

**GLENORCHY PLANNING AUTHORITY MEETING
AGENDA
MONDAY, 14 OCTOBER 2019**



GLENORCHY CITY COUNCIL

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

Chairperson: Alderman K. Johnston

Hour: 5.00 p.m.

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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 September 2019 be confirmed.

**5. PROPOSED USE AND DEVELOPMENT - MULTIPLE DWELLINGS
(26) - 190 MARYS HOPE ROAD ROSETTA**

Author: Planning Officer (Sylvia Jeffreys)

Qualified Person: Planning Officer (Sylvia Jeffreys)

Property ID: 5333808

REPORT SUMMARY:

Application No.:	PLN-19-212
Applicant:	Starbox Architecture
Owner:	Housing Choices Tasmania Limited
Zone:	General Residential
Use Class	Residential
Application Status:	Discretionary
Discretions:	10.4.4 P1 Sunlight and overshadowing of all dwellings E15.7.4 P1 Riverine inundation hazard areas E5.5.1 P3 Existing road accesses and junctions (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	14 Oct 2019
Existing Land Use:	Single Dwelling
Representations:	23
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL:**PROPOSAL**

The application is for twenty-six dwellings on an elongated lot. The proposed dwellings would be arranged on either side of a central driveway, stepping down a slope. The dwellings would be a rectangular box-shape on piers, clad with weatherboards and capped with corrugated steel roofing. The dwellings would be finished in various grey tones. Each dwelling would provide for two bedrooms and open plan living areas. The main windows of the living areas would face northeast and overlook the roof of the dwelling in front. Private outdoor space would be provided in an internal courtyard fashion, where the dwellings on one side would have decks and the dwellings on the other side would have paved areas. Each dwelling would have a carport lengthways along the front wall. The proposed driveway traverses along the contours of a steep embankment at the road frontage and then turns to continue in a straight line to the bottom of the site, where there is a turning area. There would be two tandem parking spaces branching off at right angles to the front of each dwelling. In addition, there would be five visitor car parking spaces and two visitor motorbike spaces. Demolition of an existing dwelling has separate approval. The application is discretionary for the orientation of living room windows, vehicle movements per day and potential flood risk.

A perspective of the proposed dwellings is shown in Figure 1.



Figure 1: Perspective - Starbox Architecture

SITE and LOCALITY

The subject property is known as 190 Marys Hope Road, Rosetta and is described in title reference CT 76372/6.

The property is located on the eastern side of Marys Hope Road, just north of the intersecting with Gentile Court. The lot forms a parallelogram with an area of 9556m². The property has an average depth of approximately 215m and an average width of approximately 56m. There is a steep embankment at the frontage, after which there is a moderate slope of approximately 1:5. The property is occupied by a dwelling towards the front. The property is mainly vegetated with grass and there are scattered trees and shrubs near the existing house. The local area is characterised by residential development, predominantly single dwellings. The subject property adjoins thirteen residential properties of which ten contain a single dwelling, two contain two dwellings and one is vacant.

There is only one property with a long access strip adjoining on the western side at 8 Merriwa Street. This dwelling is approximately 18m from the common boundary. There is also a large property on the other side of the access strip, that does not adjoin, but the dwelling is approximately 19m from the western boundary.

Along the eastern boundary there are seven properties with large new single dwellings, with addresses in Gentile Court and Michele Court. These dwellings are approximately 5.5m to 15m away from the common boundary.

Three dwellings along the rear boundary in Chandos Drive are approximately between 6.5m and 17m away from the common boundary. One dwelling in Merriwa Street has its backyard along the common boundary.

The subject property is shown in Figure 2 and there are site photos shown in Figure 3.



Figure 2: Subject Property - Council Database 2019



Figure 3: Subject site from Marys Hope Rd, existing dwelling, from Merriwa St and looking to Gentile Ct

ZONE

The subject land is situated within the General Residential Zone in red, which also applies to the surrounding land as shown in Figure 4 below.

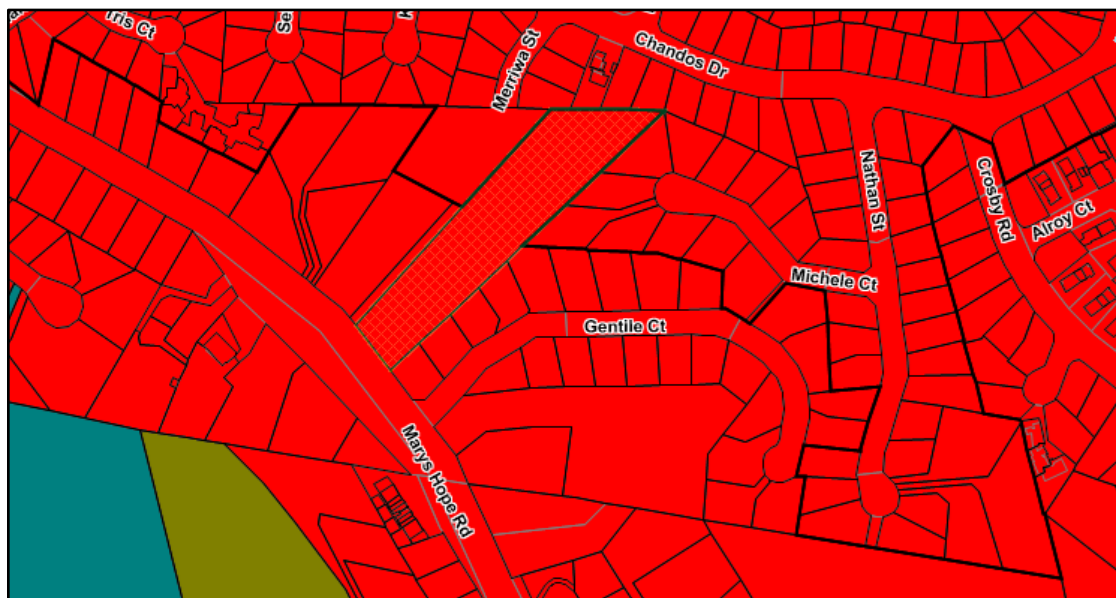


Figure 4: Zoning Map - GIPS 2015

BACKGROUND

Planning Scheme

The applicable planning scheme is the *Glenorchy Interim Planning Scheme 2015*.

Application

Advertising

The application was advertised from Wednesday 11/09/19 to Wednesday 25/09/19. The advertising was extended by one day because the newspaper did not publish the advertisement until Thursday 12/09/19.

Extension of Time

The applicant agreed to an extension of time to the next available meeting of the Glenorchy Planning Authority on 14/10/2019.

Supporting Documents

The application was supported by the following documents:

- Traffic Impact Assessment by RK Consulting Engineers dated 29/01/19
- Preliminary Engineering Drawings C00 to C05 by D1 Consulting Engineers July 2019 (received 31/07/19 and 11/09/19 revised C02).
- Statement against planning standards by Starbox Architecture

Permits

The following permits have been granted for the site:

- PLN-07-04491 and amendment - Twenty-One (21) Multiple dwelling units- Approved 24/09/07



Figure 5: Approved Plan PLN-07-04491

The above permit was not acted on and has lapsed.

- PLN-19-098 – Demolition – 16/05/19

The above permit allows for the demolition of the existing house and carport on site, as well as for vegetation removal.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

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

Nil.

Limited Exemptions

Nil.

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

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

- E5.0 Road and Railway Assets Code
- E6.0 Access and Parking Code
- E7.0 Stormwater Management Code
- E15.0 Inundation Prone Areas Code

Use Class Description (Table 8.2):

The application proposes twenty-six dwellings on site which fits under the use class Residential (Multiple Dwellings) as defined in Table 8.2 as follows:

Residential

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

Other relevant definitions (Clause 4.1):

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

Multiple Dwelling

means 2 or more dwellings on a site.

Dwelling

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

Outbuilding

Means a non-habitable detached building of Class 10a of the Building Code of Australia and includes a garage, carport or shed.

Access Strip

means land, the purpose of which is to provide access to a road.

Land

means as defined in the Act

(Land Use Planning and Approvals Act 1993 – Section 3 Interpretation:

land includes –

- (a) buildings and other structures permanently fixed to land; and
- (b) land covered with water; and
- (c) water covering land; and
- (d) any estate, interest, easement, servitude, privilege *or right in or over land*)

Site Area per Dwelling

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

Site coverage

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

Standard

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

Discretionary Use or Development

The application is discretionary under Clause 8.8 as follows:

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

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

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

- 10.4.4 P1 Sunlight and overshadowing of all dwellings
- E15.7.4 P1 Riverine inundation hazard areas
- E5.5.1 P3 Existing road accesses and junctions

Part C: Special Provisions

No special provisions of the Scheme apply to this proposal:

Part D: Zones

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

Zone Purpose Statements***Zone Purpose*****10.1.1 Zone Purpose Statements**

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

Comment

The proposal accords with the above purpose, because it provides for an alternative type of housing to the predominate single dwellings of the area and aids in diversifying the range of dwelling types in the area. The multiple dwellings would be at suburban density and would utilise existing serviced land. Therefore, the proposal satisfies the zone purpose.

Local Area Objectives

10.1.2 There are no local area objectives for this zone.

Desired Future Character Statements

10.1.3 There are no desired future character statements for this zone.

Use Table

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

Use Standards

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

Development Standards for Residential Buildings & Works

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

10.4.4 P1 Sunlight and overshadowing of all dwellings

The proposal does not accord with the Acceptable Solution in 10.4.4 A1 with respect to windows facing within 30° east or west of north. Therefore, the proposal relies on the related Performance Criteria as follows:

10.4.4 P1 Sunlight and overshadowing of all dwellings

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

Comment

Each of the dwellings would have a large window to the living area of 1.2m x 6m on the northeast elevation (plan east elevation). These windows face 45° degrees east of north and overlook the roofs of the dwellings down slope, so as not to be affected by any other dwelling. In addition, there are also other smaller windows to the living areas on the side elevations and a sliding door to the deck/courtyard. The applicant also advised that the dwellings will achieve a 6-star energy rating. Therefore, there would be sufficient sunlight to the living areas and at least one window, which satisfies the Performance Criteria.

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

Compliant standards

The assessment against each standard is found in the appendix tables at the end of this report. Where there is compliance with the Acceptable Solution, and therefore no discretion, the issue is not normally further detailed within the report. However, considering the issues raised by the many representations, it is considered useful to provide more information with respect to density, setbacks/building envelopes and open space, as below:

10.4.1 A1 Residential density for multiple dwellings

The proposal complies with the Acceptable Solution in clause 10.4.1 A1, which is as follows:

10.4.1 A1 Residential density for multiple dwellings

Multiple dwellings must have a site area per dwelling of not less than:

- (a) 325m²; or*
- (b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.*

Comment

The land, as shown on the title plan, has an area of 9556m² and does not have a fee simple access strip. The land area of 9553m² is divided into the number of dwellings, which is twenty-six and results in a site area per dwelling of 367.5m², which is more than the minimum. The land is not a battle-axe lot, so that there is no access strip to be deducted.

There is a standard that takes the internal road into consideration and provides for minimum impervious free areas. The proposal complies with respect to impervious free areas.

10.4.2 A3 Setbacks and building envelopes

The proposal complies with the Acceptable Solution in 10.4.2 A3, which is as follows:

10.4.2 A3 Setbacks and building envelopes

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 (as shown in Figure 6)) ...*

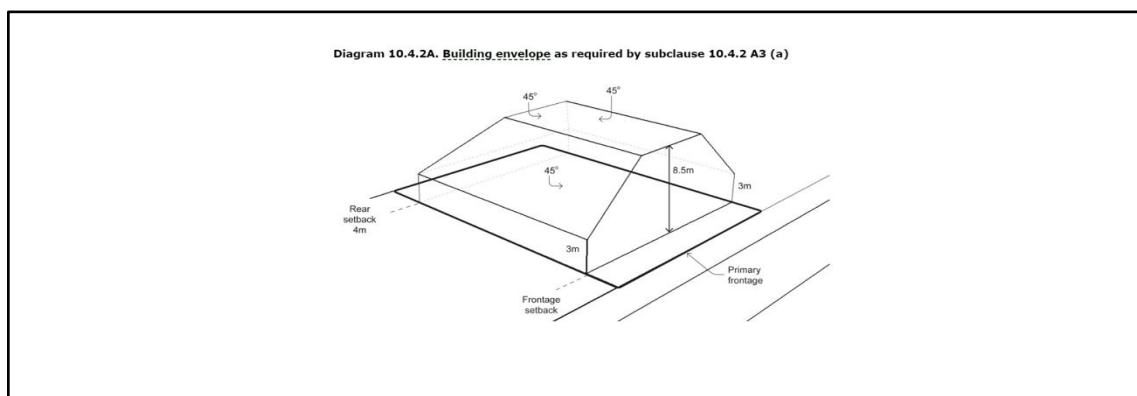


Figure 6: Building Envelope - GIPS 2015

Comment

The proposal complies with the building envelope as demonstrated on plans P2 pages 6, 7, 8 and 9. It is noted that the land forms a small valley so that adjoining properties on either side are upslope. The proposal has the following setbacks:

- Front setback: 4.8m
- Rear setback 6.2m
- Side setback east min.2m to max.7.008m
- Side setback west min.2.907m to max.7.052m

10.4.3 A1 and A2 Site coverage and private open space for all dwellings

The proposal complies with the Acceptable Solutions in 10.4.3 A1 and A2 as follows:

10.4.3 A1 Site coverage and private open space for all dwellings

Dwellings must have:

- (a) *a site coverage of not more than 50% (excluding eaves up to 0.6m); and*

- (b) *for multiple dwellings, a total area of private open space of not less than 60m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and*
- (c) *a site area of which at least 25% of the site area is free from impervious surfaces.*

A2 Site coverage and private open space for all dwellings

A dwelling must have an area of private open space that is in one location and is at least:

- *24 m² and has a minimum horizontal dimension of 4 m (amongst other criteria)*

Comment

The proposal complies with all requirements for private outdoor space and does not need to provide for communal space. The provisions in terms of area are as follows:

- Site coverage: 25.4%
- Total private outdoor space per dwelling: 60.37m² to max 121.7m²
- Impervious free area 46%
- Private outdoor space in one location 4m x 6m

For more details please refer to Appendix.

