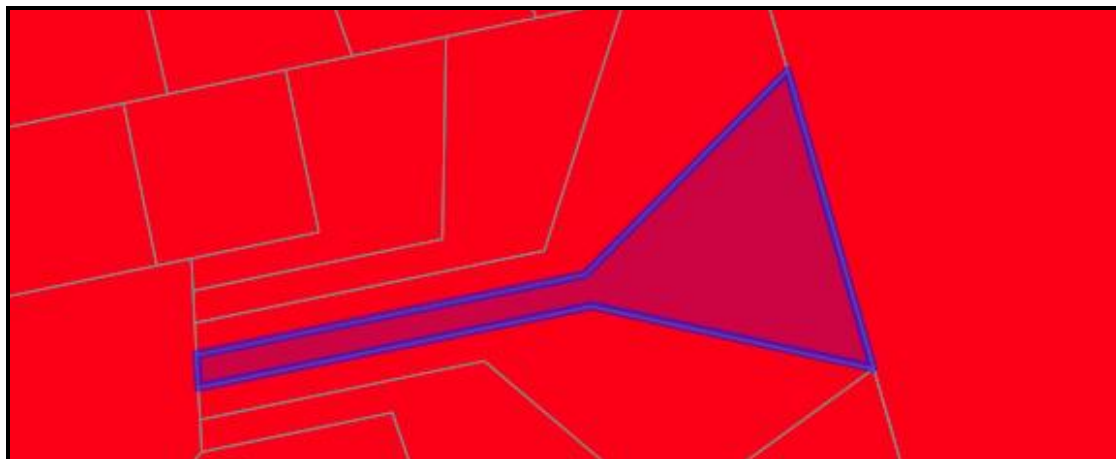


Figure 3: General Residential Zone over 44 McGill Rise, Claremont.

BACKGROUND

No background on file relevant to the assessment.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil.

Limited Exemptions

Nil.

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

No SAP or Code provisions override 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.

A Habitable Room is defined as the following in Clause 4.1 of the Glenorchy Interim Planning Scheme 2015:

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

Discretionary Use or Development (Clause 8.8):

The application is discretionary under Clause 8.8 as follows:

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

- (a) the use is within a use class specified in the applicable Use Table as being a use which is discretionary;*
- (b) the use or development complies with each applicable standard but relies upon a performance criterion to do so; or*

- (c) *it is discretionary under any other provision of the planning scheme,*
- (d) *and the use or development is not prohibited under any other provision of the planning scheme.*

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

- Clause 10.4.2 A3 Setbacks and building envelope for all dwellings (for height and location of the dwelling)
- Clause 10.4.3 A2 Site coverage and private open space for all dwellings (for access to the private open space and the slope)
- Clause 6.6.1 A1 Number of car parking spaces (reduction of one space)

Part C: Special Provisions

No Special Provisions apply.

Part D: Zones

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

Zone Purpose Statements

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

10.1.1.1

To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.

10.1.1.2

To provide for compatible non-residential uses that primarily serve the local community.

10.1.1.3

To provide for the efficient utilisation of services.

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

Use Table

The proposed use of 'Single Dwelling' is no permit required, in accordance with the use table in Clause 10.2 of the Glenorchy Interim Planning Scheme 2015. However, the proposal is discretionary owing to the reliance on performance criteria for Clauses 10.4.2, 10.4.3 and E6.6.1.

Use Standards

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

Development Standards for Residential Buildings & Works

Clause 10.4.2 – Standard A3, Setback

The dwelling would have a setback of 1.5m from the north-west side boundary, 4.45m from the eastern rear boundary and would have a maximum height of 7.4m from natural ground level. Whereas to comply with the acceptable solutions the dwelling would require a minimum setback of 2.3m from the north-west side boundary and 7.6m from the eastern rear boundary, in accordance with Clause 10.4.2 – Standard A3. The proposal is considered to be in accordance with the performance criteria:

The siting and scale of a dwelling must:

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

The proposal (figure 4) is not considered to cause unreasonable overshadowing because it is located directly to the east of the rear boundary and the neighbouring dwelling. The proposal would be single storey and on a steep site. It would be reasonable to expect some visual impact from the lowest part of the site due to the topography. The proposal is located to the south-east of the side boundary and is designed at an angle. This would minimise the potential to impact on the neighbouring property to the north-west. The proposed setbacks are compatible with the surrounding residential lots of a similar size and slope. Therefore, it is considered that reliance on the performance criteria would be acceptable in this instance.

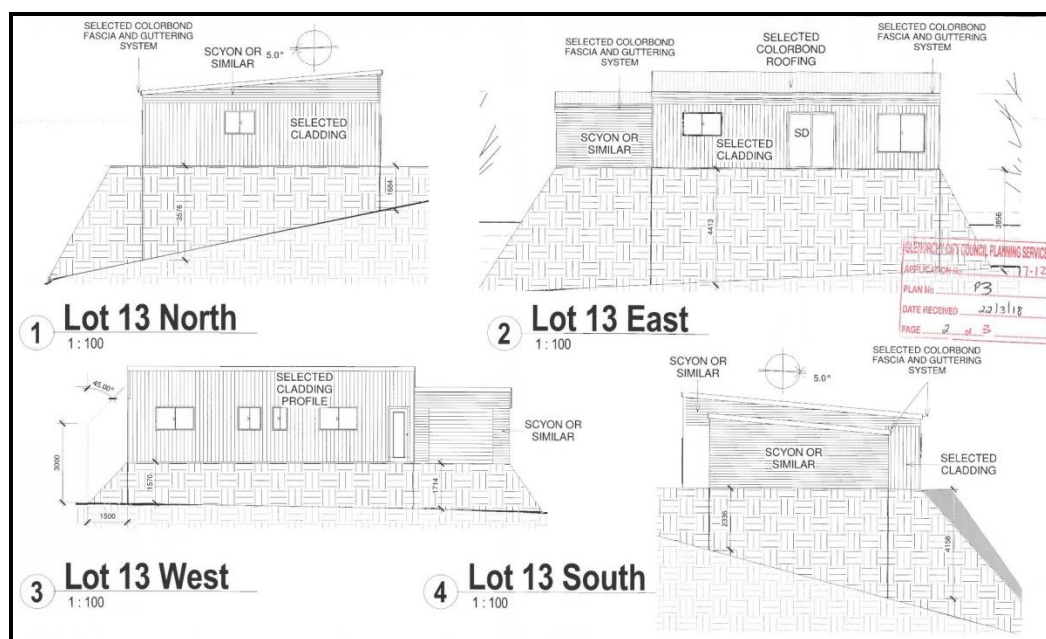


Figure 4: Elevations for 44 McGill Rise, Claremont.

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

The proposed plans show that the private open space will be accessed via a hallway, and be located between the frontage and the dwelling. The proposed private open space would require direct access from a habitable room other than a bedroom and be located behind the building line, to be in accordance with Clause 10.4.3 (c) and (f) – Standard A2. The proposal is considered in accordance with the performance criteria:

A dwelling must have private open space that:

- (a) *includes an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play that is:*
 - (i) *conveniently located in relation to a living area of the dwelling; and*
 - (ii) *orientated to take advantage of sunlight;**unless the projected requirements of the occupants are considered to be satisfied by communal open space or public open space in close proximity.*

The proposed dwelling would have a reasonable amount of private open space. However, the design will not provide for direct access from a habitable room, and would be located between the frontage and the dwelling. The proposal provides for an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play, with reasonable access between the living area and private open space via the hallway. The private open space will have reasonable access to sunlight during the day. Therefore, it is considered that reliance on the performance criteria would be acceptable in this instance.

Clause 10.4.6 – Standard A2, Privacy for all dwellings

The rear windows for the proposed dwelling are located a minimum of 4.45m from the boundary. Therefore the rear windows will comply with the acceptable solution, in accordance with Clause 10.4.6 – Standard A2.

Part E: Codes

The following codes of the Scheme apply to this proposal:

E6.0 Parking and Access Code*Clause E6.6.1 – Standard A1, Number of Car Parking Spaces*

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

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

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

The property is located within a new subdivision and will have sufficient frontage to accommodate additional parking on the street. In addition, the proposed dwelling has potential for a future second car space in front of the garage. However, this additional space does not form part of the proposal. There is public transport available within approximately 300m of the site.

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

E7.0 Stormwater Management Code

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

PART F: Specific Area Plans

No Specific Area Plans apply.

INTERNAL REFERRALS

Development Engineer

The proposal was referred to Council's Development Engineer who was supportive subject to conditions.

Traffic, Access & Parking

The site can be accessed off the existing vehicular access onto the site. The driveway is steep but will comply with AS2890.1:2004 the maximum gradients of 25% as advised by the developer. One parking space will be provided; this triggers a shortfall of 1 space. However, considering a residential use, this shortfall is acceptable. It is therefore considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected.

GCC Services (Stormwater)

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

Other

Geoscience issues

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

Flooding/Inundation issues

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

EXTERNAL REFERRALS

TasWater

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

REPRESENTATIONS

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

1. Loss of Privacy

The representor states that the proposed house will be able to look directly into three bedrooms and the kitchen of the neighbouring house to the east.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application because the proposal complies with the acceptable solution for Clause 10.4.6 Privacy for all Dwellings in the Scheme.

2. Subdivision Works

The representor states that the applicant did not comply with the subdivision permit regarding removal of trees and have not been enforced by Council.

Planner's Comment:

Tree clearance was assessed under the subdivision permit and vegetation is to be retained on the southern slopes of the land, including the subject lot. The developer was required to demonstrate compliance with the subdivision conditions to enable the sealing and registration of the titles. However, due to poor site management practices the sequence of works was not ideal and substantial vegetation clearance occurred across the development site, with several trees removed for 44 McGill Rise, Claremont. Every effort has been made by to ensure compliance with restrictive covenants, although at times this action has been retrospective.

The current planning scheme, Glenorchy Interim Planning Scheme 2015 does not afford the same level of regulation to the conservation of vegetation as the previous planning scheme did and as a result vegetation may be cleared in certain circumstances without requiring a planning permit from Council. Nevertheless, clearance of the site is assessed as part of this proposal and found to be consistent with the planning scheme provisions.

3. Boundary Fence

The representor states that the boundary fence has been damaged on several occasions.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application because boundary fences are legislated by the Boundary Fences Act 1908.

4. Unstable Landfill

The representor states that rubble has been moved close to the boundary and rocks have rolled into the neighbouring property to the east.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application. The stability of the fill is assessed at the time of issuing a Building Permit.

5. Fire Hazard

The representor states that the site is a potential fire hazard due to long grass and rubbish.

Planner's Comment:

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

6. Vehicular Safety

The representor states that there is concern that vehicles will career off the steep driveway and into the neighbouring property to the east.

Planner's Comment:

The proposal has been assessed by Council's Development Engineer and complies with the Australian Standards for vehicular access and manoeuvring. Therefore the proposal is considered reasonable.

CONCLUSION

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

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

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

The application was publicly advertised for the statutory 14-day period and one representation was received raising concerns regarding loss of privacy, subdivision works, boundary fence, unstable landfill, fire hazard and vehicle safety.

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 44 McGill Rise Claremont subject to the following conditions:

Planning

1. Use and development shall be substantially in accordance with planning permit application No. PLN-17-125 and Drawing No. P3 submitted on 22 March 2018, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Appendix A, form part of this permit.

Engineering

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

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

4. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
5. All internal hydraulic service works required for the development must be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor. Any alterations or works to Council mains shall be undertaken by Council at the developer's cost.
6. The design and construction of the parking, access and turning areas must generally comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004, to the satisfaction of the Council's Development Engineer.

Drawings showing the driveway details must be in accordance with the Australian and submitted with the Building Application for approval by Council's Development Engineer prior to the commencement of works on site. The proposed driveway and parking must comply with the following:-

- a) Be constructed to a sealed finish and the finished gradient must not exceed the maximum gradient of 25%;
- b) Vertical alignment shall include transition curves (or straight sections) to the Australian Standard, Parking facilities - Part 1: Off-Street Car parking AS 2890.1 - 2004, Clause 2.5.3 (d) at all grade changes greater than 12.5%;
- c) All runoff from paved and driveway areas must be discharged into Council's stormwater system;
- d) The gradient of any parking areas must not exceed 5%; and
- e) Minimum carriageway width is to be no less than 3.0 metres.

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 the dwelling.

- 7. A barrier compliant with the Australian Standard AS 1170.1 must be installed to prevent vehicles running off the edge of a carriageway, raised platform or deck where the drop from the edge of the trafficable area to a lower level is 600mm or greater, and wheel stops must be installed for drops between 150mm and 600mm. Barriers must not limit the width of the driveway access or parking and turning areas approved under the permit. All works required by this condition must be installed prior to the occupancy of the dwelling.
- 8. The development must comply with Council's Stormwater Runoff Management Policy, the Stormwater detention for a 1 in 20 year ARI storm event must be provided on site. Any system proposed to retain the required runoff storage volume must be detailed in an engineering design lodged and approved as part of the plumbing application, and to be designed, constructed and maintained to the satisfaction of Council's Plumbing Surveyor.

Advice to Applicant

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

Restrictive Covenants

Please be aware that restrictive covenants for a rainwater tank detention system, a geotechnical report and vegetation apply to the current and future development of the land.

Underground Services

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

Other Permits

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

APPENDIX 1**10.0 General Residential Zone**

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

	A3 External lighting must comply with all of the following: (a) be turned off between 6:00 pm and 8:00 am, except for security lighting; (b) security lighting must be baffled to ensure they do not cause emission of light into adjoining private land.	Not applicable.	N/A
	A4 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site must be limited to 20 vehicle movements per day and be within the hours of: (a) 7.00 am to 5.00 pm Mondays to Fridays inclusive; (b) 9.00 am to 12 noon Saturdays; (c) nil on Sundays and Public Holidays.	Not applicable.	N/A
10.3.2 Visitor Accommodation	A1 Visitor accommodation must comply with all of the following: (a) is accommodated in existing buildings; (b) provides for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site; (c) has a floor area of no more than 160m ² .	Not applicable.	N/A
10.3.3 Local Shop	A1 A local shop must have a gross floor area no more than 200m ² .	Not applicable.	N/A

10.4 Development Standards for Residential Buildings and Works			
10.4.1 Residential density for multiple dwellings	A1 Multiple dwellings must have a site area per dwelling of not less than: (a) 325m ² ; or (b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.	Not applicable.	N/A
10.4.2 Setbacks and building envelopes for all dwellings	A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or (b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or (c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or (d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.	Complies. The proposal will have a minimum setback of 58.9m.	Yes

	A2 A garage or carport must have a setback from a primary frontage of at least: (a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or (b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.	Complies. The proposed garage will have a minimum setback of 59.9m.	Yes
	A3 A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must: (a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by: (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and (b) only have a setback within 1.5 m of a side boundary if the dwelling: (ii) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot;	The dwelling will have minimum setbacks of 1.5m from the north-west side boundary and 4.45m from the rear boundary. Compliance will require setbacks of 2.3m and 7.6m respectively. Therefore the proposal relies on performance criteria.	No Refer to discussion in the report.

	or (iii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).		
10.4.3 Site coverage and private open space for all dwellings	A1 Dwellings must have: (a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and (b) for multiple dwellings, a total area of private open space of not less than 60 m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) a site area of which at least 25% of the site area is free from impervious surfaces.	Complies. The proposal will have site coverage of 22.8% and an area free of impervious surfaces of approximately 67.1%. The private open space will be approximately 300m ² .	Yes
	A2 A dwelling must have an area of private open space that: (a) is in one location and is at least: (i) 24 m²; or (ii) 12 m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (b) has a minimum horizontal dimension of: (i) 4 m; or (ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and	The proposal will have private open space with no direct access from a habitable room other than a bedroom. In addition the space will be located between the front boundary and the dwelling. Compliance will require an access from a habitable room other than a bedroom and a space to be located behind the building line. Therefore the proposal relies on performance criteria.	No Refer to the discussion in the report.

	(d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and (e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and (f) has a gradient not steeper than 1 in 10; and (g) is not used for vehicle access or parking.		
10.4.4 Sunlight overshadowing and of all dwelling	A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).	Complies.	Yes
	A2 A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B): (i) at a distance of 3 m from the window; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.	Not applicable.	N/A

	(c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.		
	A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C): (i) at a distance of 3 m from the northern edge of the private open space; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.	Not applicable.	N/A
10.4.5 Width of openings for garages and carports for all	A1 A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling)	Complies.	Yes

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).		
10.4.6 Privacy for all dwellings	A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary; and (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4 m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m: (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.	Complies.	Yes
	A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):	Complies. The proposed windows on the eastern rear facade will be setback a minimum of 4.45m.	Yes

	(a) The window or glazed door: (i) is to have a setback of at least 3 m from a side boundary; and (ii) is to have a setback of at least 4 m from a rear boundary; and (iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site. (b) The window or glazed door: (i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or (c) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.		
	A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least: (a) 2.5 m; or (b) 1 m if: (i) it is separated by a screen of at least 1.7 m in height; or	Not applicable.	N/A

	(ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.		
10.4.7 Frontage Fences for all dwellings	A1 A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than: (a) 1.2 m if the fence is solid; or (b) 1.8 m, if any part of the fence that is within 4.5 m of a primary frontage has openings above a height of 1.2 m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).	Not applicable.	N/A
10.4.8 Waste Storage for multiple dwellings	A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m ² per dwelling and is within one of the following locations: (a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) in a communal storage area with an impervious surface that: (i) has a setback of at least 4.5 m from a frontage; and (ii) is at least 5.5 m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2 m above the finished surface level of the storage area.	Not applicable.	N/A

APPENDIX 2**E6.0 Parking and Access Code**

Standard	Acceptable Solution	Proposed	Complies?
E6.6 Use Standards			
E6.6.1 Number of Car Parking Spaces	A1 The number of on-site car parking spaces must be: (a) no less than the number specified in Table E6.1 and no more than 10% greater than that number; except if: (i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (ii) this provision was not used in this planning scheme.	The proposal will provide for one car parking space in the garage. Compliance will require two car parking spaces onsite. Therefore the proposal relies on performance criteria.	No – 1 shortfall
E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability	A1 Car parking spaces provided for people with a disability must: (a) satisfy the relevant provisions of the Building Code of Australia; (b) be incorporated into the overall car park design; (c) be located as close as practicable to the building entrance.	Not applicable.	N/A
E6.6.3	A1	Not applicable.	N/A

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

Standard	Acceptable Solution	Proposed	Complies?
	(a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.		
E6.7.3 Vehicular Passing Areas Along an Access	A1 Vehicular passing areas must: (a) be provided if any of the following applies to an access: (i) it serves more than 5 car parking spaces; (ii) is more than 30 m long; (iii) it meets a road serving more than 6000 vehicles per day; (b) be 6 m long, 5.5 m wide, and taper to the width of the driveway; (c) have the first passing area constructed at the kerb; (d) be at intervals of no more than 30 m along the access.	Not applicable.	N/A
E6.7.4 On-Site Turning	A1 On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following:	Not applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
	(a) it serves no more than two dwelling units; (b) it meets a road carrying less than 6000 vehicles per day.		
E6.7.5 Layout of Parking Areas	A1 The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 "Design of Parking Modules, Circulation Roadways and Ramps" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 "Headroom" of the same Standard.	Complies.	Yes
E6.7.6 Surface Treatment of Parking Areas	A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following; (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.	Complies.	Yes
E6.7.7 Lighting of Parking Areas	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with	Not applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
	clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.		
E6.7.8 Landscaping of Parking Areas	A1 Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.	Not applicable.	N/A
E6.7.9 Design of Motorcycle Parking Areas	A1 The design of motorcycle parking areas must comply with all of the following: (a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) be located within 30 m of the main entrance to the building.	Not applicable.	N/A
E6.7.10 Design of Bicycle Parking Facilities	A1 The design of bicycle parking facilities must comply with all the following; (a) be provided in accordance with the requirements of Table E6.2; (b) be located within 30 m of the main entrance to the building.	Not applicable.	N/A

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

Standard	Acceptable Solution	Proposed	Complies?
E6.7.1.13 Facilities for Commercial Vehicles	A1 Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless: (a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site; (b) the use is not primarily dependent on outward delivery of goods from the site.	Not applicable.	N/A
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements of the road authority.	Complies.	Yes

APPENDIX 3**E7.0 Stormwater Management Code**

Standard	Acceptable Solution	Proposed	Complies?
E7.7 Development Standards			
E7.7.1 Stormwater Drainage and Disposal	A1 Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.	Complies.	Yes
	A2 A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply: (a) the size of new impervious area is more than 600 m ² ; (b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots.	Not applicable.	N/A
	A3 A minor stormwater drainage system must be designed to comply with all of the following: (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed;	Complies.	Yes

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

Attachments/Annexures

- 1  Attachment - 44 McGill Rise, Claremont

6. PROPOSED USE AND DEVELOPMENT - SINGLE DWELLING (RESIDENTIAL) RELYING ON PERFORMANCE CRITERIA - 25 MCGILL RISE, CLAREMONT

Author: Senior Statutory Planner (Vanessa Tomlin)

Qualified Person: Senior Statutory Planner (Vanessa Tomlin)

Property ID: 3495475

REPORT SUMMARY:

Application No.:	PLN-17-135
Applicant:	Aviation Consolidated Holdings Pty Ltd
Owner:	Aviation Consolidated Holdings Pty Ltd
Zone:	General Residential
Use Class:	Residential
Application Status:	Discretionary
Discretions:	Building envelope standard; private open space standard; and number of car parking spaces standard. (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	15 May 2018
Existing Land Use:	Vacant land
Representations:	1
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL:

PROPOSAL

The proposal is for the construction of a single dwelling at 25 McGill Rise, Claremont. The dwelling is to be single storey and is to contain three bedrooms, an open plan kitchen, dining and living area, a bathroom, laundry facilities and an attached single garage.

The proposed dwelling is to be accessed off a private road, formed as a cul-de-sac and provides one parking space within the attached garage.

The proposal relies on performance criteria to comply with 10.4.2 Setbacks and building envelopes for all dwellings (P3), 10.4.3 Site coverage and private open space for all dwellings (P2), and E6.6.1 Number of Car Parking Spaces.

SITE and LOCALITY

The site is an internal lot accessed from cul-de-sac on the eastern end of McGill Rise (Fig. 1).



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

The site (CT 172821/12) is 625m² and shares a right of way with seven adjoining sites. Within the right of way, a private road (shared driveways) formed as a cul-de-sac provides access to the site. This arrangement was approved under the planning permit issued for the subdivision, PLN-11-301.02 (Fig. 2).

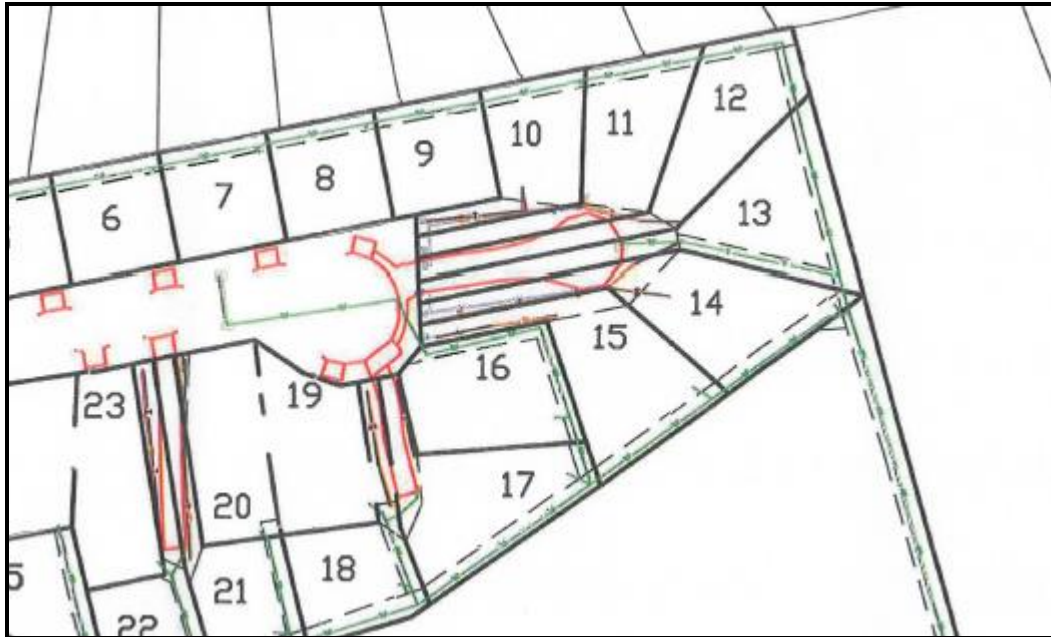


Figure 2. A snapshot of the 'as-constructed' drawing showing the private road formed as a cul-de sac head.

The site slopes down from the west to the east, with a slope gradient of approximately 1 in 4. Extensive earth works have occurred onsite, resulting in the clearance of vegetation and benching in an effort to form a buildable area for future development (Fig. 3 and 4).



Figure 3. A view of lot 12, the subject site, showing the buildable area with embankment bordering the site to the east, north and west.



Figure 4. A view of the site showing the earthworks for the batter/embankment at the northern end of the site.

ZONE

The site is located in the General Residential zone (Fig. 5).

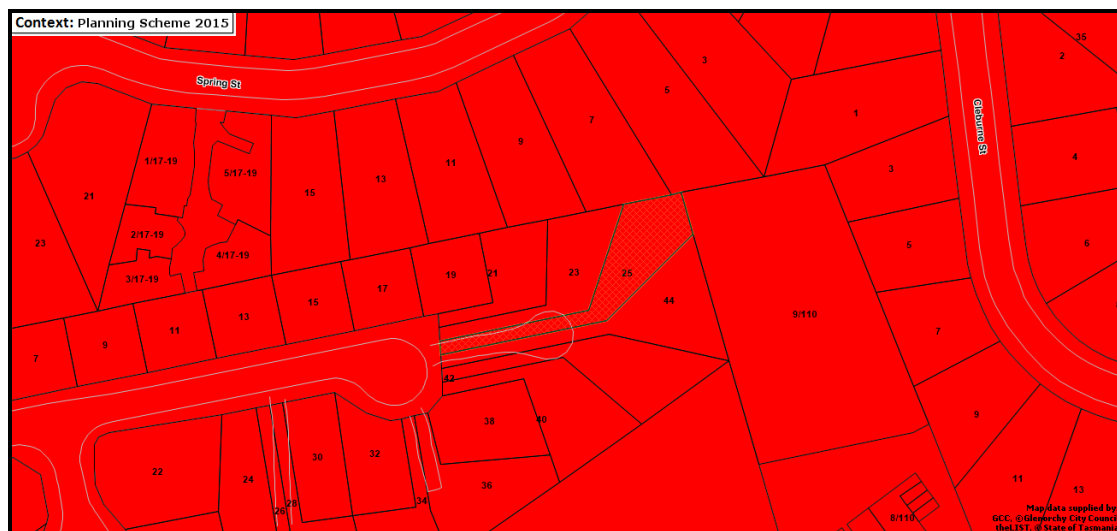


Figure 5. A view of the site and surrounds showing the zoning as General Residential (red).

BACKGROUND

PLN-11-301.02 Thirty Four (34) lot Subdivision and 2.4m high acoustic fence with service pipelines over 114A and 118 Abbotsfield Road, approved on the 27 March 2013 (S56 approved 06 January 2017). The sealing of the subdivision plan involved the placement of numerous easements and restrictive covenants on the titles, as per conditions of approval of the subdivision.

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

5.0 General Exemptions

Nil.

6.0 Limited Exemptions

A planning 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.