Part E: Codes

The following codes of the Scheme apply to this proposal:

E5.0 Road and Railway Assets Code

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

E5.5.1 A3 Existing road accesses and junctions

The proposal does not accord with the Acceptable Solution in E5.5.1 A3 in terms of traffic generation. Therefore, the proposal relates on the related Performance Criteria as follows:

E5.5.1 A3 Existing road accesses and junctions

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

- (a) *the increase in traffic caused by the use;*
- (b) *the nature of the traffic generated by the use;*
- (c) *the nature and efficiency of the access or the junction;*
- (d) *the nature and category of the road;*
- (e) *the speed limit and traffic flow of the road;*
- (f) *any alternative access to a road;*

- (g) *the need for the use;*
- (h) *any traffic impact assessment; and*
- (i) *any written advice received from the road authority.*

Comment

According to the assessment by the Transport Engineer, the traffic generated by the development is more than 40 vehicle movements per day, so does not meet the acceptable solution of Code E5.5.1 A3. Based on the TIA submitted, the proposed development is not expected to have any significant detrimental impacts on the surrounding network in terms of traffic efficiency or road safety. Thus, the performance criteria is met for Code E5.5.1 P3. For further details, please refer to the assessment by the Transport Engineer under the Referrals section later in this report.

The proposal complies with the standard through the Performance Criteria.

E6.0 Access and Parking Code

The proposal accords with the relevant Acceptable Solutions as demonstrated in the attached Appendix. In particular, there are fifty-two parking spaces provided for the twenty-six dwellings, and an additional seven visitor spaces, which complies with the Acceptable Solution A1. For further comments please refer to the assessment by the Development Engineer under the Referrals section later in this report.

E7.0 Stormwater Management Code

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

E15.0 Inundation Prone Areas Code

The reference layer Flood (Property at Risk) applies as shown in Figure 7.

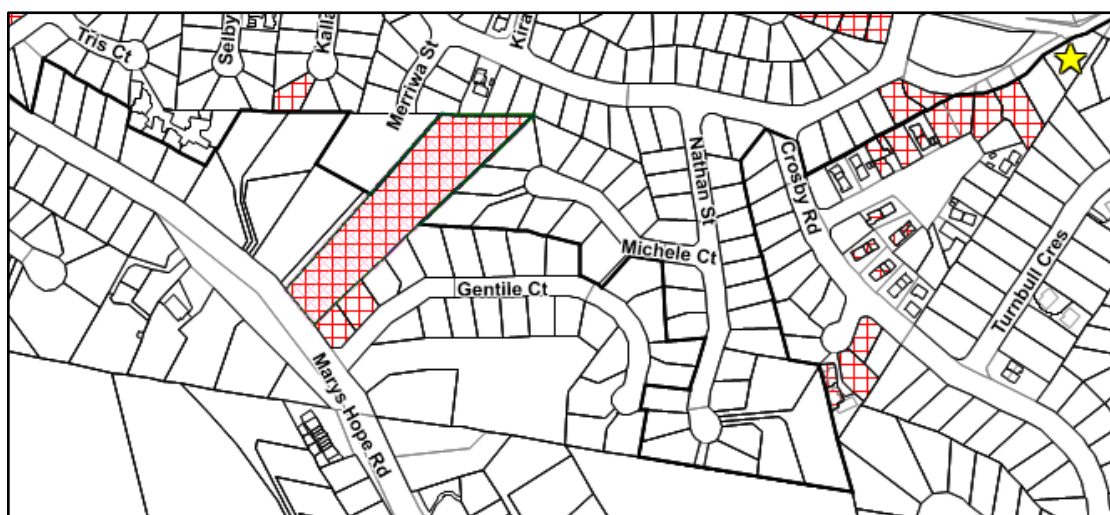


Figure 7: Flood (Properties at Risk)- Council Database 2014

Therefore, the Inundation Prone Areas Code applies. The proposal relies on the on the Performance Criteria in E15.7.4 P1 Riverine Inundation Hazard Areas, which is assessed by the Hydraulics Engineer under the Referrals section later in this report.

The proposal complies with the standard through the Performance Criteria.

PART F: Specific Area Plans

No specific area plan applies.

INTERNAL REFERRALS

Transport Engineer

Comments

A TIA was undertaken by RK Consulting Engineers dated 29 July 2019 for a proposed 26 (2 bedroom) unit development at 190 Marys Hope Road.

Marys Hope Road is a Collector Road with a speed limit of 60km/hr that carries around 3,000 vehicles per day. The purpose of a Collector Road is to move traffic to/from local streets to arterial roads. Collector roads are expected to carry medium to large amounts of traffic being between 2,500 to 10,000 vehicles per day.

The traffic generated by the development is proposed to be 192 vehicles per day based on 7.4 trips per day per dwelling from the RTA guide. At peak time the development would generate 21 vehicle trips per hour. This is accepted and it should be noted that not all vehicle movements are undertaken during the peak periods. The peak on Marys Hope Road is 244 vehicles between 8am and 9am and 296 vehicles between 5pm and 6pm as of 2005.

The TIA has projected these traffic generation figures to year 2029 based on the increase in traffic on the road network which is taken as 2% per year. Based on the current and projected figures, the TIA states that Marys Hope Road can easily accommodate this increase and would have limited impact on the wider road network, which is accepted.

The driveway access is 8m wide to allow for two-way traffic. Due to slope of the land the driveway follows the contours with at a 90-degree bend to connect to the footpath/kerb along Marys Hope Road. The driveway runs alongside the adjoining property at 1 Gentile Court who have their access off Gentile Court.

The plans show that two-way traffic can be maintained at the 90-degree bend in the driveway and that vehicles exit the driveway at right angel to the kerb on Marys Hope Road, allowing drivers to see oncoming traffic in both directions without having to twist. Drivers view from the driveway is also not obstructed by the slope of the land which flattens out at and behind the footpath. In accordance with AS2890.1 (Australia/New Zealand Stannard Parking Facilities Part 1: Off-Street Car Parking) drivers eye height is 1.15m above the surface and 2.5m from the kerb for assessment of sight distance.

Sight distance at the driveway crossover is stated in the TIA as 151m to the left and 208m to the right, which is accepted. This is above the required sight distance for the driveway under the planning scheme of 105m. Thus, Code E5.6.4 is met.

It is also above that required under AS2890.1 being between 55m (minimum) to 83m (desirable) for a driveway. It is not proposed to ban parking on Marys Hope Road at the driveway due to the acceptable sight lines.

The driveway is located at the bottom of the crest on Marys Hope Road with over 120m clear view either side of the turn off to the driveway on Marys Hope Road. This is enough sight distance for a driver to be able to see a vehicle wishing to turn into the proposed driveway and stop. The safe stopping sight distance is between 55m (min) to 92m (desirable) in a 60km/h zone. It is therefore not proposed that due to the development, a middle turning lane at the driveway is undertaken.

The driveway is 15m from the intersection with Gentile Court and 6m from the tangent point which is in accordance with the requirements of AS2890.1. Drivers exiting Gentile Court and the proposed driveway will be able to see each other and enter Marys Hope Road appropriately taking into consideration each other's manoeuvres.

Sight distance at the intersection of Gentile Court and Marys Hope Road is approximately 120m to the south and over 150m to the north. This is in the range or above that required for an intersection being between 114m (minimum) and 123m (desirable) in a 60km/h zone.

The crash data in the vicinity of the development was reviewed in the TIA in which there have been 3 reported crashes to Police in the last 5 years. All crashes were property damage only and were minor in nature. Even though there may have been other crashes, it is only those that are reported to the Police that can be assessed. Reported crashes gives Councils an indication of any underlying issues on our road network and we strongly encourage drivers to report any crash to the Police.

The TIA states that the crash data implies that the current traffic volumes and general arrangement for the surrounding area and the site are currently operating satisfactory which is accepted. It is viewed that the proposed development is not expected to have a detrimental effect on the road network or at the intersection of Gentile Court and Marys Hope Road.

The developer has proposed a set of pedestrian steps in the nature strip to link the development to the footpath along Marys Hope Road. This will mean most residents can use these steps instead of the driveway. The developer will need to obtain an agreement from Council to maintain these steps and indemnify Council from any risks.

The development has been assessed based on the current 60km/hr speed limit on Marys Hope Road. If the speed limit is reduced in the future, the assessment is still valid and conservative. The determination of the speed limit on Marys Hope Road is outside the planning assessment process and is a decision for the Commission of Transport with input from the Road Authority of Council. Reducing the speed limit realises on a few key criteria which includes level of roadside development, road function/hierarchy and existing operating speeds. These factors can be considered by the Road Authority.

The traffic generated by the development is more than 40 vehicle movements per day (or 20% of the average daily traffic whichever is greatest) so does not meet the acceptable solution of Code E5.5.1 A3. As outlined above, a TIA has been undertaken and accepted in which the performance criteria for Code E5.5.1 P3 is met.

Based on the TIA and plans submitted, the proposed development is not expected to have any significant detrimental impacts on the surrounding road network in terms of traffic efficiency or road safety. I have no objection to the development on traffic engineering or road safety grounds.

Development Engineer

Comments

The development application seeks an approval for 26 Multiple dwellings on a steep vacant site utilising an existing formed driveway and requiring a new connection to Council's stormwater system.

The applicant has submitted a Traffic Impact Assessment (TIA) with the application.

E5.0 Road and Railway Assets Code

Access to the site is available from Marys Hope Road. The existing driveway access does not meet the Ausroads Standards in terms of construction and will require upgrading as part of the proposed development.

The proposed access meets the requirements of the planning scheme in relation to traffic generation and sight distance requirements.

E6.0 Parking and Access Code

The submitted plans indicate a total of fifty-nine parking spaces. Each dwelling has a carport and includes room for two jockey parking spaces. In addition, there are seven visitor parking spaces proposed. The visitor parking spaces are not dimensioned and will need to be a minimum of 6.30m long and 2.10m wide to be compliant with the Australian Standard AS 2890.1. The *Glenorchy Interim Planning Scheme 2015* requires a minimum of fifty-nine parking spaces, therefore proposed parking meets this requirement.

The submitted plans indicate the main internal access road has a width of 6m, which meets the requirements of the Scheme. The proposed access is of ample dimension to allow access for all emergency vehicles and the garbage truck.

The internal design complies with the requirements of the Australian Standard AS 2890.1. The proposed turning area at the northern end of the property is only adequate for manoeuvring cars. Service and emergency vehicles will need to make a 3-point manoeuvre utilising the area designated for vehicle turning adjacent to Unit 26, which complies with the Australian Standard AS2890.2.

E7.0 Stormwater Management Code

The slope of the site falls to the rear of the property. There is an existing Council drainage main located adjacent to the rear boundary of the site.

The site can be serviced by connection to this system. The proposal will comply with Council's Stormwater Runoff Management Policy and complies with the standard in E7.7.1 Stormwater Drainage and Disposal.

Other**E3.0 Landslide Code**

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

E15.0 Inundation Prone Areas Code

The property is identified as Flood Property at Risk and has been assessed in this regard by Council's Hydraulics Engineer.