Clause 6.3.1 allows for the planting, clearance and modification of vegetation without requiring a planning permit when the planting, clearance and modification of the vegetation is for landscaping and the management of vegetation in a private garden; for safety reasons where vegetation poses an unacceptable risk to public or private safety, or where the vegetation is causing or threatening to cause damage to a substantial structure or building; and within 1m of a title boundary for the purpose of erecting or maintaining a boundary fence.

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

No SAP or Code override Zone provisions in this assessment.

Use Class Description (Table 8.2):

Single dwelling is an individual use within the Residential use class. The Residential use class 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.

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

Demolition means the intentional damaging, destruction or removal of any building or works in whole or in part.

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

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

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.

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.

Site means the lot or lots on which a use or development is located or proposed to be located.

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.

Streetscape means the visual quality of a street depicted by road width, street planting, characteristics and features, public utilities constructed within the road reserve, the setbacks of buildings and structures from the lot boundaries, the quality, scale, bulk and design of buildings and structures fronting the road reserve. For the purposes of determining streetscape with respect to a particular site, the above factors are relevant if within 100 m of the site.

Part C: Special Provisions

9.4 Demolition

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

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

The site has been previously cleared of vegetation without prior written consent from Council. This matter has been pursued through alternative compliance processes. However, the clearance of the site forms part of this application and is assessed accordingly.

It is the purpose statements of the General Residential zone, as well as the purpose of E6.0 Parking and Access code and E7.0 Stormwater Management code that are applicable to this assessment.

The proposal is assessed as being consistent with the purpose of the General Residential zone, the Parking and Access code and Stormwater Management code. This is because the proposal is for a residential use that is to utilise existing services and infrastructure.

It is noted that the *Eucalyptus pulchella* cleared from the site is not listed as a threatened species and is not listed as a significant tree within the planning scheme. Accordingly, there are no special protections afforded to preservation of the trees.

Part D: Zones

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

Zone Purpose Statements

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

The proposal is for a residential use at suburban densities that is to utilise existing services and infrastructure. The proposal is considered to be compatible with the zone purpose statements of the zone.

Use Table

A single dwelling is a no permit required Residential use in Table 10.2. The application requires discretionary assessment because the proposal relies on performance criteria to comply with applicable standards (Clause 8.8.1(b)).

Use Standards

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

Development Standards for Residential Buildings & Works

10.4.2 Setbacks and building envelopes for all dwellings (P3)

The site is an internal lot and the proposed dwelling is to be setback less than 4.5m from the rear boundary of the lot with an adjoining frontage and is to be setback less than 4m from the rear boundary of the subject lot (Fig. 6).

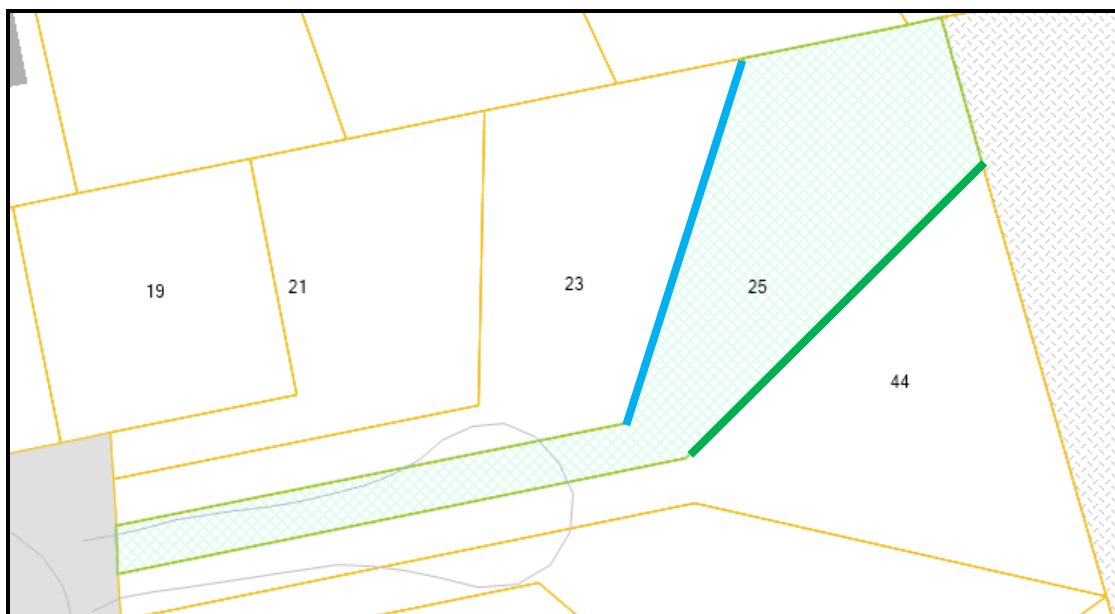


Figure 6. The blue line represents the rear boundary of the lot with an adjoining frontage and the green line represents the rear boundary of the subject lot.

In addition, the dwelling protrudes through the vertical building envelope toward the south-western part of the lot.

Accordingly, the proposal does not fit within the building envelope depicted in Diagram 10.4.2D and relies on the performance criteria to comply with the standard (Fig. 6).

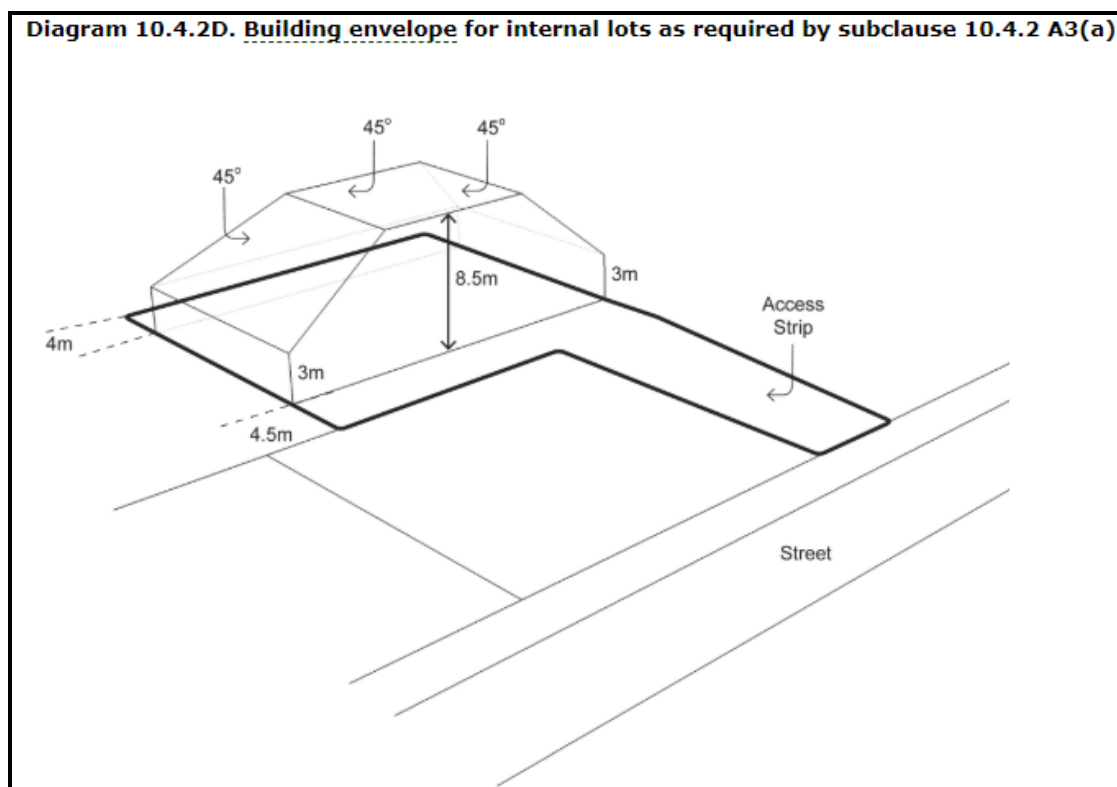


Figure 6. A snapshot of Diagram 10.4.2D showing the building envelope for corner lots as required by subclause 10.4.2 A3(a)

The performance criteria requires the siting and scale of a dwelling must:

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

The proposed dwelling is sited to the east of 23 McGill Rise and to the north-west of 44 McGill Rise. The proposed dwelling is positioned down the slope from 23 McGill Rise and is not expected to unreasonably overshadow the adjoining lot, specifically the dwelling and its private outdoor space as a result. The siting of the proposed dwelling is not expected to cause unreasonable overshadowing of the other adjoining lot, 44 McGill Rise because this lot would receive at least three hours of sunlight in the morning of 21 June. Similarly, the proposal is not expected to unreasonably overshadow other adjoining lots to the north and east of the proposal.

The proposed dwelling is to be 3.6m in height with an overall maximum height from natural ground level of 7.3m. The dwelling is relatively low in scale and given the proposed siting of the dwelling relative to the slope of the land, the proposed dwelling is not expected to unreasonably dominate the space when viewed from neighbouring lots.

The proposed separation between dwellings on adjoining lots is assessed as compatible with that prevailing in the surrounding area. This is because setbacks from the boundaries of dwellings in the locality range from 1m to 20m.

The proposal satisfies the performance criteria and complies with the standard.

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

The proposed location of the private outdoor space for the dwelling is to be less than 4m in width and is to have a gradient steeper than 1 in 10. Accordingly, the proposal relies on the performance criteria to comply with the standard.

The performance criteria require a dwelling to have private open space that:

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

There is to be more than 60m² of area available for private outdoor space, albeit on varying levels. However, areas immediately to the north and north-east of the proposed dwelling are conveniently located and take advantage of sunlight. These areas would be capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play.

Accordingly, the proposal satisfies the performance criteria and complies with the standard.

Part E: Codes

The following codes of the Scheme apply to this proposal:

E6.0 Parking and Access Code

E6.6.1 Number of Car Parking Spaces

One car parking space is proposed within the attached garage, were two parking spaces are required under the acceptable solution of this standard. The proposal relies on performance criteria which 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.

Council's Development Engineer has assessed the proposal and has concluded that the driveway is too steep to be used for parking, but is adequate for the purpose of a driveway. The proposed dwelling is a relatively small three bedroom residence, that is within 250m of public transport along Abbotsfield Road and on-street parking would be available on McGill Rise. Taking into account the level of parking available outside of the site and access to other modes of transport, the proposed parking space is expected to be enough parking to meet the reasonable needs of the users of the proposed dwelling.

The proposal satisfies the performance criteria and complies with the standard.

E7.0 Stormwater Management Code

Council's Development Engineer has assessed the proposal and is satisfied that the proposal complies with the acceptable solutions of the applicable standards of this code. Please refer to the attached appendix.

PART F: Specific Area Plans

No Specific Area Plan is applies to assessment of this application.

INTERNAL REFERRALS

Development Engineer

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

Traffic, Access & Parking

The site can be accessed from the existing vehicular access onto the site. The driveway is steep but will comply with AS2890.1:2004; the maximum gradients below 25% as advised by the developer. One parking space will be provided; this triggers a shortfall of 1 space. However, considering a residential use is proposed, this shortfall is acceptable. It is therefore considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected. **Note:** The visitor parking spaces as shown on supporting documentation are not required and will not be part of the application.

GCC Services (Stormwater)

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

Other

Geoscience issues

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

Flooding/Inundation issues

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

EXTERNAL REFERRALS

TasWater

TasWater are in support of the proposal and have not recommended conditions.

REPRESENTATIONS

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

1. Subdivision of the land

The representor alleges several conditions of the subdivision permit have not been complied with by the developer and claims that Council has not enforced compliance with the conditions. Examples are the requirement to retain vegetation on the lot, a 2m buffer between boundaries and poorly installed manhole pits.

Planner's Comment:

Tree clearance was assessed under the subdivision permit and vegetation is to be retained on the southern slopes of the land, including the subject lot. The developer was required to demonstrate compliance with the subdivision conditions to enable the sealing and registration of the titles. However, due to poor site management practices the sequence of works was not ideal and substantial vegetation clearance occurred across the development site, with several trees removed for 25 McGill Rise, Claremont. Every effort has been made by to ensure compliance with restrictive covenants, although at times this action has been retrospective.

The current planning scheme, Glenorchy Interim Planning Scheme 2015 does not afford the same level of regulation to the conservation of vegetation as the previous planning scheme did and as a result vegetation may be cleared in certain circumstances without requiring a planning permit from Council. Nevertheless, clearance of the site is assessed as part of this proposal and found to be consistent with the planning scheme provisions.

2. Rubble and debris damaging boundary fences

The representor states that large rocks and spoil have rolled off the batter/embankments toward their boundary fence and on several occasions their boundary fence has been damaged or destroyed by works undertaken on the land.

Planner's Comment:

The developer is responsible for ensuring debris and spoil are appropriately maintained and contained onsite. However, this is not a matter can be dealt with through the *Land Use Planning and Approvals Act 1992*. Boundary fences are regulated through the Boundary Fences Act 1908 and largely a civil matter.

3. Stability of fill

The representor is concerned that fill placed on the site will not be a suitable base to build on.

Planner's Comment:

The stability of the fill is dealt with at the time of construction, through the *Building Act 2016*. Prior to construction, engineering certification of the fill will be required.

4. Loss of privacy

The representor states that the proposed dwelling will look down directly into the habitable rooms of their dwelling.

Planner's Comment:

The proposal is assessed as complying with the acceptable solutions of the privacy standard. Therefore, the reasonable opportunity for privacy for all dwellings is provided.

5. Suitability of the driveway

The representor claims that the driveway is very steep and will cause an unacceptable risk of vehicles careering into their property.

Planner's Comment:

The proposed driveway has a direct route to the proposed dwelling. However, a condition of approval is recommended to ensure that vehicle barriers are erected where appropriate to prevent vehicles running off the edge of a driveway.

CONCLUSION

The proposal is relying on the performance criteria to comply with the applicable standard. The proposal is assessed as satisfying the performance criteria and complies with the applicable standards. The proposal is assessed as complying with all other use and development standards in the General Residential Zone, as well as the relevant standards of the Parking and Access Code and Stormwater Management Code. The application was publicly advertised for the statutory 14-day period and one representation was received. The representors concerns were taken into consideration 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) relying on performance criteria at 25 McGill Rise Claremont subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-17-135 and Drawing No. P3 submitted on 22 March 2018, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2017/00791-GCC, dated 14/06/2017, form part of this permit.