The stormwater system for the development will incorporate a stormwater drainage system of a size and design sufficient to achieve the stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010, as required by clause E7.7.1 Stormwater Drainage and Disposal and detailed in Table E7.1. The proposed stormwater drainage system will ensure that runoff is captured to be no greater than pre-existing runoff.

Hydraulics Engineer**Comments****E15.7.4 Riverine Inundation Hazard Areas**

The property is shown as being Flood Property at Risk as identified in a report from the Pitt and Sherry Flood Risk Investigation 2014 and shown on council's mapping system. There are no flood model depths available. Instead of requiring a detailed flood study to show compliance with E15.7.4 A1, the proposal is assessed against the Performance Criteria as follows:

E15.7.4 P1 Riverine Inundation Hazard Areas

A new habitable building must have a floor level that satisfies 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) risk to buildings and other works arising from riverine flooding is adequately mitigated through siting, structural or design methods;*
- (d) need for future remediation works is minimised;*
- (e) provision of any developer contribution required pursuant to policy adopted by Council for riverine flooding protection works.*

The proposed dwellings are all elevated above natural surface level, and therefore the Performance Criteria is deemed to be satisfied. In summary, from a hydraulic engineering perspective, there is no objection to the development proposed.

Waste Management Officer

Waste management services to the proposed development would be Council's shared bin service, collected weekly. The wheelie bins should be stored in a bin enclosure within the property boundary and are not to be taken to individual dwellings. Collection will be from the internal bin enclosure.

Advice:

The design for the bin enclosure must comply with the following:

- (a) it must be built on a flat surface with a concrete base/pad and surround of a brick or painted block enclosure or other suitable material to Councils approval,
- (b) it must have concrete at the entrance to the bin enclosure and the internal access driveway,
- (c) the internal driveway must be capable of carrying the collection service vehicles of 18-ton capacity.
- (d) it must suit 20 X 240L wheelie bins (10 x 240L waste bins and 10 x 240L recycling bin), size 1100mm height x 600mm wide x 800mm deep and 3 X 360L FOGO wheelie bins, size 1100mm height x 680mm wide x 848mm deep) and must allow for 300mm space in between each bin;
- (e) recommended minimum height of the enclosure is 1200mm and minimum recommended depth is 930mm;
- (f) the front of the enclosure must face the internal access driveway, and be left open throughout the length of the bin enclosure to enable the bins to be removed, and returned in a safe and efficient manner;
- (g) there must be no lip on the concrete slab of the bin enclosure;
- (h) bins need to be placed in a single row for collection by the collection vehicles on the internal driveway.

Prior to occupancy of the dwelling/s the bin enclosure must be constructed to the satisfaction of Council's Waste Services Co-ordinator. Plans for the bin enclosure must be shown on the Building Application Plans.

Storage and Collection of Waste & Recycling Bins

The bins would be stored in a bin enclosure to be built opposite the letter boxes.

The bin enclosure should be built within the property boundary, allowing a 4.5 metre distance from the entrance to prevent impacting on sight distances for vehicles leaving the site, or impacting sight distances for vehicles on the internal driveway.

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

Collection of shared wheelie bins will be from the hard standing outside the internal bin enclosure.

A Deed of Release Indemnity must be signed by the Developer and Council prior to Waste Services commencing.

EXTERNAL REFERRALS

TasWater

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

REPRESENTATIONS

The application was advertised for the statutory 14-day period with twenty-three representation(s) being received. The most often raised issues were in relation to density, vehicular sight lines, potential for anti-social behaviour and potential for loss of property values. There were twenty-two representations opposed to the proposal and one in support. The issues raised are as follows:

1. In support of the proposal

As a resident of near-by Nathan Street, Berriedale, I write in strong support of this development. With Southern Tasmania's critical housing affordability issues and population growth, it is critical Glenorchy City Council facilitates development of higher-density housing and affordable housing supply, in all parts of the city, not just areas of traditionally high prevalence of social housing and unit developments. As a relatively affluent part of the city, the Rosetta-Berriedale area is ripe for greater integration of different types of housing supply, and this project appears to be a sensible scaled development for the area. The residential area incorporating Gentile and Michelle Court is already experiencing significant development with several new properties having been constructed over the past few years, and many other lots approved for future development. This area is well on track to become a relatively high-density area over coming years, and I see no reason why this couldn't include a relatively modest unit/townhouse development such as what is proposed.

Planner's Comment:

It is confirmed that the land is zoned General Residential, which allows for multiple dwellings at a density of one dwelling per 325m². The proposal would utilise a property that is in an area well serviced with roads and utilities. For further comments please refer to the planning assessment earlier in this report.

2. Neighbourhood character

The representors state that:

- The high-density nature of the proposed development is inconsistent with the characteristics of the area. The density seems excessive compared with adjacent properties.
- The proposed development is inconsistent with and does not respect the character of the surrounding neighbourhood. The scale and density of the development is wholly inconsistent with the current pattern of development in the neighbourhood.

The local area is characterised by larger blocks and dwellings, many with substantial gardens or green spaces. Such character fosters a sense of place, community and harmony that will be greatly disrupted by this development.

- The proposed development is surrounded largely by private residences and there will be an impact on views, noise levels and the general ambience of the area. Even with the addition of new houses being built on Gentile and Michelle Court, the atmosphere has changed slightly with more noise now from people on balconies and more people living in the area.
- This will disrupt the peaceful life at my home, which was the reason for purchasing this recently.
- For such a confined area, even these relatively small two-bedroom units form a highly congested medium subdivision, which is unprecedented in this traditional dormant neighbourhood. As a pioneering medium density proposed development in the Rosetta/Berriedale housing district, it is imperative that it is in harmony with the neighbouring community, both in immediate proximity and in the surrounding locality.

Planner's Comment:

The General Residential Zone ensures that new development does not adversely impact on the residential character and amenity of the area by regulating lot sizes, density, building height and setbacks. However, there are no other specific Local Area Objectives or a Desired Future Character Statements within the General Residential Zone that would apply to this area. The proposal complies with density, height and setback requirements, so that it is not considered to unreasonably impact on the residential character or amenity of the area. In general, larger lots on steep sites are usually the result of site constraints and not reflective of what is otherwise allowable in the General Residential Zone. **Please refer to the relevant standards for more details.**

3. Density

The representors state that:

- Twenty-six dwellings are too many for this steep property and has the potential to cause social problems associated with overcrowding.
- The application does not satisfy clause 10.4.1 Residential density for multiple dwellings, because the driveway must be excluded so that the density would be 317.73m².
- The density of the proposed development is greater than twenty-six dwellings per hectare. The proposal exceeds that of an Inner Residential Zone which is developed at a minimum of 25 dwellings per hectare (net density). Therefore, the development is more akin to that of an Inner Residential Zone, rather than the General Residential Zone, which applies to the site. More noise, traffic and crime could be expected in the Inner Residential Zone and not at this location.
- The development of high-density dwellings in a General Residential Zone is opposed. It is understood that the proposed dwellings are not for families but are located and surrounded by a suburb for families within the General Residential Zone.

- The size of the proposed development is inappropriate. Twenty-six dwellings is a ridiculous number for the site, which results in high numbers of people living in close proximity.
- The proposed high-density development is considered overdevelopment in the context of an area. There is no other such development in proximity.
- The density factor is approximately forty percent higher than that applied to other approved unit development in the area, of one dwelling per 430m² to 450m². The number of dwellings should be reduced to eighteen to be consistent.

Planner's Comment:

As discussed earlier in this report, the proposal complies with the standard in clause 10.4.1 A1 Residential density for multiple dwellings, which is one dwelling per 325m² within the General Residential Zone. The land is not a battle-axe lot with access strip, that could otherwise be deducted. The density has not been maximised to the same extent everywhere because not all property owners want to intensify development on their land or there may be other site constraints. However, the density standard of one dwelling per 325m² is the same everywhere where the General Residential Zone applies. There is no discretion in regard to the Residential density for multiple dwellings in clause 10.4.1 A1, because the proposal complies.

4. Setbacks, building envelopes and visual bulk

The representors state that:

- The building envelope is below the surrounding buildings and will cocoon the buildings as an isolated high-density pocket. Prior housing commission areas such as Chigwell are now the stepping-stones for first homebuyers with 600-900m² blocks. The proposed buildings have the minimum allowable distance between them and adjacent properties and are unlikely to become anything other than social housing in the future.
- The proposed development will constitute a large visual bulk on the landscape and impact on the outlook of neighbours, as well as dominate the neighbourhood. Reducing the number of dwellings and increasing setbacks to accommodate more green spaces would significantly mitigate the visual bulk of the proposed development as well as soften the impact on the outlook of neighbours.

Planner's Comment:

As discussed earlier in this report, the proposal is within the within the building envelope with regard to all setbacks and maximum height and therefore complies in this respect. Any visual bulk is not considered unreasonable because the proposal is within the building envelope. There is no discretion in regard to clause 10.4.2 A1, A2 and A3 Setbacks and building envelope for all dwellings.

5. Open space

The representors state that:

- There is no footpath or road access to the nearest park area on Berriedale Road. Therefore, some communal open space/green area should be provided for children.

- The proposed development does not provide sufficient communal open space for the number of proposed dwellings. There are no directly accessible park areas where the children can safely play. As a result, there would be also more traffic to take the children to parks.
- The proposal states that only 2427m² of the site would be covered by buildings. As a closed community, who will maintain the areas under the dwellings and green areas in front of the dwellings.
- There are no significant shared open spaces proposed. A more reasonable and sustainable development would consist of fewer dwellings and more shared and green spaces.
- Private open space for each dwelling should be increased and be proportionate to the footprint of each dwelling. The provision of outdoor space should ensure that there is a viable outdoor area for leisure activities.
- Consideration should be given to provide some passive common leisure space at the northern end of the property, adjacent to the turning circle. This would facilitate interaction and community spirit.
- It is important both for fire safety and for visual reasons that landscaping is provided and maintained.

Planner's Comment:

New subdivisions usually provide for public open space and connections to existing parks, where required. This development is for multiple dwellings and does not have to provide for a new park. Communal space within the property only becomes a consideration where there is a discretion in regard to private open space, site coverage or impervious free surfaces. There is no discretion with respect to clause 10.4.3 A1 and A2 Site coverage and private open space for all dwellings, because the proposal complies. Landscaping will be provided, and any maintenance will be the responsibility of occupants or any Body Cooperate.

6. Sunlight and overshadowing

The representors state that:

- Dwelling orientation has been well addressed for sun from a northerly aspect, however the houses on the south east side may still create shadows for those on the west side due to the closeness of the properties. Also, the high bank on the east side will provide some shadowing of the houses on the southeast side, especially in the winter when the sun is low and where the embankment is highest. Light would be less of an issue if the number of dwellings would be reduced to ten to fifteen dwellings, where the area per dwelling was between 955m² and 636m².

Planner's Comment:

The proposal will receive sufficient sunlight to both windows and private outdoor space areas. There is significant separation between the buildings along the north-western boundary and the ones on the south-eastern boundary of approximately 15 to 18m, so that the shadow length would not reach the dwellings on the other side, given the relatively low height of the dwellings. Whilst there is a discretion in terms of the living room window orientation, the proposal satisfies the related Performance Criteria as discussed earlier in this report.

7. Waste management

The representors state that:

- Waste storage has been considered, however the placement of fifty-four bins (one recycling and one rubbish) on the verge of the access road with cars parked along the access road will create difficulties for collection.
- It is unreasonable to expect rate payers to fund additional costs for providing customised waste removal services.
- It is unclear how many rubbish and recycling bins will be required and if FOGO green waste bins are additional.

Planner's Comment:

The proposed development will not have individual bins for each dwelling. There will be shared bins within a bin enclosure on site, from which the bins will be collected. There will be twenty-three bins in total, including recycling and three Food Organics and Waste Organics FOGO bins. Waste removal will be in accordance with Council's Waste Services Policy. The bin enclosure will comply with clause 10.4.8 A1 Waste storage for multiple dwellings.

8. Planning standards

The representor states that:

- We have been unable to determine what Deemed to Comply with the Acceptable Solution A1 means.

Planner's Comment:

The *Glenorchy Planning Scheme 2015* sets out development controls in various standards. A standard is defined as follows:

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.

If a proposal satisfies the Acceptable Solution of a standard with respect to an aspect of the development, then this aspect is permitted (deemed to comply). If an aspect of the proposal relies on the Performance Criteria of a standard, then that aspect is merits based and discretionary.

9. Traffic

The representors state that:

- The proposal would result in a significant increase in traffic volume and might result in traffic congestion in and around the proposed development area.
- The estimated vehicular trips (cited in the TIA) are questioned as fifty-two residents would generate 192.4 vehicles trips per day or 21 vehicle trips during peak hour. This would be less than half the vehicles on site travelling in and out of the access point during peak hour.
- Traffic growth data (cited in the TIA) is based on 2005 AADT as provided by Council is fourteen years old and out of date. There has been significant development in the area since. The ABS data reports 6.3% growth in Rosetta between 2011 and 2016 and not 2%.