Engineering

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

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

4. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
5. All internal hydraulic service works required for the development must be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor. Any alterations or works to Council mains shall be undertaken by Council at the developer's cost.
6. The design and construction of the parking, access and turning areas must generally comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004, to the satisfaction of the Council's Development Engineer. Drawings showing the driveway details must be in accordance with the Australian standard and submitted with the Building Application for approval by Council's Development Engineer prior to the commencement of works on site. The proposed driveway and parking must comply with the following:-
 - a) Be constructed to a sealed finish and the finished gradient must not exceed the maximum gradient of 25%;
 - b) Vertical alignment shall include transition curves (or straight sections) to the Australian Standard, Parking facilities - Part 1: Off-Street Car parking AS 2890.1 - 2004, Clause 2.5.3 (d) at all grade changes greater than 12.5%;
 - c) All runoff from paved and driveway areas must be discharged into Council's stormwater system;
 - d) The gradient of any parking areas must not exceed 5%; and
 - e) Minimum carriageway width is to be no less than 3.0 metres.

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 the dwelling.

7. A barrier compliant with the Australian Standard AS 1170.1 must be installed to prevent vehicles running off the edge of a carriageway, raised platform or deck where the drop from the edge of the trafficable area to a lower level is 600mm or greater, and wheel stops must be installed for drops between 150mm and 600mm. Barriers must not limit the width of the driveway access or parking and turning areas approved under the permit. All works required by this condition must be installed prior to the occupancy of the dwelling.

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

Advice to Applicant

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

Restrictive Covenants

Please be aware that restrictive covenants for rainwater detention system, a geotechnical report and vegetation clearance apply to the current and future development of the land.

Underground services

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

Other Permits

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

APPENDIX**10.0 General Residential Zone**

Standard	Acceptable Solution	Proposed	Complies?
10.3 Use Standards			
10.3.1 Non-Residential Use	A1 Hours of operation must be within 8.00 am to 6.00 pm, except for office and administrative tasks or visitor accommodation.	NA	NA
	A2 Noise emissions measured at the boundary of the site must not exceed the following: (a) 55 dB(A) (LAeq) between the hours of 8.00 am to 6.00 pm; (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 6.00 pm to 8.00 am; (c) 65dB(A) (LAm _{ax}) at any time. Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness. Noise levels are to be averaged over a 15 minute time interval.	NA	NA

	A3 External lighting must comply with all of the following: (a) be turned off between 6:00 pm and 8:00 am, except for security lighting; (b) security lighting must be baffled to ensure they do not cause emission of light into adjoining private land.	NA	NA
	A4 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site must be limited to 20 vehicle movements per day and be within the hours of: (a) 7.00 am to 5.00 pm Mondays to Fridays inclusive; (b) 9.00 am to 12 noon Saturdays; (c) nil on Sundays and Public Holidays.	NA	NA
10.3.2 Visitor Accommodation	A1 Visitor accommodation must comply with all of the following: (a) is accommodated in existing buildings; (b) provides for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site; (c) has a floor area of no more than 160m ² .	NA	NA
10.3.3 Local Shop	A1 A local shop must have a gross floor area no more than 200m ² .	NA	NA

10.4 Development Standards for Residential Buildings and Works			
10.4.1 Residential density for multiple dwellings	A1 Multiple dwellings must have a site area per dwelling of not less than: (a) 325m ² ; or (b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.	NA	NA
10.4.2 Setbacks and building envelopes for all dwellings	A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or (b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or (c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or (d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.	The dwelling is setback more than 4.5m from the primary frontage because of the site being an internal lot. The site is a vacant lot and the proposed dwelling is setback no more than the greater, or less than the lesser of the frontage setbacks established by other dwellings in the street.	Yes

	A2 A garage or carport must have a setback from a primary frontage of at least: (a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or (b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.	The proposed attached garage is to be setback more than 5.5m from the frontage.	Yes
	A3 A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must: (a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by: (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and (b) only have a setback within 1.5 m of a side boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or (ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).	The site is an internal lot. The siting of the proposed dwelling is setback less than 4.5m from the rear boundary of the lot with an adjoining frontage and is setback less than 4m from the rear boundary of the subject lot. The dwelling is to have a maximum height of 7.3m and is to be setback 6m from the adjacent side boundary. However, the dwelling does not fit within the building envelope near the access.	No

10.4.3 Site coverage and private open space for all dwellings	A1 Dwellings must have: (a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and (b) for multiple dwellings, a total area of private open space of not less than 60 m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) a site area of which at least 25% of the site area is free from impervious surfaces.	a) The site coverage is 112.39m ² . Less than 50% of the site; b) NA; c) More than 25% of the site is to be free of impervious surfaces.	Yes
	A2 A dwelling must have an area of private open space that: (a) is in one location and is at least: (i) 24 m²; or (ii) 12 m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (b) has a minimum horizontal dimension of: (i) 4 m; or (ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and (d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and	POS is directly accessible from habitable room but is not 4m in width.	No

	(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 (h) has a gradient not steeper than 1 in 10; and (i) is not used for vehicle access or parking.		
10.4.4 Sunlight overshadowing and of dwelling all	A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).	Glass sliding doors to the living room on the northern elevation face between 30 degrees west of north and 30 degrees east of north	Yes
	A2 A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B): (i) at a distance of 3 m from the window; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) at part, of a multiple dwelling, consisting of: (iii) an outbuilding with a building height no more than 2.4 m; or	NA	NA

	(iv) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.		
	A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C): (i) at a distance of 3 m from the northern edge of the private open space; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.	NA	NA
10.4.5 Width of openings for garages and carports for all dwellings	A1 A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).	The garage is to have an opening of 2.5m.	Yes

10.4.6 Privacy for all dwellings	A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary; and (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4 m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m: (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.	The elevation plans show that the attached garage will be approximately 1.5m above natural ground level, which will cause a section of the driveway to be more than 1m above natural ground level. However, a parking space on the driveway is not proposed or approved because of the steepness of the grade.	Yes
	A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b): (a) The window or glazed door: (i) is to have a setback of at least 3 m from a side boundary; and (ii) is to have a setback of at least 4 m from a rear	The dwelling is to have windows with a floor level more than 1 m above the natural ground level, that are to be within 4m of the rear boundary. However, the dwelling 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 proposed dwelling at 44 McGill.	yes

	boundary; and (iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site. (b) The window or glazed door: (i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or (c) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.	44 mcGill is otherwise vacant.	
	A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least: (a) 2.5 m; or (b) 1 m if: (i) it is separated by a screen of at least 1.7 m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.	NA	NA

10.4.7 Frontage Fences for all dwellings	A1 A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than: (a) 1.2 m if the fence is solid; or (b) 1.8 m, if any part of the fence that is within 4.5 m of a primary frontage has openings above a height of 1.2 m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).	No frontage fence is proposed.	NA
10.4.8 Waste Storage for multiple dwellings	A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m ² per dwelling and is within one of the following locations: (a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) in a communal storage area with an impervious surface that: (i) has a setback of at least 4.5 m from a frontage; and (ii) is at least 5.5 m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2 m above the finished surface level of the storage area.	NA	NA

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

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

Standard	Acceptable Solution	Proposed	Complies?
E6.6.3 Number of Motorcycle Parking Spaces	A1 The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.		N/A
E6.6.4 Number of Bicycle Parking Spaces	A1 The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.		N/A
E 6.7 Development Standards			
E6.7.1 Number of Vehicle Accesses	A1 The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.		Yes
E6.7.2 Design of Vehicular Accesses	A1 Design of vehicle access points must comply with all of the following: (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;		N/A

Standard	Acceptable Solution	Proposed	Complies?
	(b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.		
E6.7.3 Vehicular Passing Areas Along an Access	A1 Vehicular passing areas must: (a) be provided if any of the following applies to an access: (i) it serves more than 5 car parking spaces; (ii) is more than 30 m long; (iii) it meets a road serving more than 6000 vehicles per day; (b) be 6 m long, 5.5 m wide, and taper to the width of the driveway; (c) have the first passing area constructed at the kerb; (d) be at intervals of no more than 30 m along the access.		N/A
E6.7.4 On-Site Turning	A1 On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following: (a) it serves no more than two dwelling units; (b) it meets a road carrying less than 6000 vehicles per day.		N/A – turning over the shared ROW.

Standard	Acceptable Solution	Proposed	Complies?
E6.7.5 Layout of Parking Areas	A1 The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same Standard.		Yes
E6.7.6 Surface Treatment of Parking Areas	A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following; (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.		Yes
E6.7.7 Lighting of Parking Areas	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 “Basis of Design” and clause 3.6 “Car Parks” in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.		N/A
E6.7.8 Landscaping of Parking Areas	A1 Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.		N/A

Standard	Acceptable Solution	Proposed	Complies?
E6.7.9 Design of Motorcycle Parking Areas	A1 The design of motorcycle parking areas must comply with all of the following: (a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) be located within 30 m of the main entrance to the building.		N/A
E6.7.10 Design of Bicycle Parking Facilities	A1 The design of bicycle parking facilities must comply with all the following; (a) be provided in accordance with the requirements of Table E6.2; (b) be located within 30 m of the main entrance to the building.		N/A
	A2 The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.		
E6.7.11 Bicycle End of Trip Facilities	A1 For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.		N/A

Standard	Acceptable Solution	Proposed	Complies?
E6.7.12 Siting of Car Parking	A1 Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.		Yes
E6.7.1.13 Facilities for Commercial Vehicles	A1 Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless: (a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site; (b) the use is not primarily dependent on outward delivery of goods from the site.	N/A	N/A
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements of the road authority.		Yes

APPENDIX**E7.0 Stormwater Management Code**

Standard	Acceptable Solution	Proposed	Complies?
E7.7 Development Standards			
E7.7.1 Stormwater Drainage and Disposal	A1 Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.		Yes
	A2 A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply: (a) the size of new impervious area is more than 600 m ² ; (b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots.		N/A
	A3 A minor stormwater drainage system must be designed to comply with all of the following: (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed; (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.		Yes

Monday, 14 May 2018

Glenorchy Planning Authority Meeting Agenda

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

Attachments/Annexures

- 1  Attachment - 25 McGill Rise, Claremont

7. PROPOSED USE AND DEVELOPMENT - CHANGE OF USE TO SPORTS AND RECREATION - RE-ADVERTISED - 24B WYNDHAM ROAD, CLAREMONT

Author: Planning Officer (Sylvia Jeffreys)

Qualified Person: Planning Officer (Sylvia Jeffreys)

Property ID: 3397293

REPORT SUMMARY:

Application No.:	PLN-18-038
Applicant:	J Shadbolt and T Shadbolt
Owner:	Dezhi Qiang
Zone:	Local Business
Use Class	Sports and Recreation
Application Status:	Discretionary
Discretions:	20.2 Use Table 20.3.1 A1 Hours of Operations E6.6.1 A1 Number of car parking spaces (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	15 May 2018
Existing Land Use:	Shop (General Retail and Hire)
Representations:	1
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL:

PROPOSAL

The application proposes a change of use from a shop to a studio gym at a local shopping complex. The proposed use falls under the use class of Sports and Recreation, which is a discretionary use in the Local Business Zone. The proposed use would occupy a portion of a former supermarket, which was later divided into three shops. The use would operate in the southern portion of the building which is shop 5A and has an area of approximately 165.3m². The application does not propose any changes to parking arrangements.

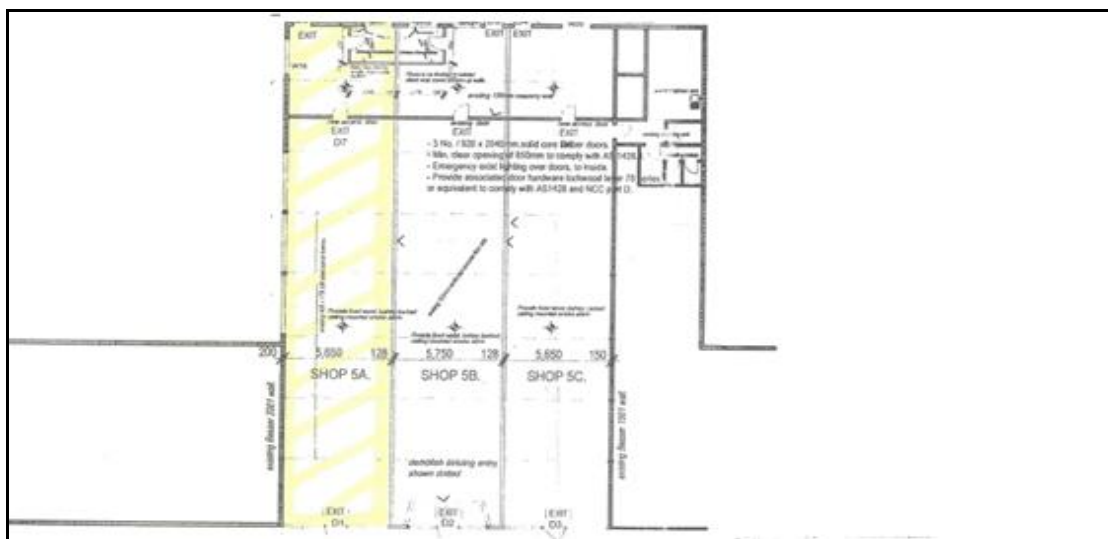


Figure 1: Proposal Plan

SITE and LOCALITY

The site is a portion of a shopping complex situated on the western side of Wyndham Road, opposite the Holy Rosary Primary School in Claremont. The property is known as 24B Wyndham Road and is described in the title reference CT59395/0. A stratum plan applies to the title where the building is defined as No.5. The submitted site plan further identifies the premises as Shop 5A. The shopping complex consists of seven shops with a carpark at the front and staff parking at the back, as well as a delivery area. There are a total of fifty-two parking spaces on site. In terms of locality, there is a service station to the north, a primary school opposite and residential development to the south and west. The site is shown in Figure 2 below.



Figure 2: Subject Site - Council Database 2016

ZONE

The site is located within the Local Business Zone and is surrounded by the Inner Residential Zone and the Community Purpose Zone as shown in Figure 3 below.

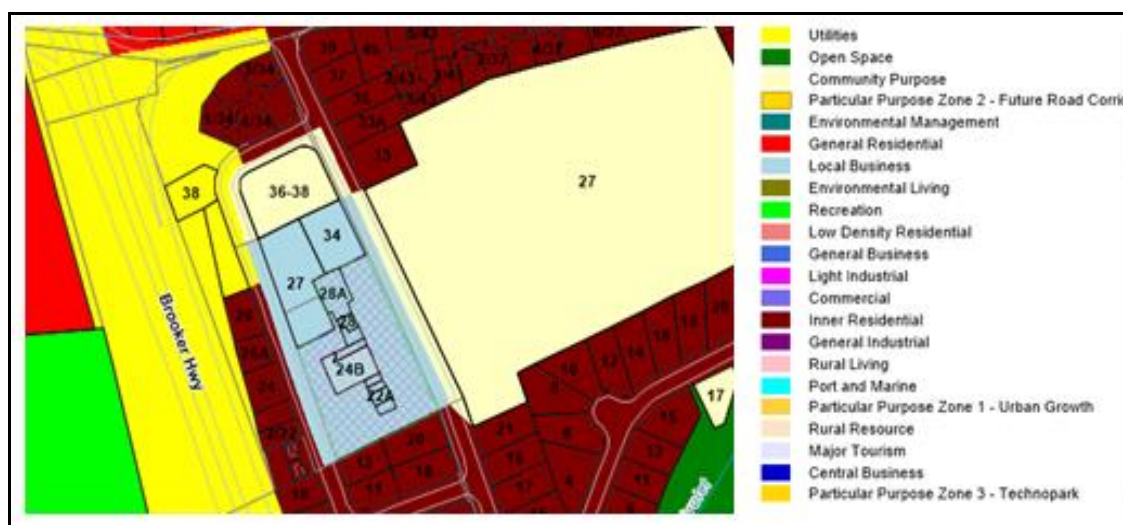


Figure 3: Zoning Map - GIPS 2015

BACKGROUND

The following permit has been granted:

PLN-16-279 Conversion of shop to three shops (General Retail & Hire), alterations and additional parking, approved 24/01/17

The above permit allowed for the former supermarket to be divided into three shops. The permit required the provision of nineteen parking spaces for the three shops. The approved parking layout with fifty-two spaces is as shown in Figure 4 below.

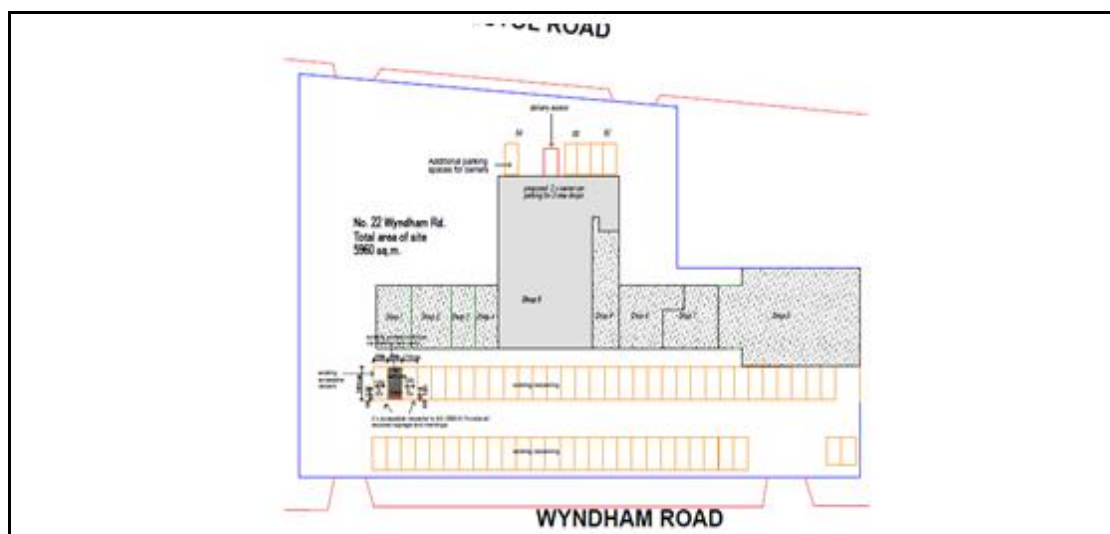


Figure 4: Parking Layout PLN- 16-279 – Philip Stary Architect

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil.

Limited Exemptions

Nil

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

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

- E6.0 Access and Parking Code

Use Class Description:

The application proposes a change of use from a shop to a studio fitness centre which falls under the use class of Sports and Recreation as defined in table 8.2 Use Classes as follows:

Sports and recreation

use of land for organised or competitive recreation or sporting purposes including associated clubrooms. Examples include a bowling alley, fitness centre, firing range, golf course or driving range, gymnasium, outdoor recreation facility, public swimming pool, race course and sports ground.

Other relevant definitions:

Nil.

Discretionary Use or Development

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

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

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

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

- 20.2 Use Table
- 20.3.1 A1 Hours of Operations
- E6.6.1 A1 Number of car parking spaces

Part C: Special Provisions

Nil.

Part D: Zones

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

Zone Purpose Statements

The purpose of the Local Business Zone is set out in 21.1.1 and is as follows:

- *To provide for business, professional and retail services which meet the convenience needs of a local area.*
- *To ensure that facilities are accessible by public transport and by walking and cycling.*
- *To allow for small scale dining and entertainment activities at night provided that residential amenity of adjoining residential zoned land is protected.*
- *To encourage residential use provided that it supports the viability of the activity centres and an active street frontage is maintained.*
- *To ensure that building design and use is compatible with surrounding development and use, particularly on land in residential zones.*
- *To allow for small shopping centres that might include a supermarket and specialty shops.*
- *To allow for limited office based employment provided that it supports the viability of the activity centre and maintains an active street frontage.*
- *To allow for dining and entertainment activities at night within food premises or local hotel.*

Comments

The proposal for a change of use to Sports and Recreation which does not strictly accord with the main intention of the zone for a small shopping centre, some office use for professional services and food services to serve the needs of the local area and maintain an active street frontage. Nevertheless, the use is a discretionary use within the zone and would not adversely impact on residential amenity within the vicinity, which is an objective of the zone. In addition, the use would only occupy a small area of the shopping complex so that there would be a significant amount of retail and restaurant space retained, which meets the main purpose of the zone. Furthermore, the proposal would not compromise any opportunity for the building to revert to retail space in the future. Therefore, it is considered that whilst the proposed use does not exactly fit with the main intention of the zone, it would not result in compromising the shopping complex and would provide for an additional service for the local community. In addition, the use would not have any adverse amenity impacts. As such, it is considered that the proposal would be acceptable at this location and within the Local Business Zone.

Use Table

The use class Sports and Recreation is discretionary in Table 20.2 Use Table.

Use Standards

There are use standards in regard to Hours of Operations; Noise; External Lighting; and Commercial Vehicle Movements in 20.3 Use Standards.

The proposal complies with all of the applicable standards as demonstrated in the attached Appendix, except as follows:

Hours of Operations

The application proposes the following operating hours:

- Weekdays 6:00am to 8:00pm
- Saturdays 6:00am to 12:00pm

The application does not accord with the Acceptable Solution in 20.3.1 A1 as it would be outside the following operating hours.

20.3.1 A1 Hours of Operations

Hours of operation of a use within 50 m of a residential zone must be within:

- (a) *7.00 am to 9.00 pm Mondays to Saturdays inclusive;*
- (b) *9.00 am to 5.00 pm Sundays and Public Holidays.*

except for office and administrative tasks.

Therefore, the proposal relies on the related performance Criteria as follows:

20.3.1 P1 Hours of Operations

Hours of operation of a use within 50 m of a residential zone must not have an unreasonable impact upon the residential amenity of land in a residential zone through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent.

Comment

The proposed operating hours would be one hour earlier on week days and three hours earlier on Saturdays. The nearest residential development is at the rear of the complex approximately 30m away. The only potential issue would be noise, however the applicant provided extensive noise mitigation measures, which are to the satisfaction of Environmental Health Services. Therefore, it is considered that the proposed operating hours would be acceptable and accord with the above Performance Criteria.

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

Development Standards for Buildings or Works

The application does not propose any works, so that the development standards are not applicable.

Part E: Codes

The following codes of the Scheme apply to this proposal:

6.0 Parking and Access Code

The application accords with all of the Acceptable Solutions as demonstrated within the attached Appendix, except as follows:

Number of Car Parking Spaces

The application does not provide for any new car parking spaces. There is a slightly higher rate for the use of Sports and Recreation as compared with General Retail and Hire. According to the rate below, Sports and Recreation (Fitness Centre) would require 4.5 spaces per 100m², whilst General Retail and Hire would require 3.3 spaces per 100m².

Use Class: General retail and hire

General retail and hire, except as otherwise specified in this table.	1	for each 30m ² of floor area.
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Use Class: Sports and recreation

Fitness centre	4.5	for each 100m ² of floor area
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As such, the application does not accord with the Acceptable Solution E6.6.1 A1 with respect to the number of car parking spaces and relies on the related performance criteria as follows:

E6.6.1 P1 Number of Car Parking Spaces

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

- (a) car parking demand;*
- (b) the availability of on-street and public car parking in the locality;*
- (c) the availability and frequency of public transport within a 400m walking distance of the site;*
- (d) the availability and likely use of other modes of transport;*
- (e) the availability and suitability of alternative arrangements for car parking provision;*
- (f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;*
- (g) any car parking deficiency or surplus associated with the existing use of the land;*

- (h) any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site;*
- (i) the appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;*
- (j) any verified prior payment of a financial contribution in lieu of parking for the land;*
- (k) any relevant parking plan for the area adopted by Council;*
- (l) the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;*
- (m) whether the provision of the parking would result in the loss, directly or indirectly, of one or more significant trees listed in the Significant Trees Schedule.*

Comment

The area of the gym would be 165.3m² and requires seven spaces instead of the six that the shop had required. Therefore, there is a shortfall of one space. It was calculated previously that the site as a whole, which has parking for fifty-two spaces, had a surplus of ten spaces. Therefore, there would be sufficient parking on-site for the demand generated, which is in accordance with the above Performance Criteria.

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

PART F: Specific Area Plans

No Specific area plan applies to this application.

INTERNAL REFERRALS

Development Engineer

The Development Engineer did not require a referral.

Environmental Health

Due to the nature of the business and the possibility of excess noise being generated, further information was requested of the applicants to provide details of the use to demonstrate compliance with Acceptable Solution 20.3.2 A1 of the Glenorchy Interim Planning Scheme 2015 (Scheme).

The following details regarding noise mitigating measures, that will be implemented by the applicants, was provided to Council in a letter dated 22/03/2018, to assist with the assessment of this application:

- Premium Rubber Grid Flooring will be installed (shock absorbent flooring and reduces noise and vibrations);

- New double glazed windows will be installed;
- No large/commercial sound system will be installed/utilised as part of the use. An iPhone/iPod connected to blue tooth hand held portable speaker will be used;
- Equipment such as dumbbells and weight plates will be rubber coated to reduce shock, vibration and noise;
- The use will be for 1:1 PT consultations only; and
- All external walls of the site are brick.

The site is also separated from the closest Residential Zone by approximately 30 meters with a road running through this setback.

Due to the information provided, and the set back of the site from the closest residential zone, Environmental Health has concluded the proposed use will comply with Acceptable Solution 20.3.2 A1 of the Scheme. The Acceptable Solution in 20.3.2 A1 of the Scheme is recommended to be applied as a condition together with a condition ensuring all noise mitigating measures detailed in the further information response letter dated 22/03/2018 are implemented.

EXTERNAL REFERRALS

TasWater

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

REPRESENTATIONS

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

1. Address

The representor states that the application was advertised with their address which is shop 5A known as Saigon Aroma in CT59395/9 at 26 Wyndham Road.

Planner's Comment:

The application was first advertised for 26 Wyndham Road, which was the address stated on the application form. Upon receipt of the representation Council re-advertised the application with the correct address, which is 24B Wynham Road and is shop 5 on the strata plan. Saigon Aroma is shop 9 on the strata plan. The plan submitted with the application shows the subject shop as 5A and the other two shops as 5B and 5C. Because shop 5 is not divided into further stratum titles and is currently vacant, there is no separate address for each of the three shops which are shown on the plan. This application is only for shop 5A which is on the southernmost shop of 24B Wyndham Road and is not adjoining Saigon Aroma.

2. Noise

The representor states that noise should be mitigated from portable stereos with sound proofing and is concerned that excessive noise might impact on patronage of other businesses.

Planner's Comment:

This issue has been previously addressed under the heading Environmental Health. Conditions are recommended to ensure that the applicant is implementing all noise mitigating measures as outlined within the supporting documents of this application.

CONCLUSION

The application is for a change of use from a shop to a small gym for an area of 165.3m² at a local shopping centre in Claremont. The use falls within the use class Sports and Recreation which is a discretionary use within the Local Business Zone. The application is also discretionary as there would be a shortfall of one parking space and as the use would operate early in the morning, outside the operating hours of the Acceptable Solution. In terms of the use it is assessed that the use would be acceptable in this location, as it would not compromise the zone intent and complies with all applicable use standards. The parking shortfall of one space is also acceptable as there is a surplus on the entire site. In terms of the operating hours, noise would be minimised so as not to adversely affect residents 30m away.

The application was advertised twice to reflect the correct address of the premises. One representation was received, which raised concerns about the address and potential for noise. The issue of the address was dealt with by re-advertising the application. In terms of noise, the applicant was required to provide information about noise mitigation measures. Council's Environmental Health Officer is satisfied that the noise mitigation measures would ensure that noise is kept to an acceptable level and within the Acceptable Solution of the noise standard, so that there is no discretion in this regard. A condition is recommended to ensure the measures are implemented as proposed.