Planner's Comment:

The traffic generation of the proposed development has been assessed by Council's Transport Engineer, who assessed that the proposed development is not expected to have any significant detrimental impacts on the surrounding network in terms of traffic efficiency or road safety. Traffic data is adjusted to reflect yearly growth. In terms of trip generations, there are standard engineering guidelines for calculations. In summary, there is more than adequate capacity within the road network to accommodate the extra traffic. Whilst there is discretion in terms of traffic volume, the proposal is assessed to comply with the Performance Criteria.

10. Sight lines

The representors state that:

- Mary's Hope Road already has high traffic flow and the entry/exit point to the site would be in area with limited line-of-sight visibility in either direction.
- The entry/exit will be close to the turn off to Gentile Court and is near the bottom of a dip and on a slight corner, which is dangerous if coming/going from the sloping driveway of the proposed development.
- The access would not be safe being near the intersection with Gentile Court. There would be no middle lane for turning. The traffic from the south is coming over a raise. Traffic from the north would have to stop on the road if there was a car in the driveway.

- The TIA only shows a few incidents, when there has been indeed numerous 'near misses' at the junction of Gentile Court and Marys Hope Road. This risk will be further increased by the additional traffic. The approach and exit from the proposed development will only hinder traffic movement in this area and would not be safe.
- The crash history section in the TIA is very concerning (as it does not adequately reflect the significance of the safety issues). We were involved in a serious crash at the intersection Gentile Court, although police did not attend. The difference between a minor and a life threatening accident comes down to a matter of millimetres. The access point of the proposed development is extremely close to the Gentile Court intersection. It is very difficult at times to find a clear break in traffic to enter Marys Hope Road, due to the varying speeds at which traffic travels along this stretch of road. The proposal will exacerbate the situation.
- The TIA of the previous application suggested that the speed limit should be reduced from 60kmph to 50kmph, implying that the previously proposed development in 2007 did not provide adequate safety. The proposed access for this development is even more dangerous as it is at a 90° angle.
- On-street parking should be restricted at Marys Hope Road near the proposed access.

Planner's Comment:

The application was referred to Council's Transport Engineer who assessed the sight distances, which are 151m to the left and 208m to the right, which is more than the minimum of 105m required. The proposal satisfies the Acceptable Solution in E5.6.4 A1 Sight distances at accesses, junctions and level crossings, so that there is no discretion in this regard. The Transport Engineer also provided detailed information in response to the other concerns raised earlier in this report.

11. Access and Egress

The representors state that:

- That that people might trespass through the properties at Merriwa Street and Chandos Drive, because the access arrangements seem inadequate.
- Access only from Marys Hope Road would create increased traffic past the dwellings to the south and disrupt traffic flow onto Marys Hope Road. A second access via Merriwa Street to the north would significantly decrease access complications.
- Parking areas located along the northern boundary might be used for entry from Merriwa Street, which would result in a second unapproved access.

Planner's Comment:

The traffic and access arrangements were assessed by Council's Transport Engineer earlier in this report and were found satisfactory. The application does not propose access via Merriwa Street as the site does not have frontage to a public road at the bottom of the site. Fencing would prevent people driving over the grassed area of the adjoining private property.

12. Layout of parking areas and on-site turning

The representors state that:

- Fire and other emergency services might not be able to safely access the lower end of the development, particularly with the furthest dwelling into the development seemingly a long way from any fire hydrant.
- The steepness of the driveway and the single entry/exit arrangement raises issues in terms of fire safety.
- The driveway and turning area are not adequate for the garbage truck. Three point turning would be required.
- There is minimal distance between parking spaces for each dwelling and parking of the next dwelling, which might lead to congestions during evening peak hours and tension between neighbours.
- The seven proposed visitor parking spaces are at the northern end of the development. This distribution could pose problems for the thirteen dwellings at the southern end.
- The proposal does not include footpaths, which might increase the risk of harm to pedestrian, especially children playing in the turning circle.
- The long straight road with turning circle will appeal to hoons.

Planner's Comment:

The car parking layout must comply with set engineering standards as required by clause E6.7.5 A1 of the Scheme. The proposed parking layout was assessed by Council's Development Engineer earlier in this report and was found satisfactory and in accordance with all relevant Acceptable Solutions. It is noted that larger vehicles can make a three-point turn on-site, as the turning area has an additional leg adjacent to Unit 26 for turning. A turning circle is required and cannot be omitted because there might be potential for reckless driving. The proposal does provide a footpath along the internal road in the form of a stairway, which will ensure pedestrian safety. For more detail, please refer to the assessment by the Development Engineer earlier in this report.

13. Number of car parking spaces

The representors state that:

- The proposed parking is likely to be used to capacity as there would be on average 1.8 vehicles per household and the proposal would allow for fifty-two residents.

- The proposed number of dwellings could possibly lead seventy to eighty persons being on site at any one time and a potential for fifty-six vehicles so that proposed parking would not be enough. Several cars would then rely on on-street parking.
- It is not clear if only one parking space for people with disabilities is required.

Planner's Comment:

The proposal provides for fifty-nine carparking spaces, which complies with clause E6.6.1 A1 so that is no discretion in this regard. There are no accessible car parking spaces for people with a disability required for multiple dwellings in clause E6.6.2.

14. Water, Sewerage and Stormwater

The representors state that:

- Low water pressure in this area is already a problem and might be exacerbated by the proposed development. Also, stormwater and sewerage systems need to have sufficient capacity to cope with the additional load.
- Flooding of the lower properties is likely to occur if drainage/sewerage is insufficient. Flooding has happened in the past.
- An existing stormwater drain opening, located along southwest boundary of 1 Gentile Court might collapse as a result of the proposed works.

Planner's Comment:

TasWater is responsible for water and sewerage and has imposed conditions to ensure the proposal is adequately serviced. TasWater has not raised any issues with respect to water pressure. With respect to stormwater and flooding, the proposal will provide adequate infrastructure. A new stormwater system will be provided and there will be two stormwater detention tanks to improve stormwater quality and delay discharge. For further comments, please refer to the Engineering Assessment earlier in this report. The proposal complies with the Stormwater Management Code and clause E7.7.1 A1, A2, and A3 Stormwater drainage and disposal.

15. Advertising and plans

The representors state that:

- The quality of the plans for the scale of the proposal and information made available was poor and limited the ability to make an accurate representation. Even when digitally enlarged, the writing was difficult to read. The fact that Council wanting to charge in excess of \$50 per page for a copy of the full-size plans is unreasonable.
- The advertised plans were sometimes challenging to interpret and were not always clear. There are minor inconsistencies between the plans. The images and site drawings in the TIA were easier to understand.
- The stormwater detention tanks were not shown on the displayed plans but were made available for viewing at the counter, which we visited on the last day. As such, we were unable to determine if the tanks pose any risks of damage to nearby properties.

- The plans were no longer on the website on the last day of advertising after 2.35pm.
- Only residents immediately adjoining properties were notified in writing, when the impact would be far further reaching. Advertising of fourteen days does not seem enough for a development of this size. Also, reliance on a consultant planner to make a representation would be costly and impossible in the given timeframe.
- The published advertisement simply referred to the Development Application comprising twenty-six dwellings, there was no reference to the intended operator of the property or the targeted clientele who are intended to take up occupancy therein.

Planner's Comment:

Council recently started a new service by making planning application plans available on Council's website. This is not a legislative requirement but is intended to assist the community. The plans on the website were at a reduced scale at A3, where the original plans are at A1. This made the writing smaller so that zooming in was required to read most dimensions or labels. The plans on display were also in A3, but the larger plans were brought out at the counter for any enquiries. The sections of interest were also copied upon request at A3, so as not to invoke photocopy charges for A1 plans. The stormwater detention tanks are shown on the preliminary engineering drawings because they relate to stormwater servicing. The engineering drawings are supporting information and were shown at the counter but were not available on the website. The plans were removed from the website a day early unintentionally, however this will not impact on the standing of any representations. In terms of notifications, letters were sent to all adjoining properties as required under the *Land Use Planning and Approvals Regulations 2014*. In addition, there was a site notice placed and the application was displayed at Council. The time frame for the advertising is 14-days as specified in the *Land Use Planning and Approvals Act 1993*, in Section 57. The description of the proposal was for Multiple Dwellings (26). The planning scheme does not take into consideration the intended tenancies of any dwellings, so that the description simply refers to the proposal. Therefore, advertising occurred within the standard requirements.

16. Consultation

The representor states that:

- There has been no consultation whatsoever by Housing Choices with residents. This is unacceptable and we urge Council to defer consideration of the application until the State Government addresses this deficiency.
- It is disappointing that there has been no consultation by Housing Tasmania or Housing Choices with neighbouring residents or the overall community about this development.
- No community consultation appears to have taken place. Experiences of those living in the area should have been considered when compiling the TIA.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application. Any consultation would be a matter for the property owner.

17. Noise and lighting

The representors state that:

- There will be extra noises from vehicles, voices, dogs, heat pumps and mowers.
- There will be light spill from dwellings, security lighting and cars.
- The proposal would create extra vehicle noise that will be channelled down the slope and would be heard particularly at night time. There would also be the glare of headlights to the rear boundary.
- There will be increased vehicle noise at the access point to the adjacent property, as well as light spill.
- The parking spaces off the turning circle are close to adjoining residents on the rear boundary so that there would be noise disturbances.

Planner's Comment:

Additional noise and light spill is to be expected in an urban environment. Nevertheless, a condition is recommended for landscaping along the rear boundary to reduce glare from vehicle lights. There will be lighting required of the new access and parking areas which will need to comply with a specific lighting standard, as set out in clause E6.7.7 A1. There will be two visitor parking spaces in proximity to the rear boundary, opposite 37 Chandos Drive. The dwelling of that property is approximately 18m from the common boundary, so that there would be sufficient separation for there not to be any unreasonable impact.

18. Dwelling design

The representors state that:

- The uniformity of design of the dwellings is monotonous and visually unappealing.
- The proposed dwellings look like shipping containers on stilts, which is a cheap way of fitting a lot of people into a small space. This type of cheap building, density and non-family housing is inappropriate and does not fit with existing development in the area.
- That the size and design of each dwelling should be adjusted to enable increased internal space and amenity. This would attract better potential tenants and housing applicants, as the accommodation would be more desirable for their future occupancy.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application. There are no design standards for dwellings.

19. Anti-Social Behaviour

The representors state that:

- This is a quiet area with good vibes which should be maintained and therefore assurances are sought from Housing Choices and Council as to how social problems will be managed.
- The excellent security and neighbours we enjoy as a result of the Council's great developments to date may be compromised. Particularly in Michele Court, we have a lot of young children that play outdoors in safety and we are concerned about the possibility of trespass and vandalism. Certainly, it is a credit to the Council that the area in general has greatly appreciated in value and we would like to see the quality of the neighbourhood upheld.
- It is understood that there is a need for social housing. This development would provide a higher quality of living for the residents and the surrounding neighbours, if the density of the development was decreased. High-density pockets of social housing is not optimal. Those living in social housing deserve quality housing in a setting that is in line with the living conditions of the neighbourhood, as inequality breeds resentment and crime.
- This type of development has potential to increase noises by either loud music at inappropriate time or arguing and fighting between residents, which results in the police being called. The police have no power to act and only give advice, so that a complaint to the housing authorities follows, with no resolution. Therefore, the problems would be on-going.
- Increase of traffic alone is bad enough, without any safety issues. Potential for anti-social behaviour and crime will increase. As a result, there would be an increase in insurance premiums. We are not millionaires, but pensioners and hardworking people who deserve a quiet life without fear of anti-social behaviour in our back yards.

Planner's Comment:

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

20. Property Values

The representors state that:

- The proposed development will have a significant impact on property prices. Properties next door to public houses cost significantly less than other properties.
- This is prime Glenorchy land; amazing views, all day sun, a quiet, well-kept neighbourhood, with little crime and lower insurance premiums. The proposed dwellings will devalue properties in the area significantly. Properties bordering the proposed site are already going on the market in droves. Long-term homeowners are selling because they fear that they can no longer live in a safe and quiet environment. There is a provision in the planning scheme to ensure land values are managed in Low Density Residential Zone, why not in the General Residential Zone?

- People have spent years in this area and will experience a significant reduction in property values with all the disturbances of the development. This will result in many people selling up and leaving the area, which further decreases in property values.
- This type of development in this area will have both an emotional and financial impact of dozens of hardworking residents in this area.
- The proposed development will have an unreasonable impact on the pleasantness and good functioning of the area, with increased traffic, noise, pet activity, general disruption and a change of social demographics.
- The area will turn into a 'ghetto' and land prices will fall as so many people are squeezed into one area.
- We don't want a public housing development in close proximity to my property in Berriedale. We worked hard to get a house in a good area.
- There is no regard for people that live near or have paid big dollars for land to recently build here. Surely this is a disaster in the making given the density and housing type.

Planner's Comment:

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

21. Damage to Fence

The representor states that:

- The existing fence might be damaged at the property adjacent to the proposed access, because the access works might change the ground level.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application. The *Boundary Fences Act 1908* consolidates the law in relation to boundary fences in Tasmania, in particular the repair and erection of boundary fences.

22. Fire separation

The representors state that:

- There might not be enough separation in terms of fire rating between carports and the adjacent building. The submitted documents do not show any brick separation or alternatively a 3-meter wide fire separation.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application. Nevertheless, this issue was raised with the applicant, who advised that the proposed layout can comply with fire regulations. Compliance with fire regulations will be assessed separately as part of the Building Application process.

23. Public schooling

The representor states that:

- A development of this size would place a strain on Rosetta Primary School.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application. The Department of Education Tasmania is responsible for schools.

CONCLUSION

The application is for twenty-six two-bedroom dwellings at a sloping site on the eastern side of Marys Hope Road. The site is elongated and forms a parallelogram of 9556m². The proposed dwellings would be arranged on either side of a 6m-wide central driveway, which terminates with a turning circle at the bottom of the site. The site provides for two parking spaces per dwelling and seven visitor spaces. Each dwelling would have private outdoor space of 24m² in one place and 60m² as a total. The main living room windows face in a northerly direction and overlook the roof of the dwelling in front.

The application invokes only three discretions, which relate to the orientation of the main windows, traffic volume and flood risk. Each of the discretions is assessed as complying with the relevant Performance Criteria.

The application attracted twenty-three representations during the advertising period. Of the representations there was one in support of the proposal and twenty-two opposed. The representations raised a wide range of issues, but the most concern was about density, vehicular sight lines, potential for anti-social behaviour and potential for loss of property values. The issues were mostly raised in the context of social housing. Each of the issues were addressed within the report and answers provided. Some of the issues raised are not planning issues that can be considered as part of this application, whilst other issues are planning issues but comply with the planning scheme. There are conditions recommended that mainly cover engineering matters. A Part 5 Agreement is amongst the conditions to require a Maintenance Scheme for Water Sensitive Urban Design elements in connection with stormwater quality.

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 Multiple Dwellings (26) at 190 Marys Hope Road Rosetta subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-19-212 and Drawing No. P2 submitted on 05/09/19 (pages 1 and 4 to 10) and Drawing No P3 submitted on 06/09/19 (pages 1 to 3, Site Plans and Site Survey); except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2019/01196-GCC, dated 25/07/2019, form part of this permit.
3. The communal storage area for waste and recycling bins must have:
 - a. an impervious surface,
 - b. a setback of at least 4.5 m from a frontage; and
 - c. be at least 5.5 m from any dwelling; and
 - d. be 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.

Engineering

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

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

5. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
6. The design and construction of the driveway, parking, access and turning areas must generally comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004, to the satisfaction of the Council's Development Engineer.

Drawings showing the driveway details must be in accordance with the Australian 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 shall not exceed the maximum gradient of 25%
- b. Fifty-nine (59) clearly marked car parking spaces must be provided in accordance with the approved plan and kept available for these purposes at all times;
- c. All runoff from paved areas must be discharged into Council's stormwater system;
- d. The gradient of any parking areas must not exceed 5%; and
- e. Minimum carriageway width is to be no less than 5.50 metres.

All works required to service each individual dwelling must be installed prior to the occupancy of that dwelling. If the dwellings are to be occupied progressively adequate temporary on-site turning for emergency vehicles is to be maintained at all times.

7. All internal hydraulic service works required for the development must be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor. Any alterations or works to Council mains must be undertaken by Council at the developer's cost. The developer is required to contact Council's Development Engineer on (03) 6216 6000 to organise for Council to provide a quote to perform the stormwater connection works prior to the issuing of a Building Permit Approval or the commencement of works on site.
8. Any system proposed to retain the runoff storage volume must be detailed in an engineering design lodged and approved as part of the plumbing application. The construction and the appropriate maintenance of those facilities will be required prior to the commencement of the use and installed to the satisfaction of Council's Plumbing Surveyor.
9. Lighting is to be provided to all car parking and driveways areas in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car parks" of AS/NZ 1158.3.1: 2005. The lighting is to be activated prior to the occupancy.
10. Landscaping of parking and circulation areas must be provided. This landscaping must be no less than 5 percent of the area of the car park. The landscaping must include plantings along the rear fence to reduce light glare to the adjacent properties at the rear. A landscape plan is to be submitted in association with a Building Application to the satisfaction of the Senior Statutory Planner. All landscaping is to be completed prior to occupancy and then to be maintained for the duration of the approved use.

11. Prior to the commencement of works, a WSUD Maintenance Scheme must be submitted for approval by Council's Hydraulic Engineer, defining the maintenance method and frequency for each WSUD elements incorporated in the treatment train. The future management of the site must comply with the WSUD Maintenance Scheme once it is approved and any changes to this Scheme must first be approved by Council.
12. Upon approval of the WSUD Maintenance Scheme, the applicant shall enter into a registered agreement with Council, at the sole expense of the applicant, pursuant to Part 5 of the Land Use Planning and Approvals Act 1993, for the area which is subject to this permit. The Part 5 agreement shall require the owner and all successors in title to covenant and agree with the Council:
 - a. All works outlined in the WSUD maintenance Scheme submitted by the applicant, including the maintenance method and frequency for individual Water Sensitive Urban Design (WSUD) elements, must be implemented and managed by the owner and all successors in title at their sole expense;
 - b. The Part 5 agreement must require the owner and all successors in title to covenant and agree with the Council;
 - c. All works outlined in the WSUD maintenance Scheme submitted by the applicant, including the maintenance method and frequency for individual Water Sensitive Urban Design (WSUD) elements, must be implemented and managed by the owner and all successors in title at their sole expense;
 - d. Keep the maintenance records in an accessible form (either printed or electronic) for five years from the date of the work was carried out to prove that the maintenance of each WSUD elements have been conducted in accordance with the WSUD Maintenance Scheme;
 - e. Repair and replace all the WSUD elements at the sole expense of the owner and its successors in title so that it functions (removing pollutants from stormwater runoff) in a safe and efficient manner;
 - f. Permit the Council from time to time and upon giving reasonable notice (but in the case of an emergency, at any time and without notice) to enter and inspect the WSUD elements for compliance with the requirements of this agreement;
 - g. Comply with the terms of any written notice issued by the Council in respect of the requirements of this agreement within the time stated in the notice;

Advice to Applicant

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

Other Permits

Please be aware that this planning permit is a planning approval issued under the Glenorchy Interim Planning Scheme 2015. You should consult with an accredited Building Surveyor prior to commencing this use or work to ensure all relevant requirements of the *Building Act 2016* are complied with.

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

Other Services

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

Licence agreement

The owners of the property will be required to enter into a licence agreement with Council to occupy and use the area within the road reserve designated for the stairway that provides pedestrian access to Marys Hope Road.

Waste Management

The design for the bin enclosure must comply with the following:

- (a) it must be built on a flat surface with a concrete base/pad and surround of a brick or painted block enclosure or other suitable material to Council's approval,
- (b) it must have concrete at the entrance to the bin enclosure and the internal access driveway,
- (c) the internal driveway must be capable of carrying the collection service vehicles of 18-ton capacity.
- (d) it must suit 20 X 240L wheelie bins (10 x 240L waste bins and 10 x 240L recycling bin), size 1100mm height x 600mm wide x 800mm deep and 3 X 360L FOGO wheelie bins, size 1100mm height x 680mm wide x 848mm deep) and must allow for 300mm space in between each bin;
- (e) recommended minimum height of the enclosure is 1200mm and minimum recommended depth is 930mm;
- (f) the front of the enclosure must face the internal access driveway, and be left open throughout the length of the bin enclosure to enable the bins to be removed, and returned in a safe and efficient manner;
- (g) there must be no lip on the concrete slab of the bin enclosure;
- (h) bins need to be placed in a single row for collection by the collection vehicles on the internal driveway.

Prior to occupancy of the dwelling/s the bin enclosure must be constructed to the satisfaction of Council's Waste Services Co-ordinator. Plans for the bin enclosure must be submitted in association with a Building Permit Application.

Storage and Collection of Waste & Recycling Bins

The bins must be stored in a bin enclosure to be built opposite the letter boxes.

The bin enclosure should be built within the property boundary, allowing a 4.5 metre distance from the entrance to prevent impacting on sight distances for vehicles leaving the site, or impacting sight distances for vehicles on the internal driveway.

The bin enclosure must be built no closer than a minimum of 5.5 metres to any residence to avoid odour and nuisance issues arising.

Collection of shared wheelie bins will be from the hard standing outside the internal bin enclosure.

A Deed of Release Indemnity must be signed by the Developer and Council prior to Waste Services commencing.

APPENDIX

10.0 General Residential Zone

Standard	Acceptable Solution	Proposed	Complies?
10.4 Development Standards for Residential Buildings and Works			
10.4.1 Residential density for multiple dwellings	A1 Multiple dwellings must have a site area per dwelling of not less than: (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.	Land 9556m ² /26=367.5m ²	Yes
10.4.2 Setbacks and building envelopes for all dwellings	A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or (b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or	Front setback 4.8m (carport Unit1)	Yes

	(c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or (d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.		
	A2 A garage or carport must have a setback from a primary frontage of at least: (a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or (b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.	• Carport of Unit 1: 4.8m • Carport of Unit 2: 7.2m The carport of Unit 1 is not 5.5m from the front boundary, however it complies with option (c) as the natural ground level has a gradient of more than 1 in 5.	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:	• Front setback: 4.8m • Rear setback 6.2m • Side setback east min.2m to max.7.008m • Side setback west min.2.907m to max.7.052m The proposal complies with the building envelope as demonstrated on plans P2 pages 6, 7, 8 and 9. It is noted that the land forms a small valley so that adjoining properties on either side are upslope.	Yes

	(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and (b) only have a setback within 1.5 m of a side boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or (ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).		
10.4.3 Site coverage and private open space for all dwellings	A1 Dwellings must have: (a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and (b) for multiple dwellings, a total area of private open space of not less than 60 m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) a site area of which at least 25% of the site area is free from impervious surfaces.	(a) Site coverage: 25.4% (total buildings 2427.2m ²) (b) Total POS: min. 60.37m ² to max 121.7m ² (c) Impervious free area 46%	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 (e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and (f) has a gradient not steeper than 1 in 10; and (g) is not used for vehicle access or parking.	The dwellings on the east side (Type B) would have a deck each of 24m² with minimum width of 4m. The decks would be partially in form of an internal courtyard and would be surrounded by walls on three sides, with direct access from the living areas and the hallway. Approximately one third of each deck would protrude beyond the side walls to maximise solar access. The decks would be oriented to receive sun from three sides and would overlook the driveway. The portion of the private outdoor space protruding would not have a wall of any other dwelling on any side. The dwellings on the west side (Type A) would have a paved courtyard each of 24m² with minimum width of 4m. The courtyards would be partially internal with direct access from the living areas. Approximately one third of the courtyard would protrude beyond the side walls to maximise solar access. The courtyards would receive solar access from three sides and would be situated along the western side boundary. The portion of the private outdoor space protruding would not have a wall of any other dwelling on any side.	Yes
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10.4.4 Sunlight and overshadowing of all dwellings	A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).	The main living area windows are orientated 40° east of north and 40° west of north, which does not comply with the Acceptable Solution.	No Discretion –
	A2 A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B): (i) at a distance of 3 m from the window; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.	The main living area windows are orientated 40° east of north and 40° west of north, so that this clause does not apply. Nevertheless, solar access to the main windows would not be reduced by the proximity of the dwellings as the main windows overlook the roof of the adjacent dwelling.	Yes
	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.	Dwellings along the north western boundary would be diagonally, to the north of private outdoor space of the dwellings along the south-eastern boundary, at a distance of approximately 15 to 18m. Given the distance and low height of the buildings the shadows would not reach the private outdoor space. Therefore, the proposal complies with both (a) and (b).	Yes
10.4.5 Width of openings for garages and carports for all dwellings	A1 A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).	The carport openings would not face the frontage as they would be side on and would be 2.4m wide.	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	The decks of the dwellings (Type B) along the eastern boundary would have the floor levels more	Yes