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 Change of use to sports and recreation. Re-advertised at 24B Wyndham Road, Claremont subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-18-038 and Drawing No. P1 submitted on 06/03/18, except as otherwise required by this permit.

2. Any conditions and/or advice as determined by TasWater, and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2018/00382-GCC, dated 12/04/18, form part of this permit.
3. A minimum of six (6) clearly marked car parking spaces must be available for the use approved herewith and kept available for these purposes at all times.

Environmental Health

4. 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.

5. All noise mitigating measures, detailed in the Additional Information response letter to Council dated 22/03/2018 must be implemented as part of the use approved herewith and includes the following:
 - (a) Installation of shock absorbent flooring;
 - (b) Installation of double glazed windows;
 - (c) Use of rubber coated equipment including rubber coated dumbbells and weight plates;
 - (d) Use of small portable speakers only;
 - (e) Gym sessions to be conducted only for 1:1 personal training.

Advice to Applicant

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

Other Permits

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

If further clarification is required, please contact Council's Building Section on 62166800.

APPENDIX**20.0 Local Business Zone**

Standard	Acceptable Solution	Proposed	Complies?
20.3 Use Standards			
20.3.1 Hours of Operation	A1 Hours of operation of a use within 50 m of a residential zone must be within: (a) 7.00 am to 9.00 pm Mondays to Saturdays inclusive; (b) 9.00 am to 5.00 pm Sundays and Public Holidays. except for office and administrative tasks.	Proposed hours: Weekdays 6:00am to 8:pm Saturdays 6:00am to 12pm	Discretion
20.3.2 Noise	A1 Noise emissions measured at the boundary of a residential zone must not exceed the following: (a) 55dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm; (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm and 7.00 am; (c) 65dB(A) (LAmax) at any time.	Details provided that indicate compliance with A1 20.3.2 – recommended to be applied as condition of permit along with noise mitigation measures.	YES conditions recommended

	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.		
20.3.3 External Lighting	A1 External lighting within 50 m of a residential zone must comply with all of the following: (a) be turned off between 10:00 pm and 6:00 am, except for security lighting; (b) security lighting must be baffled to ensure they do not cause emission of light outside the zone.	Noe proposed	NA
20.3.4 Commercial Vehicle Movements	A1 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must be within the hours of: (a) 7.00 am to 5.00 pm Mondays to Fridays inclusive; (b) 9.00am to 5.00pm Saturdays; (c) 10.00am to 12 noon Sundays and public holidays.	This standards refers to trucks which are not part of the proposal	NA

20.4 Development Standards for Buildings and Works

There are no building works proposed so that the development standards are not applicable.

E6.0 Parking and Access Code

Standard	Acceptable Solution	Proposed	Complies?
E6.6 Use Standards			
E6.6.1 Number of Car Parking Spaces	A1 The number of on-site car parking spaces must be: (a) no less than the number specified in Table E6.1 and no more than 10% greater than that number; except if: (i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (ii) this provision was not used in this planning scheme.	Shortfall of 1 parking space	Discretion

Attachments/Annexures

- 1  Attachment - 24B Wyndham Road, Claremont

8. PROPOSED USE AND DEVELOPMENT - ONE LOT SUBDIVISION PLUS BALANCE - 1A PASCOE AVENUE, CLAREMONT

Author: Planning Officer (Bhavna Gungabison)

Qualified Person: Planning Officer (Bhavna Gungabison)

Property ID: 7466444

REPORT SUMMARY:

Application No.:	PLN-18-043
Applicant:	Rogerson & Birch Surveyors
Owner:	P K Stanwix
Zone:	Inner Residential
Use Class	Subdivision
Application Status:	Discretionary
Discretions:	9.7.2 Subdivision 11.5.1 Lot Design (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	16 May 2018
Existing Land Use:	Residential (single dwelling)
Proposal In Brief:	One lot subdivision plus balance
Representations:	1
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL:**PROPOSAL**

The proposal is for a one lot subdivision of the land at 1A Pascoe Avenue, Claremont. The site currently has an overall area of 693m². It is proposed that lot 1 will be 278m² and lot 2 will be 415m². Lot 2 will keep the existing access while Lot 1 is proposed to have its own access through Pascoe Avenue.

SITE and LOCALITY

The subject site is located on the south-western side of Pascoe Avenue and western side of Main Road.

The subject site currently consists of a single dwelling with associated sheds. The access is through Pascoe Avenue.

The locality consists of a mixture of single and multiple dwellings on more or less similarly portioned land. The surrounding area is mainly residential use.



Figure 1: An aerial view of the subject site and surrounding locality.

ZONE

The subject site is zoned under Inner Residential Zone.

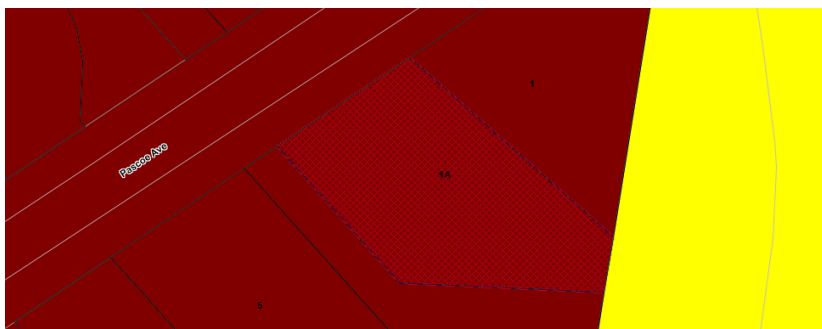


Figure 2: A snapshot of the zoning of the land (Maroon – Inner residential zone)

BACKGROUND

PLN-17-381 - Subdivision (one new lot and one balance lot) – Withdrawn 05/03/18

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 SP applies. No conflict between code and zone provision.

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, homebased business, hostel, residential aged care home, residential college, respite centre, retirement village and single or multiple dwellings.

Other relevant definitions (Clause 4.1):

Access means land over which a vehicle enters or leaves a road from land adjoining a road.

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.

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

- (a) a lease of a building or of the land belonging to and contiguous to a building between the occupiers of that building;
- (b) a lease of airspace around or above a building;
- (c) a lease of a term not exceeding 10 years or for a term not capable of exceeding 10 years;

- (d) the creation of a lot on a strata scheme or a staged development scheme under the Strata Titles Act 1998; or
- (e) an order adhering existing parcels of land.

Part C: Special Provisions

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

Subdivision

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

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

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

Comments:

Due to the nature of the application being for subdivision, a planning permit is required in accordance with Clause 9.7.

Part D: Zones

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

Zone Purpose Statements

11.1.1.1 To provide for a variety of residential uses and dwelling types close to services and facilities in inner urban and historically established areas, which uses and types respect the existing variation and pattern in lot sizes, set back, and height.

11.1.1.2 To provide for compatible non-residential uses that primarily serve the local community.

11.1.1.3 To encourage residential development at higher densities in locations within walkable distance of services, facilities, employment and high frequency public transport corridors.

11.1.1.4 To provide for a change in character from single dwellings on larger lots to alternative forms of housing such as terrace housing and apartments at greater density and with improved public open space amenity, whilst protecting amenity for existing nearby development.

Comment:

It is considered that the proposed subdivision is consistent with the zone purpose statements as it will result in an increased density of residential development.

Use Table

Although the intended purpose of the subdivision is for Residential use, subdivision is categorised as development. The use table is not applicable in this instance.

Use Standards

No use standards apply to the proposed subdivision.

Development Standards for Subdivisions

The proposed subdivision complies with all relevant acceptable solutions but relies on the following performance criteria to satisfy the following standards:

11.5.1 Lot Design

Performance criteria P2 require the design of each lot must contain a building area able to satisfy all of the following:

- (a) be reasonably capable of accommodating residential use and development at a density of no lower than one dwelling unit per 250 m² of site area;
- (b) meets any applicable standards in codes in this planning scheme;
- (c) enables future development to achieve reasonable solar access, given the slope and aspect of the land and the intention for density of development higher than that for the General Residential Zone.

Comment:

The size of the balance lot is proposed to be 278m², which provides enough space for the construction of a dwelling. The proposed subdivision is able to create a new lot that will contain a building area that is able to meet the applicable standards in the applicable codes. The proposal would allow for future development to achieve reasonable solar access, given the slope and aspect and the intended density of development would be higher than the General Residential zone. As for the parent lot, future development is not applicable since the lot already consists of a dwelling on site.

The proposal is assessed to comply with the standard through the performance criteria.

Performance criteria P3 require the frontage of each lot to satisfy all of the following:

- (a) provides opportunity for practical and safe vehicular and pedestrian access;
- (b) is no less than 6 m except if an internal lot.

Comment:

The proposal provides each lot with practical and safe vehicular and pedestrian access, with an 8.8m frontage for the balance lot, 11.2m primary frontage and 7m Main Road frontage for the parent lot.

The proposal is assessed to comply with the standard through the performance criteria.

Performance criteria P5 requires the arrangement and provision of lots to satisfy all of the following;

- (a) have regard to providing a higher net density of dwellings along;
 - (i) public transport corridors;
 - (ii) adjoining or opposite public open space, except where the public open space presents a hazard risk such as bushfire;
 - (iii) within 200 m of business zones and local shops;
- (b) will not compromise the future subdivision of the entirety of the parent lot to the densities envisaged for the zone;
- (c) staging, if any, provides for the efficient and ordered provision of new infrastructure;
- (d) opportunity is optimised for passive surveillance between future residential development on the lots and public spaces;
- (e) is consistent with any applicable Local Area Objectives or Desired Future.

Comment:

The proposed subdivision is located on the western side of Main Road, approximately 75m from the nearest local business area, around 75m from the open space area across Main Road and allows for passive surveillance because of the design of the proposed frontages and lot layout.

The proposal is assessed to comply 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 intends on having a new vehicle access for Lot 2 and therefore, the road and railway assets code applies. The proposal complies with the acceptable solutions under this code.

E6.0 Parking and Access Code

The proposal is not exempt under Clause E6.4 of the Glenorchy Interim Planning Scheme 2015. The application was referred to Development Engineer for comments as shown in the referral section which is contained in the referral section of this report.

E7.0 Stormwater Management Code

The proposal is not exempt under Clause E7.4 of the Glenorchy Interim Planning Scheme 2015. The application was referred to Council's Development Engineer for comments which are contained in the referral section of this report.

PART F: Specific Area Plans

No SAP applies.

INTERNAL REFERRALS**Development Engineer*****Traffic, Access & Parking***

The new lot can be accessed off the Pascoe Avenue with existing vehicular access serving the balance lot. The driveway will comply with AS2890.1:2004. It is therefore considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected.

GCC Services (Stormwater)

There are no GCC stormwater mains affected by this application; and the stormwater connection can be made available at the Main Road frontage.

Other***Geoscience issues***

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

Flooding/Inundation issues

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

EXTERNAL REFERRALS**TasWater**

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

REPRESENTATIONS

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

1. Impact on Utilities Provision

The representor states that the electricity/utility/NBN pole is located on the boundary fence and provision of those utilities to 3 Pascoe Avenue will be impacted as a result of the subdivision.

Planner's Comment:

As part of this application, potable water, sewer and stormwater connection has been assessed as per requirements under Clause 11.5.4 Services.

Electricity and NBN connection is considered by the relevant service provider and is therefore not a planning issue that warrants any determining weight.

2. Impact of development on boundary fence

The representor states that the boundary fence between 1A Pascoe Avenue and 3 Pascoe Avenue will be affected due to removal of shrubs and trees.

Planner's Comment:

No shrubs or trees are proposed to be removed as no physical works are proposed. Furthermore, boundary fence is governed by the Boundary Fence Act 1908 and therefore is not a planning issue that warrants any determining weight.

CONCLUSION

The proposal is for a one-lot subdivision plus balance lot. The balance lot will be located adjacent to the parent lot with new access from Pascoe Avenue. The proposed subdivision meets all required development and code standards including minimum lot area and minimum frontage width except where reliant on performance criteria for Clause 11.5.1 Lot design.

The proposal is assessed as satisfying those performance criteria in order to meet the objectives of the standard, and as such, complies with each applicable standard.

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 one lot subdivision plus balance at 1a Pascoe Avenue Claremont subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-18-043 and Drawing No. P1 submitted on 8/3/18, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Appendix A, form part of this permit.

Engineering

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

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

4. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
5. All internal hydraulic service works required for the development 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 to organise for Council to provide a quote to perform the stormwater connection works prior to the issuing of a Building Permit or the commencement of works on site.
6. Construction of a new vehicle crossing must be constructed in accordance with standard drawing SD-1003 between the kerb and the property boundary and completed to the satisfaction of Council's Development Engineer.
7. Any driveway crossover work within Council's road reservation must be carried out by a Council-registered contractor. A road-opening permit from Council's Planning Services Program is required. An inspection fee is payable upon application. Any modifications to vehicular kerb crossing must include reinstatement of the footpath/nature strip and kerbing to match the existing environment.

Advice to Applicant

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

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

Other Permits

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

APPENDIX**11.0 Inner Residential Zone**

Standard	Acceptable Solution	Proposed	Complies?
11.5 Development Standards for Subdivision			
11.5.1 Lot Design	A1 The size of each lot must comply with the minimum and maximum lot sizes specified in Table 11.1, except if for public open space, a riparian or littoral reserve or utilities.	The proposed development creates a new lot of 278m ² which meets the minimum lot size requirement. The parent lot will be 415m ² which is within the maximum lot size requirement	Yes
	A2 No Acceptable Solution	Discussed in the report	No – see report
	A3 No Acceptable Solution	Discussed in the report	No – see report
	A4 No lot is an Internal Lot	No internal lots proposed	Yes
	A5 No Acceptable Solution.	Discussed in the report	No – see report

Standard	Acceptable Solution	Proposed	Complies?
11.5.2 Roads	A1 The Subdivision includes no new road	No new road is proposed	Yes
11.5.3 Ways and Public Open Space	A1 No Acceptable Solution	Discussed in the report	No – see report
11.5.4 Services	A1 Each lot must be connected to a reticulated potable water supply.	TasWater has indicated that the additional lot can be serviced with a reticulated potable water supply.	Yes
	A2 Each lot must be connected to a reticulated sewerage system.	TasWater has indicated that the additional lot can be connected to the existing reticulated sewerage system.	Yes
	A3 Each lot must be connected to a stormwater system able to service the building area by gravity.	Council's Development Engineer has indicated that the new lot can be connected to the existing stormwater system so that a future building on the proposed lot can be serviced by gravity.	Yes
	A4 The subdivision includes no new road.	No new road proposed	Yes.