	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.	than 1m above NGL. The decks would have screens with a height of 2.4m on the southern side and 1.2m on the northern side and a raked screen on the western side at 2.4m on the high side and 1.2m on the low side. As such, the screen height would be less than 1.7m. (a) The decks of dwellings (Type B) would not be located along the side boundary, which complies. (b) The deck of Unit 26 would be 5.398m away from the rear boundary, which complies. (c) (i) Type B dwellings are generally aligned so that the protruding POS is not opposite a wall of another dwelling, except for: - Units 18 and 20 where there is separation of 7.2m; - Units 8 and 10 where there is separation of 7.2m; - Units 12 and 14, where there is separation of 6m. In addition, the deck of Unit 14 would have a screen of 2.4m that would not allow for overlooking of the main windows at Unit 12. (c) (ii) The decks of the Type B dwellings would be separated by at least 10.944m, which complies. The courtyards of the dwellings on the eastern side are not more than 1m above NGL.	
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	A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b): (a) The window or glazed door: (i) is to have a setback of at least 3 m from a side boundary; and (ii) is to have a setback of at least 4 m from a rear boundary; and (iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site. (b) The window or glazed door: (i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or (c) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.	All dwellings would have the floor level of the northeast elevation more than 1m above NGL. Each dwelling would have the main living room window on the northeast elevation. All dwellings have a setback of at least 3m from a side boundary, except Unit 17 and 26. Unit 17 is at an angle and has a NW side setback of between 2.907m and 3.2m. There is a bedroom window within 3m, however the finished floor level is less than 1m at this location so that this complies. Unit 26 is at an angle and has a SE setback of between 2m and 5.036m. there is a kitchen window facing that boundary. However, the kitchen window is 3m away from the boundary and the floor level is 0.9m, which complies. All dwellings would have a setback of at least 4m from the rear boundary. Units 23 and 26 are closest and would have windows setback 6m and 5m respectively from the rear boundary, which complies. Type A dwellings have main living room windows facing the next dwelling downslope and overlooking the roof of that dwelling. The next dwelling has a small bedroom window on the south west elevation (plan elevation west) opposite the dwelling upslope. The separation between the dwellings is approximately 4m. The windows would be offset more than 1.5m from the bottom of the living room window to the top of the bedroom window of the next dwelling, which complies. In addition, the carport	Yes
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		roof of the next dwelling would prevent any overlooking. Type B Dwellings have the main living room areas facing the next dwelling downslope and overlooking the roof of that dwelling. The next dwelling has a recessed glazed front door to the hallway on the south west elevation (plan elevation west) opposite the dwelling upslope. The separation between the dwellings is approximately 4m. However, the living room windows would not overlook any windows of the next dwelling because the glazed door is not to a habitable room and there is carport roof that prevents overlooking of the next dwelling, which complies.	
	A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least: (a) 2.5 m; or (b) 1 m if: (i) it is separated by a screen of at least 1.7 m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.	All dwellings would be at least three metres from the common driveway, turning areas and visitor parking spaces. However, each dwelling would have the parking spaces of the next dwelling below the main living room windows. Nevertheless, these windows would be well more than 1.7m above the parking spaces, which complies.	Yes

10.4.7 Frontage Fences for all dwellings	A1 A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than: (a) 1.2 m if the fence is solid; or (b) 1.8 m, if any part of the fence that is within 4.5 m of a primary frontage has openings above a height of 1.2 m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).	No front 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 m² per dwelling and is within one of the following locations: (a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) in a communal storage area with an impervious surface that: (i) has a setback of at least 4.5 m from a frontage; and (ii) is at least 5.5 m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2 m above the finished surface level of the storage area.	The proposal provides a communal bin enclosure for shared bins at the frontage. The bin enclosure would have a 4.5m front setback and would be located at least 5.5m from Unit 2 and would be screened.	Yes

APPENDIX**E5 Road and Railway Assets Code**

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

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

Standard	Acceptable Solution	Proposed	Complies?
E5.6.3 New Level Crossings	A1 No Acceptable Solutions.		NA
E5.6.4 Sight distance at accesses, junctions and level crossings	A1 Sight distances at: (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.	The Traffic Impact Assessment undertaken assessed the junction has having adequate sight distance in both directions. The sight distance at the driveway entrance is stated in the TIA as 151m left and 208 right, both meet the minimum requirement of 105m.	YES

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

Standard	Acceptable Solution	Proposed	Complies?
E6.6 Use Standards			
E6.6.1 Number of Car Parking Spaces	A1 The number of on-site car parking spaces must be: (a) no less than the number specified in Table E6.1 and no more than 10% greater than that number; except if: (i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (ii) this provision was not used in this planning scheme.	The carparking provided complies with the Acceptable Solution A1. There are 52 parking spaces provided for the 26 dwellings, and an additional 7 spaces for visitors, which complies with the acceptable solution A1.	YES
E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability	A1 Car parking spaces provided for people with a disability must: (a) satisfy the relevant provisions of the Building Code of Australia; (b) be incorporated into the overall car park design; (c) be located as close as practicable to the building entrance.	The carparking design has incorporated adequate manoeuvring spaces for accessible car parking for people with a disability.	Yes
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,	No requirement	YES

Standard	Acceptable Solution	Proposed	Complies?
	(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.	No requirement	YES,
E 6.7 Development Standards			
E6.7.1 Number of Vehicle Accesses	A1 The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.	Only utilising existing single access onto Marys Hope Road	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	Complies with AS 2890.1	YES

Standard	Acceptable Solution	Proposed	Complies?
	comply with all access driveway provisions in section 3 "Access Driveways and Circulation Roadways" of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.		
E6.7.3 Vehicular Passing Areas Along an Access	A1 Vehicular passing areas must: (a) be provided if any of the following applies to an access: (i) it serves more than 5 car parking spaces; (ii) is more than 30 m long; (iii) it meets a road serving more than 6000 vehicles per day; (b) be 6 m long, 5.5 m wide, and taper to the width of the driveway; (c) have the first passing area constructed at the kerb; (d) be at intervals of no more than 30 m along the access.	Proposed driveway allows for two-way traffic	NA
E6.7.4 On-Site Turning	A1 On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following: (a) it serves no more than two dwelling units; (b) it meets a road carrying less than 6000 vehicles per day.	Turning area proposed at lower end of property.	YES
E6.7.5 Layout of Parking Areas	A1 The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to	Complies with AS 2890.1:2004	YES

Standard	Acceptable Solution	Proposed	Complies?
	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.		
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.	Land scaping will be required by condition.	YES
E6.7.9	A1	No requirement	NA

Standard	Acceptable Solution	Proposed	Complies?
Design of Motorcycle Parking Areas	The design of motorcycle parking areas must comply with all of the following: (a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) be located within 30 m of the main entrance to the building.		
E6.7.10 Design of Bicycle Parking Facilities	A1 The design of bicycle parking facilities must comply with all the following; (a) be provided in accordance with the requirements of Table E6.2; (b) be located within 30 m of the main entrance to the building.	No requirement	NA,
	A2 The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.	No requirement	NA
E6.7.11 Bicycle End of Trip Facilities	A1 For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.	No requirement	NA

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.	The proposal is within the General Residential Zone	NA
E6.7.1.13 Facilities for Commercial Vehicles	A1 Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless: (a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site; (b) the use is not primarily dependent on outward delivery of goods from the site.		NA
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements of the road authority.	Conforms	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.	The proposal is to connect to the existing stormwater system available along the rear boundary of the site.	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.	Refer to condition requiring a WSUD Maintenance Scheme to be submitted for approval	YES
	A3 A minor stormwater drainage system must be designed to comply with all of the following: (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed; (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.	Refer to condition requiring compliance with Council's Stormwater Runoff Management Policy	YES

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

Attachments/Annexures

- 1 Attachments - 190 Marys Hope Road Rosetta



**6. PROPOSED USE AND DEVELOPMENT - MULTIPLE DWELLINGS
(1 EXISTING AND 1 NEW) - 59 BAROSSA ROAD GLENORCHY**

Author: Planning Officer (Sylvia Jeffreys)

Qualified Person: Planning Officer (Sylvia Jeffreys)

Property ID: 5353585

REPORT SUMMARY:

Application No.:	PLN-19-178
Applicant:	Draft One
Owner:	W J Budd
Zone:	General Residential
Use Class	Residential
Application Status:	Discretionary
Discretions:	10.4.2 P1 Setbacks and building envelopes for all dwellings 10.4.2 P3 Setbacks and building envelopes for all dwellings 10.4.3 P1 Site coverage and private open space for all dwellings E6.6.1 P1 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:	16 Oct 2019
Existing Land Use:	Single Dwelling
Proposal In Brief:	Multiple Dwellings (1 existing and 1 new)

Representations:	0
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL:

PROPOSAL

The application is for an additional dwelling on a corner lot that is occupied by an existing dwelling. The proposed dwelling is partially on piers with parking under. The wall of the proposed dwelling would be clad with grey vertical boards and there would be a charcoal skillion roof. The floor plan would provide four bedrooms and open plan living. There would be a 24m² deck, accessible from the living area. The proposed dwelling would be 1.5m from the south boundary and between 1.835m and 0.51m from the eastern boundary. The proposal provides for three parking spaces, as well as widening of the access. The proposal is discretionary for the front and side setbacks, accessibility of private outdoor space for the existing dwelling and a parking shortfall of one space. The proposal is shown in Figure 1.

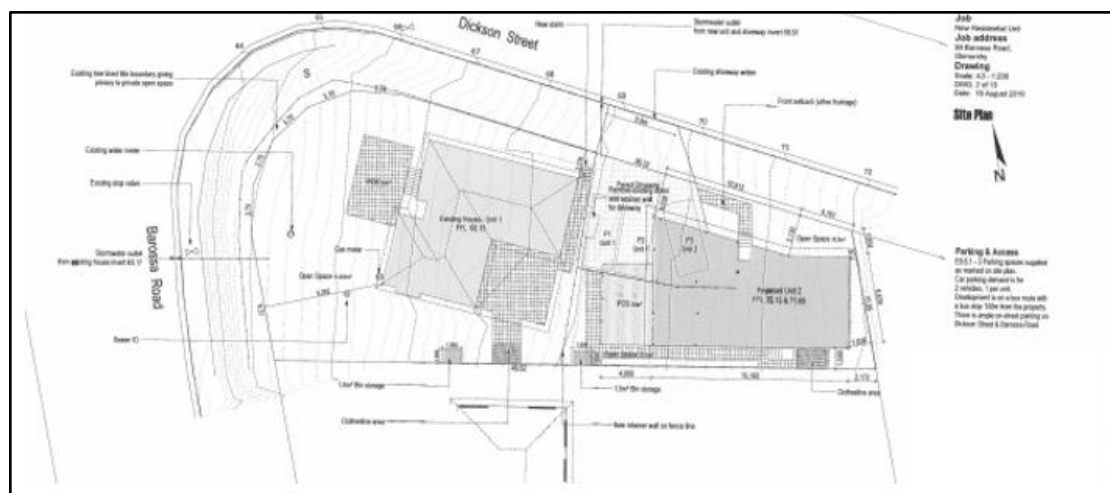


Figure 1: Proposal Plan - Draft One

SITE and LOCALITY

The subject property is located on the south-east corner of the intersection of Barossa Road and Dickson Street. The lot has an irregular shape of 736m² and is occupied by a single dwelling and a shipping container. There is an existing access off Dickson Street. The frontage at Barossa Road, has a steep embankment contained with concrete blocks. There is a hedge above the embankment. The property adjoins two other residential properties, each with a single dwelling. The dwelling adjoining to the east has a driveway in the vicinity of the proposed dwelling, whilst the property to the south has a large backyard opposite. The property is shown in Figure 2.



Figure 2: Subject Site - Council Database 2019

ZONE

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

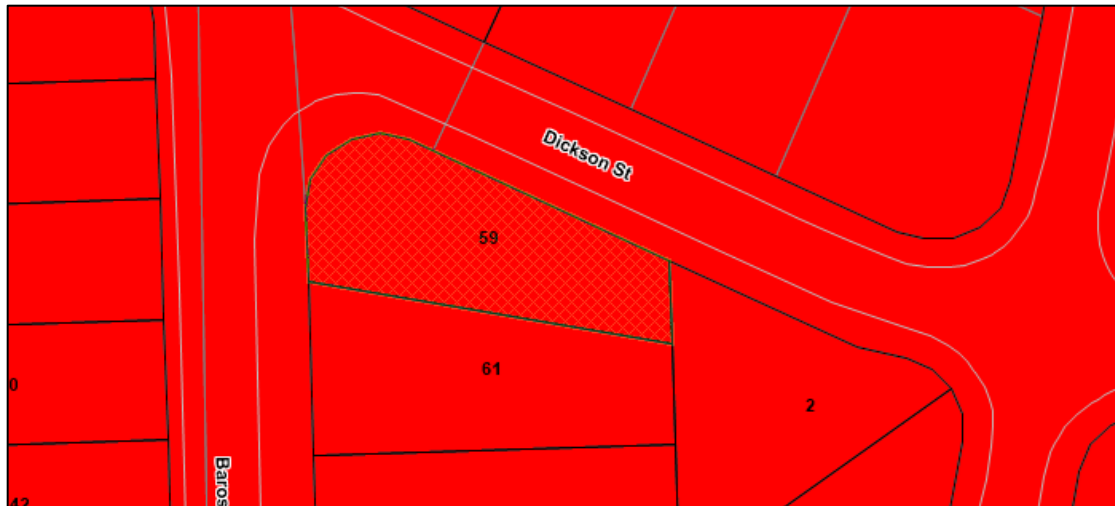


Figure 3: Zoning Map - GIPS 2015

BACKGROUND

There is no background information relevant to this assessment.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

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

Nil.