E6.0 Parking and Access Code

Standard	Acceptable Solution	Proposed	Complies?
E6.6 Use Standards			
E6.6.1 Number of Car Parking Spaces	A1 The number of on-site car parking spaces must be: (a) no less than the number specified in Table E6.1 and no more than 10% greater than that number; except if: (i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (ii) this provision was not used in this planning scheme.		NA
E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability	A1 Car parking spaces provided for people with a disability must: (a) satisfy the relevant provisions of the Building Code of Australia; (b) be incorporated into the overall car park design; (c) be located as close as practicable to the building entrance.		NA
E6.6.3 Number of Motorcycle Parking Spaces	A1 The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.		NA

Standard	Acceptable Solution	Proposed	Complies?
E6.6.4 Number of Bicycle Parking Spaces	A1 The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.		NA
E 6.7 Development Standards			
E6.7.1 Number of Vehicle Accesses	A1 The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.		Yes
E6.7.2 Design of Vehicular Accesses	A1 Design of vehicle access points must comply with all of the following: (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – "Access Facilities to Off-street Parking Areas and Queuing Areas" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 "Access Driveways and Circulation Roadways" of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.		Yes
E6.7.3 Vehicular Passing Areas Along an Access	A1 Vehicular passing areas must: (a) be provided if any of the following applies to an access: (i) it serves more than 5 car parking spaces; (ii) is more than 30 m long;		NA

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

Standard	Acceptable Solution	Proposed	Complies?
E6.7.7 Lighting of Parking Areas	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.		NA
E6.7.8 Landscaping of Parking Areas	A1 Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.		NA
E6.7.9 Design of Motorcycle Parking Areas	A1 The design of motorcycle parking areas must comply with all of the following: (a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) be located within 30 m of the main entrance to the building.		NA
E6.7.10 Design of Bicycle Parking Facilities	A1 The design of bicycle parking facilities must comply with all the following; (a) be provided in accordance with the requirements of Table E6.2; (b) be located within 30 m of the main entrance to the building.		NA

Standard	Acceptable Solution	Proposed	Complies?
	A2 The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.		
E6.7.11 Bicycle End of Trip Facilities	A1 For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.		NA
E6.7.12 Siting of Car Parking	A1 Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.		NA
E6.7.1.13 Facilities for Commercial Vehicles	A1 Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless: (a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site; (b) the use is not primarily dependent on outward delivery of goods from the site.	NA	

Monday, 14 May 2018

Glenorchy Planning Authority Meeting Agenda

Standard	Acceptable Solution	Proposed	Complies?
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements of the road authority.		Yes

APPENDIX**E7.0 Stormwater Management Code**

Standard	Acceptable Solution	Proposed	Complies?
E7.7 Development Standards			
E7.7.1 Stormwater Drainage and Disposal	A1 Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.		Yes
	A2 A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply: (a) the size of new impervious area is more than 600 m ² ; (b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots.		NA
	A3 A minor stormwater drainage system must be designed to comply with all of the following: (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed; (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.		NA
	A4 A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.		NA

Attachments/Annexures

- 1  Attachment - 1A Pascoe Avenue, Claremont

9. PROPOSED USE AND DEVELOPMENT - ADDITIONS FOR ANCILLARY STORAGE FOR BOAT BUILDING (MANUFACTURING AND PROCESSING) - 100 DERWENT PARK ROAD, DERWENT PARK

Author: Senior Statutory Planner (Vanessa Tomlin)

Qualified Person: Senior Statutory Planner (Vanessa Tomlin)

Property ID: 7671632

REPORT SUMMARY:

Application No.:	PLN-17-383
Applicant:	Johnstone McGee & Gandy Pty Ltd (JMG)
Owner:	Intercats (Tasmania) Pty Ltd
Zone:	General Industrial
Use Class	Manufacturing and processing
Application Status:	Discretionary
Discretions:	(The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	15 May 2018
Existing Land Use:	Approval, subject to conditions
Representations:	0
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL:

PROPOSAL

The proposal involves the construction of an extension to the eastern side of the existing 'Coverdales' shipbuilding shed and dry dock, 'Degrales' aluminium extrusion store and 'Wilsons' shipbuilding shed and dry dock. The proposed extension is to be 121m in length and 15.69m in width, with a maximum height of 12m. The proposed extension is to contain a bridge crane and is to be used as a store, supporting the approved use on site.

The proposal relies on performance criteria to comply with applicable standards in the Potentially Contaminated Land code, Parking and Access code, Waterway and Coastal Protection code, Inundation Prone Areas code and Coastal Erosion code.

SITE and LOCALITY

The subject site is located at the northern end of Derwent Park Road, Derwent Park. The property has a front boundary of 18.38m, a depth of approximately 215m and a total area of 7.181ha. The existing building is located in the middle of the property and vehicular access is via an existing crossover and internal driveway extending to the centre of the site. There is a foreshore embankment extending along the eastern side of the site, separating the site from the Derwent River (Fig. 1).



Figure 1. An aerial view of the site and surrounds.

ZONE

The site is located in the General Industrial zone (Fig. 2).

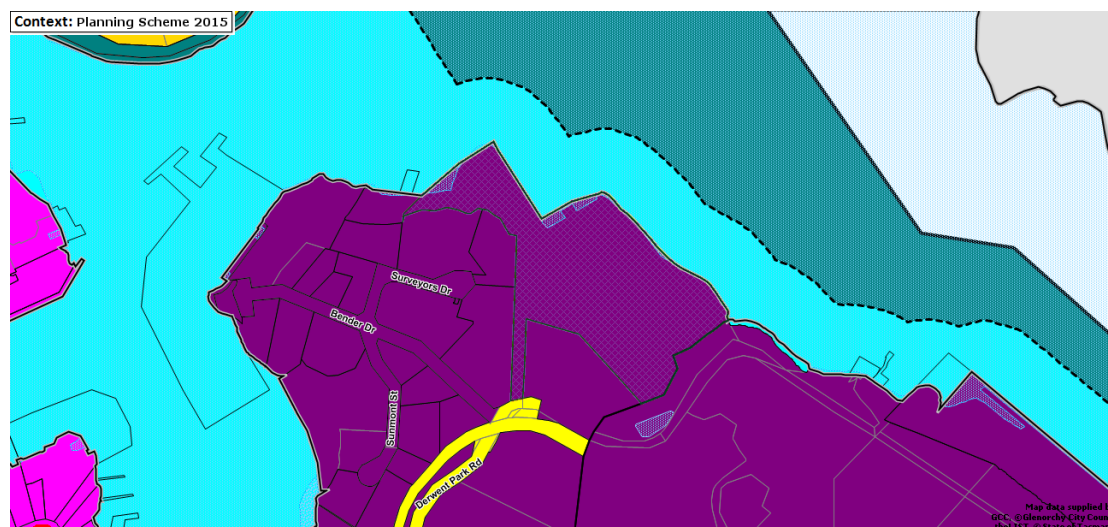


Figure 2. A snapshot of the zoning of the locality, showing the site within the General industrial zone (purple) and bordered to the by the Port and Marine zone (aqua).

BACKGROUND

- PLN-00834 Jetty for dry dock facility, approved 15/10/01
- PLN-06-04353 Land reclamation within 30m of a listed watercourse (marine development) and construction of a wharf for the purposes of a marine industry, approved 28/07/08
- PLN-11-195 Land reclamation within 30m of a listed water course (Marine development) and construction of a wharf for the purposes of a marine industry (adjacent to 100 Derwent Park Road), approved 09/01/12
- PLN-15-001 Proposed wharf/marina to existing boat building facility (Manufacturing and Processing), not yet determined.
- PLN-16-280 Alterations to boat building structure (Manufacturing and processing) relying on performance criteria, approved 11/01/17

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil

Limited Exemptions

Nil

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

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

Use Class Description (Table 8.2):

The proposal is an addition/extension to an existing approved use of Boat Building, which fits within the use class of Manufacturing and Processing.

Manufacturing and Processing means use of land for manufacturing, assembling or processing products other than Resource processing. Examples include boat building, brick making, cement works, furniture making, glass manufacturing, metal and wood fabrication, mineral processing and textile manufacturing.

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.

Habitable building means a building of Class 1 - 9 of the Building Code of Australia (Fig. 3).

<i>Classification Summary of Buildings and Structures defined in the Building Code of Australia</i>		
CLASSES OF BUILDING		
Class 1	Class 1a	A single dwelling being a detached house, or one or more attached dwellings, each being a building, separated by a <i>fire-resisting wall</i> , including a row house, terrace house, town house or villa unit.
	Class 1b	A boarding house, guest house, hostel or the like with a total area of all floors not exceeding 300m ² , and where not more than 12 reside, and is not located above or below another dwelling or another Class of building other than a private garage.
Class 2	A building containing 2 or more sole-occupancy units each being a separate dwelling.	
Class 3	A residential building, other than a Class 1 or 2 building, which is a common place of long term or transient living for a number of unrelated persons. <i>Example: boarding-house, hostel, backpackers accommodation or residential part of a hotel, motel, school or detention centre.</i>	
Class 4	A dwelling in a building that is Class 5, 6, 7, 8 or 9 if it is the only dwelling in the building.	
Class 5	An office building used for professional or commercial purposes, excluding buildings of Class 6, 7, 8 or 9.	
Class 6	A shop or other building for the sale of goods by retail or the supply of services direct to the public. <i>Example: café, restaurant, kiosk, hairdressers, showroom or service station.</i>	
Class 7	Class 7a	A building which is a carpark.
	Class 7b	A building which is for storage or display of goods or produce for sale by wholesale.
Class 8	A laboratory, or a building in which a handicraft or process for the production, assembling, altering, repairing, packing, finishing, or cleaning of goods or produce is carried on for trade, sale or gain.	
Class 9	A building of a public nature -	
	Class 9a	A health care building, including those parts of the building set aside as a laboratory.
	Class 9b	An assembly building, including a trade workshop, laboratory or the like, in a primary or secondary school, but excluding any other parts of the building that are of another class.
	Class 9c	An aged care building.
Class 10	A non habitable building or structure -	
	Class 10a	A private garage, carport, shed or the like.
	Class 10b	A structure being a fence, mast, antenna, retaining or free standing wall, swimming pool or the like.

Figure 3. A list of the building class 1-9 of the Building Code of Australia.

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

Part C: Special Provisions

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

Part D: Zones

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

Zone Purpose Statements

- 25.1.1.1 To provide for manufacturing, processing, repair, storage and distribution of goods and materials where there may be impacts on neighbouring uses.
- 25.1.1.2 To provide industrial activity with good access to strategic transport networks.
- 25.1.1.3 To promote efficient use of existing industrial land stock.
- 25.1.1.4 To restrict intensification of existing non-conforming uses.
- 25.1.1.5 To provide industrial activity with good access to strategic transport networks.

The proposal is considered to be consistent with the purpose of the General Industrial zone because the proposal is an extension to an existing industrial use that has good access to strategic transport networks.

Use Table

Manufacturing and Processing is a permitted use in the General Industrial zone. However, the proposal is discretionary because the proposal relies on performance criteria to comply with an applicable standard.

Use Standards

There are no use standards in the General Industrial zone.

Development Standards for Buildings or Works

The proposal is assessed as satisfying the acceptable solutions of the applicable standards in the General Industrial zone.

Part E: Codes

The following codes of the Scheme apply to this proposal:

E2.0 Potentially Contaminated Land Code

The subject site is recognised as having historical contamination from nearby heavy industries. Therefore, assessment under the code is required.

Considering that the use of the site has been previously approved and the land was found to be useable for the intended use, it is only the development standards that are applicable to the assessment of the proposal.

E2.6.2 Excavation

There is no acceptable solution for this standard. The performance criteria require excavation to not adversely impact on health and the environment, having regard to:

- (a) an environmental site assessment that demonstrates there is no evidence the land is contaminated; or

- (b) a plan to manage contamination and associated risk to human health and the environment that includes:
 - (i) an environmental site assessment;
 - (ii) any specific remediation and protection measures required to be implemented before excavation commences; and
 - (iii) a statement that the excavation does not adversely impact on human health or the environment.

A Geotechnical Site Assessment addressed the issue of potentially contaminated land by providing plan to manage any contaminated soils and confirmed that the soils would not adversely impact human health and the environment. A condition of approval has been recommended to ensure the recommendations of the report are implemented.

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

E6.0 Parking and Access Code

The parking rate for Manufacturing and Processing is calculated as one space for every 50m² of floor area. Accordingly, thirty seven additional parking spaces are required onsite in accordance with acceptable solution A1 of E6.6.1. The proposal relies on performance criteria E6.1.1 P1.

Considering that the proposed extension is for the purpose of a store and is not for additional workspace, which would attract additional employees and more traffic movements from the current arrangement, the existing demand for parking is not expected to increase. In addition, the use of the site has been approved with surplus parking. As such, the proposal is assessed as satisfying the performance criteria because there is enough car parking provided on-site to meet the reasonable needs of all users of the approved use and the proposed development.

E7.0 Stormwater Management Code

The proposal is to connect to the existing stormwater management infrastructure onsite and complies with the acceptable solutions of the code. A condition of approval is recommended to ensure internal hydraulic service works meet the requirements of Council's Plumbing Surveyor.