Limited Exemptions

Nil.

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

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

- E5.0 Road and Railway Assets Code
- E6.0 Access and Parking Code
- E7.0 Stormwater Management Code
- E15.0 Inundation Prone Areas Code

Use Class Description (Table 8.2):

The application proposes a second dwelling on site which fits under the use class Residential (Multiple Dwellings) as defined in Table 8.2 as follows:

Residential

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

Other relevant definitions (Clause 4.1):

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

Multiple Dwelling

means 2 or more dwellings on a site.

Dwelling

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

Discretionary Use or Development

The application is discretionary under Clause 8.8 as follows:

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

- (a) *the use is within a use class specified in the applicable Use Table as being a use which is discretionary;*

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

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

- 10.4.2 P1 Setbacks and building envelopes for all dwellings
- 10.4.2 P3 Setbacks and building envelopes for all dwellings
- 10.4.3 P1 Site coverage and private open space for all dwellings
- E6.6.1 P1 Number of Car Parking Spaces

Part C: Special Provisions

There are no Special Provisions applicable.

Part D: Zones

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

Zone Purpose Statements

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

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

Comment

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

Use Table

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

Use Standards

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

Development Standards for Buildings or Works

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

10.4.2 A1 Setbacks and building envelopes for all dwellings:

The proposal does not accord with the Acceptable Solution in 10.4.2 A1 with respect to the front setback. Therefore, the proposal relies on the related Performance Criteria as follows:

10.4.2 P1 Setbacks and building envelopes for all dwellings:

A dwelling must:

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

Comment

The northern boundary is not parallel with the southern boundary so that the subject lot is narrower on the eastern side than on the western side. In addition, the front wall of the proposed dwelling is not straight-lined. As a result, the front setback varies between 1.854m and 3.239m. There are only two dwellings on the southern side of Dickson Street, between Barossa Road and Milbourn Place. One of the dwellings is the existing dwelling, which has a setback of 2.176m. The neighbouring dwelling to the east is not parallel with the front boundary so that the nearest corner has a setback of 6m. As such, there is no clear front setback line of dwellings at this section of the street, as shown in Figure 4.



Figure 4: Frontage Setbacks on Dickson Street – Council Database 2019

Therefore, the proposed setback is not considered incompatible with existing setbacks in the street, which satisfies the above Performance Criteria.

The proposal complies with the standard through the Performance Criteria.

10.4.2 A3 Setbacks and building envelopes for all dwellings

The proposal does not accord with the Acceptable Solution in 10.4.2 A3 in respect to setbacks and building envelope. Therefore, the proposal relies on the related Performance Criteria as follows:

10.4.2 P3 Setbacks and building envelopes for all dwellings

The siting and scale of a dwelling must:

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

Comment

The proposed dwelling would have the following setbacks:

- Front setback: between 2m and 3.239m
- Side setback (east): 0.5m to 1.836m for a 3m high wall that is 6.77m long
- Side setback (south): 1.5m for a wall between 3m and 4.9m in height

The neighbouring property adjacent to the east has a driveway along the common boundary and a row of shrubs. Given the low height of the proposed dwelling for the east elevation and the location of neighbouring driveway and vegetation, there would be no adverse impact to the neighbouring property from overshadowing or visual bulk. As there is no building opposite to the east, setbacks between buildings would not be relevant.

The neighbouring property adjacent to the south has a dwelling that is aligned with the existing house on the subject property, so that it would not be behind the proposed dwelling. The proposed dwelling would be outside the building envelope for a section of 2.4m of the south elevation by a maximum of 0.4m. The proposed building would cast shadows onto the neighbouring property to the south at 61 Barossa Road. The application was supported by shadow diagrams for June 21. The shadow diagrams demonstrate that there would be no shadows to the dwelling from 11am onwards. Approximately two thirds of the neighbouring backyard (300m²+) would be free from shadows after 12noon. Therefore, it is not considered that the proposed dwelling would cause any unreasonable overshadowing to the adjacent property to the south.

The south elevation would be a maximum of 4.9m in height and would taper down to 3m. Given the height of the south elevation, it is not considered that the proposed dwelling would represent unreasonable visual bulk to the neighbouring property to the south. In terms of side setbacks, it is considered that 1.5m would be compatible within the area along Barossa Road.

The proposal complies with the standard through the Performance Criteria.

10.4.3 A1 Site coverage and private open space for all dwellings

The proposal does not accord with the Acceptable Solution in 10.4.2 A3 with respect to accessibility of private outdoor space. Therefore, the proposal relies on the related Performance Criteria as follows:

10.4.3 P1 Site coverage and private open space for all dwellings

A dwelling must have private open space that:

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

Comment

The proposed dwelling would have a deck off the living room, measuring 4m x 6m that is orientated to the west. This deck would comply with the requirements. The existing dwelling has a large area of 300m²+ orientated to the west, which is nominated for private outdoor space. The area would comply with all requirements, except for direct access from a habitable room. Access to the private outdoor space is from the hallway through the front door and over a flight of stairs. The living room door is near the front door. Therefore, it is considered that the location of the private outdoor space is convenient enough in relation to the living area. Overall, both private outdoor space areas would be capable of serving as an extension of the dwellings for outdoor relaxation, dining, entertaining and children's play and receive enough sunlight. It is also noted that the private outdoor space of the existing dwelling is well screened from the street with vegetation for privacy.

The proposal complies with the standard through the Performance Criteria.

Part E: Codes

The following codes of the Scheme apply to this proposal:

E5.0 Road and Railway Assets Code

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

E6 Parking and Access Code

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

E6.6.1 A1 Number of Car Parking Spaces

The proposal does not satisfy the Acceptable Solution in E6.6.1 A1 Number of Car Parking Spaces where the applicable rate in Table E.6.1 is as follows:

Use Class: Residential

Multiple dwelling containing 2 or more bedrooms (including all rooms capable of being used as a bedroom)	2	for each dwelling and: 1 dedicated visitor parking space per 4 dwellings (rounded up to the nearest whole number or if on an internal lot or located at the head of a cul-de-sac, 1 dedicated space per 3 dwellings (rounded up to the nearest whole number)
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Therefore, the proposal 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 application proposes three parking spaces for the proposed multiple dwelling development. The existing dwelling has three bedrooms and the proposed dwelling would have four bedrooms. Therefore, four parking spaces would be required. The existing dwelling has a large area adjacent to the Barossa Road frontage, which could be available for parking, were it not for site limitations. It would not be possible to provide parking in that location because of the steep embankment at the Barossa road frontage. In addition, it would not be feasible to have a second access off Dickenson Street for access to the front of the existing dwelling, due to the proximity of the intersection. Therefore, there would not be enough room on site for more than three parking spaces.

Nevertheless, there is enough on-street parking available within the vicinity of the site and there is public transport available within walking distance according to the engineering assessment later in this report. Therefore, it is considered that the shortfall is in accordance with the above Performance Criteria.

The proposal complies with the standard through the Performance Criteria.

E7.0 Stormwater Management Code

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

E15.0 Inundation Prone Areas Code

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

PART F: Specific Area Plans

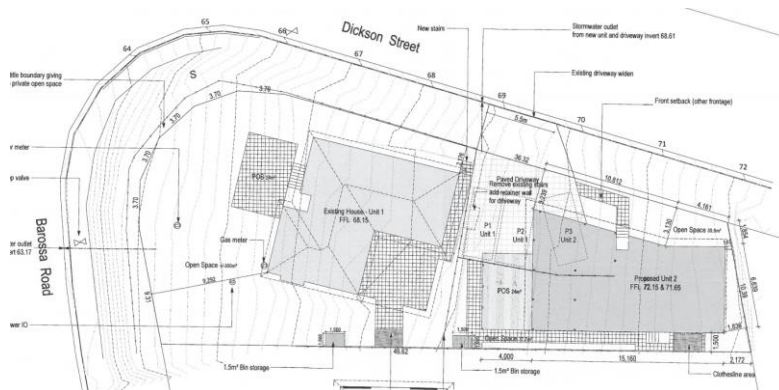
No Specific Areas Plan is applicable.

INTERNAL REFERRALS

Development Engineer

Comments

The development application seeks an approval for multiple dwellings (two dwellings in total – one existing and one new) as shown below.



E5.0 Road and Railway Assets Code

The development is considered to satisfy and comply with Code E5 Road and Railway Assets Code. The site has one existing vehicle crossing, and no new access is proposed. The existing access would be upgraded and widened. The dwellings will share the widened access to the driveway and parking areas. The increase in traffic is expected to be nine vehicles per day. Therefore, the development is not expected to increase vehicle movements to and from the site over 40 vehicle movements. This complies with the Acceptable Solution E5.5.1 A3. The site can be accessed off the existing vehicle crossing, and no new access is proposed; which complies with A1 and A2 of clause E5.6.2. The sight distances at the access for frontage road speed of 50 km/h comply with the acceptable solution A1 under clause E5.6.4.

E6.0 Parking and Access Code

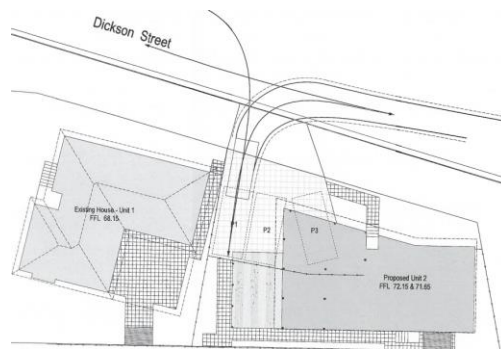
The development complies with Code E6 Parking and Access Code and it is considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected.

The site can be accessed off the existing vehicular access onto the driveway and parking area. A total of three car parking spaces are proposed; that is two car parking spaces for the existing dwelling (unit 1) and one car parking space for the proposed dwelling (Unit 2). The provision of three car parking spaces does not comply with the Acceptable Solution A1 of Code E6.6.1, as there would be a shortfall of one parking space. The assessment against the Performance Criteria is therefore required. The space available for parking on site is limited and can only accommodate three spaces. The proposal is considered to satisfy the Performance Criteria and the provision of parking would meet the reasonable needs of the occupants. There is on-street parking available in the vicinity of the site, as well as frequent public transport within a 400m walking distance from the site.

The requirements for the accessible, motorcycle and bicycle parking spaces are not applicable standard for the scope of the proposed development; therefore, are not required.

The site can be accessed off the existing vehicle crossings, and no new access is proposed. The existing access would be widened, which complies with A1 under clause E6.7.1.

A passing bay and the on-site turning area are not required for the development. Turning swept paths are provided as shown below. The layout of parking area, surface treatment and access to the road comply with the relevant Acceptable Solutions.



E7.0 Stormwater Management Code

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

There are no GCC stormwater mains affected by this application. The site has two 100mm stormwater kerb connections, one per each road frontage. There is no new connection proposed. The new impervious area (Unit 2) proposes to discharge runoff to the connection via Dickson Street. This demonstrates that all runoff from the site will be discharged via gravity to the approved system; therefore, the development is considered comply with the Acceptable Solution A1.

The development is also considered to comply with the Acceptable Solution A2 and a stormwater system does not require to incorporate water sensitive urban design for treatment. This is because the size of the new impervious area is less than 600 square metres, there would be less than six new parking and the application is not for a subdivision.

The Acceptable Solution A3 and A4 are considered satisfactory and designed to accommodate both minor and major storm events. A stormwater tank for the purpose of water detention is also proposed as part of the proposed development.

Other

E3.0 Landslide Code

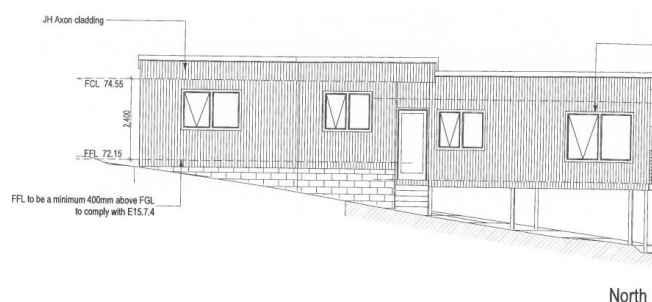
There are no landslide issues identified through Council's records that affect the application.