E11.0 Waterway and Coastal Protection Code

The proposal is to be located within the Waterway and Coastal Protection Area. The applicable standard of this code is E11.7.1 Buildings and Works.

E11.7.1 Buildings and Works

Since the proposal is not within a building area on a plan of subdivision approved under this planning scheme, the proposal relies on performance criteria. The performance criteria require building and works within a Waterway and Coastal Protection Area to 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.

The proposal is assessed as satisfying the performance criteria by avoiding impacts to natural values by retaining excavated soils onsite as per the recommendations of the Geotechnical Site Assessment; implement a soil and water management plan during construction to manage any erosion, sedimentation and runoff; and works are proposed to be undertaken in accordance with the requirements of (i). Criterion (c – h) is not applicable to the proposal. Accordingly, the proposal is assessed as satisfying the performance criteria and complies with the standard.

E15.0 Inundation Prone Areas Code

The site of the proposal is located within a Coastal Inundation Low Hazard Areas. The only applicable standard in this code is E15.7.3 Coastal Inundation Low Hazard Areas.

E15.7.3 Coastal Inundation Low Hazard Areas

The proposed store is classified as a non-habitable building that is to be more than 60m². Accordingly, the proposal relies on performance criteria, which requires a non-habitable building to satisfy all of the following:

- (a) risk to users of the site, adjoining or nearby land is acceptable;
- (b) risk to adjoining or nearby property or public infrastructure is acceptable;
- (c) need for future remediation works is minimised;
- (d) provision of any developer contribution required pursuant to policy adopted by Council for coastal protection works;

except if it is a building dependent on a coastal location

An embankment extends along the north-eastern side of the site, separating the location of the proposed building from the Derwent River. This embankment is designed to minimise the inundation hazard and causes the risk of inundation to be at an acceptable level for the users of the site; to adjoining land and infrastructure. Criterion (c – d) is not applicable to this assessment.

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

E16.0 Coastal Erosion Hazard Code

The proposal involves development on land in the Coastal Erosion Hazard Area, as shown on the planning scheme maps. The applicable standard of this code is E16.7.1 Buildings & Works.

E16.7.1 Buildings & Works

There is no acceptable solution and so the proposal relies on performance criteria, which requires buildings and works to satisfy all of the following:

- (a) not increase the level of risk to the life of the users of the site or of hazard for adjoining or nearby properties or public infrastructure;
- (b) erosion risk arising from wave run-up, including impact and material suitability, may be mitigated to an acceptable level through structural or design methods used to avoid damage to, or loss of, buildings or works;
- (c) erosion risk is mitigated to an acceptable level through measures to modify the hazard where these measures are designed and certified by an engineer with suitable experience in coastal, civil and/or hydraulic engineering;
- (d) need for future remediation works is minimised;
- (e) health and safety of people is not placed at risk;
- (f) important natural features are adequately protected;
- (g) public foreshore access is not obstructed where the managing public authority requires it to continue to exist;
- (h) access to the site will not be lost or substantially compromised by expected future erosion whether on the proposed site or off-site;
- (i) provision of a developer contribution for required mitigation works consistent with any adopted Council Policy, prior to commencement of works;
- (j) not be located on an actively mobile landform.

The Geotechnical Site Assessment has assessed the coastal erosion risk of the site and provided recommendations to appropriately manage the already low erosion risk into the future. Given that there are no works proposed that would affect the foreshore and considering the site is bordered by a protective embankment, the level of risk is acceptable.

The proposal satisfies the performance criteria and complies with the standard.

PART F: Specific Area Plans

No Specific Area Plan applies to the site.

INTERNAL REFERRALS

Environmental Health Officer

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

Based on the location and site history, known to be contaminated land, further information was requested to demonstrate compliance with the Glenorchy Interim Planning Scheme 2015 (The Scheme), E2.0 Potentially Contaminated Land Code. A Geotechnical Site Assessment, completed by GEO-Environmental Solutions and dated February 2018, was provided along with a covering letter to address the further information request. This investigation and subsequent report identified the following:

- The soil contamination level is below NEPM guidelines for commercial/industrial sites, thus any soil excavated can be used onsite without further controls. Further to this, there were a small number of exceedances for ecological guidelines, thus any excavated soil shall not be placed below sea level or on the foreshore embankment immediately adjacent to the waterfront. It is proposed that any soil excavated onsite will be retained on site.
- The soil contamination level is below NEPM guidelines for commercial/industrial sites and thus does not adversely impact on health or the environment provided the material is contained on the site as proposed. Based to the results presented in the Geotechnical Site Assessment, Environmental Health has concluded that this development complies with Performance Criteria P1 E2.6.2 of The Scheme. It is recommended that the following conditions be applied to the permit.

EXTERNAL REFERRALS

TasWater

TasWater is in support of the proposal and has recommended conditions and advice.

REPRESENTATIONS

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

CONCLUSION

The proposal is relying on the performance criteria to comply with applicable standards of the Potentially Contaminated Land code, Parking and Access code, Waterway and Coastal Protection code, Inundation Prone Areas code and Coastal Erosion code. The proposal is assessed as satisfying the performance criteria and complies with the applicable standards. 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 purpose statements and is satisfactory.

Recommendation:

That a permit be granted for the proposed use and development of Additions for ancillary storage for boat building (manufacturing and processing) at 100 Derwent Park Road Derwent Park subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-17-383 and Drawing No. P1 submitted on 15 December 2017, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2018/00011-GCC, dated 02/01/2018, form part of this permit.
3. Prior to the issuing of a valid authorisation or the commencement of works on site, (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

Engineering

4. 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.

Environmental Health

5. Excavation works onsite must be undertaken in accordance with the recommendations in the Geotechnical Site Assessment, by GEO-Environmental Solutions, dated February 2018, with particular attention given to the following:

- a) Excavated soil must not be placed below sea level or on the foreshore embankment immediately adjacent to the waterfront; and
- b) Excavated soil removed from the site must be handled and disposed of as Level 2 and Level 3 material as per the EPA requirements.

Advice to Applicant

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

Other Permits

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

APPENDIX**25.0 General Industrial**

Standard	Acceptable Solution	Proposed	Complies
25.4 Development Standards for Buildings and Works			
25.4.1 Building Height	A1 Building height must be no more than: 20m.		Yes
25.4.2 Setback	A1 Building setback from frontage must be no less than: 10m.		Yes
25.4.3 Design	A1 Building design must address the street by complying with all of the following: (a) provide the main pedestrian entrance to the building at the frontage; (b) screen mechanical plant from view from the street and other public spaces; (c) incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof.		Yes
24.4.4 Fencing	A1 Fencing must comply with all of the following: (a) fences, walls and gates of greater height than 2.4 m must not be erected within 10 m of the frontage; (b) fences along a frontage must be at least 50% transparent above a height of 1.2 m.		Yes

Standard	Acceptable Solution	Proposed	Complies
	A6 No Acceptable Solution.		

APPENDIX**E2.0 Potentially Contaminated Land Code**

Standard	Acceptable Solution	Proposed	Complies?
E2.5 Use Standards			
E2.5 Use Standards	A1 The Director, or a person approved by the Director for the purpose of this Code: (a) certifies that the land is suitable for the intended use; or (b) approves a plan to manage contamination and associated risk to human health or the environment that will ensure the land is suitable for the intended use.		NA
E2.6 Development Standards			
E2.6.1 Subdivision	A1 For subdivision of land, the Director, or a person approved by the Director for the purpose of this Code: (a) certifies that the land is suitable for the intended use; or (b) approves a plan to manage contamination and associated risk to human health or the environment, that will ensure the subdivision does not adversely impact on health or the environment and is suitable for its intended use.		NA

Standard	Acceptable Solution	Proposed	Complies?
E2.6.2 Excavation	A1 No acceptable solution.		No

APPENDIX

E6.0 Parking and Access Code

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

Standard	Acceptable Solution	Proposed	Complies?
	(d) be incorporated into the overall car park design; (e) be located as close as practicable to the building entrance.		
E6.6.3 Number of Motorcycle Parking Spaces	A1 The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.		NA
E6.6.4 Number of Bicycle Parking Spaces	A1 The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.		NA
E 6.7 Development Standards			
E6.7.1 Number of Vehicle Accesses	A1 The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.		Yes
E6.7.2 Design of Vehicular Accesses	A1 Design of vehicle access points must comply with all of the following: (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;		Yes

Standard	Acceptable Solution	Proposed	Complies?
	(b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 "Access Driveways and Circulation Roadways" of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.		
E6.7.3 Vehicular Passing Areas Along an Access	A1 Vehicular passing areas must: (a) be provided if any of the following applies to an access: (i) it serves more than 5 car parking spaces; (ii) is more than 30 m long; (iii) it meets a road serving more than 6000 vehicles per day; (b) be 6 m long, 5.5 m wide, and taper to the width of the driveway; (b) have the first passing area constructed at the kerb; (c) be at intervals of no more than 30 m along the access.		Yes
E6.7.4 On-Site Turning	A1 On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following: (a) it serves no more than two dwelling units; (b) it meets a road carrying less than 6000 vehicles per day.		Yes

Standard	Acceptable Solution	Proposed	Complies?
E6.7.5 Layout of Parking Areas	A1 The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 "Design of Parking Modules, Circulation Roadways and Ramps" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 "Headroom" of the same Standard.		Yes
E6.7.6 Surface Treatment of Parking Areas	A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following; (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.		Yes
E6.7.7 Lighting of Parking Areas	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.		Yes
E6.7.8 Landscaping of Parking Areas	A1 Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.		Yes

Standard	Acceptable Solution	Proposed	Complies?
E6.7.9 Design of Motorcycle Parking Areas	A1 The design of motorcycle parking areas must comply with all of the following: (a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) be located within 30 m of the main entrance to the building.		Yes
E6.7.10 Design of Bicycle Parking Facilities	A1 The design of bicycle parking facilities must comply with all the following; (a) be provided in accordance with the requirements of Table E6.2; (b) be located within 30 m of the main entrance to the building.		NA
	A2 The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.		NA
E6.7.11 Bicycle End of Trip Facilities	A1 For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.		NA

Standard	Acceptable Solution	Proposed	Complies?
E6.7.12 Siting of Car Parking	A1 Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.		NA
E6.7.1.13 Facilities for Commercial Vehicles	A1 Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless: (a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site; (b) the use is not primarily dependent on outward delivery of goods from the site.		Yes
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements of the road authority.		Yes

APPENDIX**E16.0 Coastal Erosion Hazard Code**

Standard	Acceptable Solution	Proposed	Complies?
E16.6 Use Standards			
E16.6 Use Standards	A1 No Acceptable Solution.		NA
E16.7 Development Standards			
E16.7.1 Buildings and works	A1 No Acceptable Solution		No
E16.7.2 Development Dependent on a Coastal Location	A1 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
	A2 No Acceptable Solution.		NA
	A3 No Acceptable Solution for coastal protection works initiated by the private sector.		NA
	A2 No Acceptable Solution		

APPENDIX**E11 Waterway and Coastal Protection Code**

Standard	Acceptable Solution	Proposed	Complies?
E11.7 Development Standards			
E11.7.1 Buildings and Works	A1 Building and works within a Waterway and Coastal Protection Area must be within a building area on a plan of subdivision approved under this planning scheme.		No
	A2 Building and works within a Future Coastal Refugia Area must be within a building area on a plan of subdivision approved under this planning scheme.		NA
	A3 Buildings and works within a Potable Water Supply Area must be within a building area on a plan of subdivision approved under this planning scheme.		NA
	A4 Development must involve no new stormwater point discharge into a watercourse, wetland or lake.		NA
E11.7.2 Building and Works Dependent on a Coastal Location	A1 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
	A2 No Acceptable Solution for dredging and reclamation.		NA

Standard	Acceptable Solution	Proposed	Complies?
	A3 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?
E15.6 Use Standards			
E15.6 Use Standards	A1 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: (a) floor level of habitable rooms is no less than the AHD level for the Coastal Inundation Low Hazard Area in Table E15.1; (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
E15.7 Development Standards for Buildings and Works			
E15.7.1 Coastal Inundation High Hazard Areas	A1 For a habitable building, including extensions to existing habitable buildings, there is no Acceptable Solution.		NA

	A2 For a non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, there is no Acceptable Solution.		NA
E15.7.2 Coastal Inundation Medium Hazard Areas	A1 For a new habitable building there is no acceptable solution.		NA
	A2 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: (a) new habitable rooms must comply with both of the following: (i) floor level no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1, (ii) floor area of the extension no more than 40 m² from the date of commencement of this planning scheme; (b) new habitable rooms must be above ground floor.		NA
	A3 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 m².		NA
E15.7.3 Coastal Inundation Low Hazard Areas	A1 A new habitable building must comply with the following: (a) floor level no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1.		NA

	A2 An extension to a habitable building must comply with either of the following: (a) floor level of habitable rooms is no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1; (b) floor area is no more than 60 m².		NA
	A3 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 m².		No
E15.7.4 Riverine Inundation Hazard Areas	A1 A new habitable building must have a floor level no lower than the 1% AEP (100 yr ARI) storm event plus 300 mm.		NA
	A2 An extension to an existing habitable building must comply with one of the following: (a) floor level of habitable rooms is no lower than the 1% AEP (100 yr ARI) storm event plus 300 mm; (b) floor area of the extension no more than 60 m² as at the date of commencement of this planning scheme.		NA
	A3 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 m².		NA

15.7.5 Riverine, Coastal Investigation Area, Low, Medium, High Inundation Hazard Areas	A1 For landfill, or solid walls greater than 5 m in length and 0.5 m in height, there is no acceptable solution.		NA
	A2 No acceptable solution.		NA
	A3 A land application area for onsite wastewater management must comply with all of the following: (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; (b) vertical separation distance from the water table must be no less than 1.5 m.		NA
E15.7.6 Development Dependent on a Coastal Location	A1 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
	A2 No acceptable solution		NA
	A3 No Acceptable Solution for coastal protection works initiated by the private sector.		NA

Attachments/Annexures

- 1  Attachment - 100 Derwent Park Road, Derwent Park