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

Not applicable.

E15.0 Inundation Prone Areas Code

The proposed development is within a Flood Prone area with the 1 in 100-year flood level of 0.1m as identified in Council's records. To comply with the Acceptable Solution A1 under the clause E15.7.4, the new habitable building must have a floor level no lower than a 1% AEP storm event plus 300mm. The developer proposes the Finished Floor Level (FFL) to be a minimum of 400mm above the Natural Ground Level (NGL) and hence complies with the Acceptable Solution as shown below.



Waste Management Officer

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

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

EXTERNAL REFERRALS

TasWater

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

REPRESENTATIONS

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

CONCLUSION

The application is for an additional dwelling at a site with an existing dwelling. The application is discretionary for the front and side setbacks, accessibility of private outdoor space and a parking shortfall of one space. The discretions were assessed to accord with each of the relevant Performance Criteria. As such, the proposal complies with the standard through the Performance Criteria.

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 Multiple Dwellings (1 existing and 1 new) at 59 Barossa Road Glenorchy, subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-19-178 and Drawing No. P2 submitted on 20/08/19, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater and set out in the attached Submission to Planning Authority Notice, reference No. TWDA2019/00984-GCC, dated 27/08/2019, form part of this permit.
3. Privacy screens attached to the deck must be installed as shown on the approved plan and then maintained for the duration of the approved use.

Engineering

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

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

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

5. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
6. All internal hydraulic service works required for the development must be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor. Any alterations or works to Council mains must be undertaken by Council at the developer's cost.
7. The design and construction of the parking, access and turning areas must generally comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004, to the satisfaction of the Council's Development Engineer. Drawings showing the driveway details must be submitted with the Building Application for approval by Council's Development Engineer prior to the commencement of works on site. The proposed driveway and parking must comply with the following:
 - (a) Be constructed to a sealed finish and the finished gradient must not exceed the maximum gradient of 20%
 - (b) Three (3) clearly marked car parking spaces must be provided in accordance with the approved plan (two spaces for the existing dwelling and one space for the additional dwelling) and kept available for these purposes at all times
 - (c) Vertical alignment must include transition curves (or straight sections) to the Australian Standard, Parking facilities - Part 1: Off-Street Carparking AS 2890.1 - 2004, Clause 2.5.3 (d) at all grade changes greater than 12.5%
 - (d) All runoff from paved and driveway areas must be discharged into Council's stormwater system
 - (e) Be clearly line-marked or physically separated to each space in accordance with the approved plan
 - (f) The gradient of any parking areas must not exceed 5%
8. All works required by this condition must be installed prior to the occupancy of the additional dwelling.
9. On-site stormwater detention must be provided so that stormwater discharged from the site does not exceed the pre-existing stormwater runoff for the critical duration of the 5% Annual Exceedance Probability events in the catchment. Any system proposed to retain the required runoff storage volume must be detailed in an engineering design lodged and approved as part of the plumbing application, and to be designed, constructed and maintained to the satisfaction of Council's Plumbing Surveyor.
10. Widening of the existing vehicle crossing to a 5.5 metre-wide at the access point must be constructed in accordance with the Tasmanian standard drawing TSD-R09-v1, TSD-R11-v1 and TSD-R14-v1 between the kerb and the property boundary and completed to the satisfaction of Council's Development Engineer prior to the occupancy of the additional dwelling. The detail design must be

- submitted and approved prior to the issuing of a Building Permit Approval.
11. *Advice:* A Property Access Works Application must be completed prior to any work being undertaken. The application is available from Council's planning department or available from Council's website at: <https://www.gcc.tas.gov.au/residents/living-in-glenorchy/driveways>.
 12. The development is on the Flood Prone area, the Natural Ground Level and the AHD in relation to the 1 in 100-year flood level must be clearly shown on the plan. Prior to the issuing of a Building Approval or the commencement of works on site, (whichever occurs first) submit the plan and elevation demonstrating that the finished floor level is at 300mm above the flood level (or 400mm above the Natural Ground Level) to the requirements of Council's Development Engineer.

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.

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.

Waste Management

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

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

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

APPENDIX**10.0 General Residential Zone.**

Standard	Acceptable Solution	Proposed	Complies?
10.4 Development Standards for Residential Buildings and Works			
10.4.1 Residential density for multiple dwellings.	A1 Multiple dwellings must have a site area per dwelling of not less than: (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.	Land 736/2=368m ²	Yes
10.4.2 Setbacks and building envelopes for all dwellings:	A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or (b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3	Front setback (secondary frontage) 1.854m	No - Discretion

	m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or (c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or (d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.		
	A2 A garage or carport must have a setback from a primary frontage of at least: (a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or (b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.	No garage/carport proposed	NA
	A3 A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must:	Front setback 3.130m Side Setback east 0.510m Side Setback 1.5m	No – Discretion

	(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).		
10.4.3 Site coverage and private open space for all dwellings	A1 Dwellings must have: (a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and (b) for multiple dwellings, a total area of private open space of not less than 60 m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and	(a) Site coverage 37% (b) New 77m², existing 300m²+ (c) More than 25%	Yes

	(c) a site area of which at least 25% of the site area is free from impervious surfaces.		
	A2 A dwelling must have an area of private open space that: (a) is in one location and is at least: (i) 24 m²; or (ii) 12 m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (b) has a minimum horizontal dimension of: (i) 4 m; or (ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and (d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and (e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of	The proposed dwelling would have a deck of 24m² off the living area, with a minimum width 4m, facing west. This complies. The existing dwelling would have a large area of 300+ for POS, oriented to the west, with access of the hallway. There is no direct access from a habitable room, which causes a discretion.	No – Discretion

	north, excluding any dwelling located behind another on the same site; and (f) has a gradient not steeper than 1 in 10; and (g) is not used for vehicle access or parking.		
10.4.4 Sunlight and overshadowing of all dwellings	A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).	Livingroom window 15° east	Yes
	A2 A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B): (i) at a distance of 3 m from the window; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or	The proposed dwelling would be to the east of the existing dwelling and faces a bedroom window at which is 5.5m away.	Yes

	(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.		
	A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C): (i) at a distance of 3 m from the northern edge of the private open space; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.	The proposed dwelling is not to the north of POS of the existing dwelling. The existing dwelling has POS on the Barossa Road frontage to the west.	Yes

10.4.5 Width of openings for garages and carports for all dwellings	A1 A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).	None proposed	NA
10.4.6 Privacy for all dwellings	A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary; and (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4 m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m: (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.	The proposed deck would be 1.5m from the south boundary but would have a screen 1.7m-high screen. There would be also 1.7m-high screen for the first 1.5m on the west elevation of the deck.	Yes

	A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b): (a) The window or glazed door: (i) is to have a setback of at least 3 m from a side boundary; and (ii) is to have a setback of at least 4 m from a rear boundary; and (iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site. (b) The window or glazed door: (i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor	There would be minimum separation between the two dwellings of 6m. On the eastern elevations, windows are 1.7m above floor level, although the floor is at ground level. On the southern elevation there is only one window of a floor level more than 1m above NGL, that has a sill height above 1.7m	Yes
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	level, with a uniform transparency of not more than 25%.		
	A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least: (a) 2.5 m; or (b) 1 m if: (i) it is separated by a screen of at least 1.7 m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.	There would only be a parking space next to the existing dwelling, which would be allocated to the existing dwelling.	Yes
10.4.7 Frontage Fences for all dwellings	A1 A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than: (a) 1.2 m if the fence is solid; or (b) 1.8 m, if any part of the fence that is within 4.5 m of a primary frontage has openings above a height of 1.2 m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).	Not 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 m² per dwelling and is within one of the following locations: (a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) in a communal storage area with an impervious surface that: (i) has a setback of at least 4.5 m from a frontage; and (ii) is at least 5.5 m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2 m above the finished surface level of the storage area.		
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APPENDIX

E5 Road and Railway Assets Code

Standard	Acceptable Solution	Proposed	Complies?
5.5 Use Standards			
E5.5.1 Existing road accesses and junctions	A1 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.		NA
	A2 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.		NA
	A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.		Yes

Standard	Acceptable Solution	Proposed	Complies?
E5.5.2 Exiting Level Crossings	A1 Where use has access across part of a rail network, the annual average daily traffic (AADT) at an existing level crossing must not be increased by greater than 10% or 10 vehicle movements per day, whichever is the greater.		NA
5.6 Development Standards			
E5.6.1 Development adjacent to roads and railways	A1.1 Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h: (d) new buildings; (e) other road or earth works; and (f) building envelopes on new lots.		NA

Standard	Acceptable Solution	Proposed	Complies?
	A1.2 Buildings, may be: (c) located within a row of existing buildings and setback no closer than the immediately adjacent building; or (d) an extension which extends no closer than: (iii) the existing building; or (iv) an immediately adjacent building.		NA
E5.6.2 Road accesses and junctions	A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h		NA
	A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.		Yes
E5.6.3 New Level Crossings	A1 No Acceptable Solutions.		NA

Standard	Acceptable Solution	Proposed	Complies?
E5.6.4 Sight distance at accesses, junctions and level crossings	A1 Sight distances at: (c) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and (d) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.		Yes

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

Standard	Acceptable Solution	Proposed	Complies?
E6.6 Use Standards			
E6.6.1 Number of Car Parking Spaces	A1 The number of on-site car parking spaces must be: (c) 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 – Performance Criteria assessed and met
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;		N/A

Standard	Acceptable Solution	Proposed	Complies?
	(c) be located as close as practicable to the building entrance.		
E6.6.3 Number of Motorcycle Parking Spaces	A1 The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.		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

Standard	Acceptable Solution	Proposed	Complies?
E6.7.2 Design of Vehicular Accesses	A1 Design of vehicle access points must comply with all of the following: (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (d) 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; (iii) it meets a road serving more than 6000 vehicles per day;		N/A

Standard	Acceptable Solution	Proposed	Complies?
	(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.		N/A
E6.7.5 Layout of Parking Areas	A1 The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 "Design of Parking Modules, Circulation Roadways and Ramps" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 "Headroom" of the same Standard.		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;		Yes

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

Standard	Acceptable Solution	Proposed	Complies?
	AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) be located within 30 m of the main entrance to the building.		
E6.7.10 Design of Bicycle Parking Facilities	A1 The design of bicycle parking facilities must comply with all the following; (a) be provided in accordance with the requirements of Table E6.2; (b) be located within 30 m of the main entrance to the building.		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.		Yes
	A3 A minor stormwater drainage system must be designed to comply with all of the following: (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed; (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be		Yes

Standard	Acceptable Solution	Proposed	Complies?
	accommodated within existing or upgraded public stormwater infrastructure.		
	A4 A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.		Yes

Attachments/Annexures

1 Attachment 59 Barossa Road



**7. PROPOSED USE AND DEVELOPMENT - SUBDIVISION - 115
ALLUNGA ROAD CHIGWELL**

Author: Planning Officer (Bhavna Gungabison)

Qualified Person: Planning Officer (Bhavna Gungabison)

Property ID: 3312245

REPORT SUMMARY:

Application No.:	PLN-19-223
Applicant:	PDA Surveyors
Owner:	Roman Catholic Church Trust Corporation Of The Archdiocese
Zone:	General Residential Zone
Use Class	Subdivision
Application Status:	Discretionary
Discretions:	Special Provision 9.7 Subdivision 10.6.3 Ways and Public Open Space (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	14 Oct 2019
Existing Land Use:	Residential (Aged care facility) and Educational and occasional care (Learning facility)
Representations:	1
Recommendation:	Approval, subject to conditions.

REPORT IN DETAIL:

PROPOSAL

The application is for a one-lot subdivision for the creation of proposed Lot 4 from 115 Allunga Road, to be consolidated/adhered to Council owned sports and recreation area at 131A Allunga Road. There is therefore, no creation of a new titled lot as part of this subdivision.

The portion of land to be transferred (shown as Lot 4 in Figure 1 below), has an area of 3048m² and comprises of a 30m wide pipeline easement. The site at 131A Allunga Road, has an area of 5.278ha and will increase to 5.583ha, post-adhesion. The subject site at 115 Allunga Road, is to have an area of 2.614ha.

The plan of subdivision shows Right of Way on 1 Bellette place (shown as Lot 1 in Figure 1 below) and 115 Allunga Road, extending to the new proposed boundary of 131A Allunga Road. The intent of the Right of Way is to provide easy access for residents in the locality to the public sports and recreation area at 131A Allunga Road.

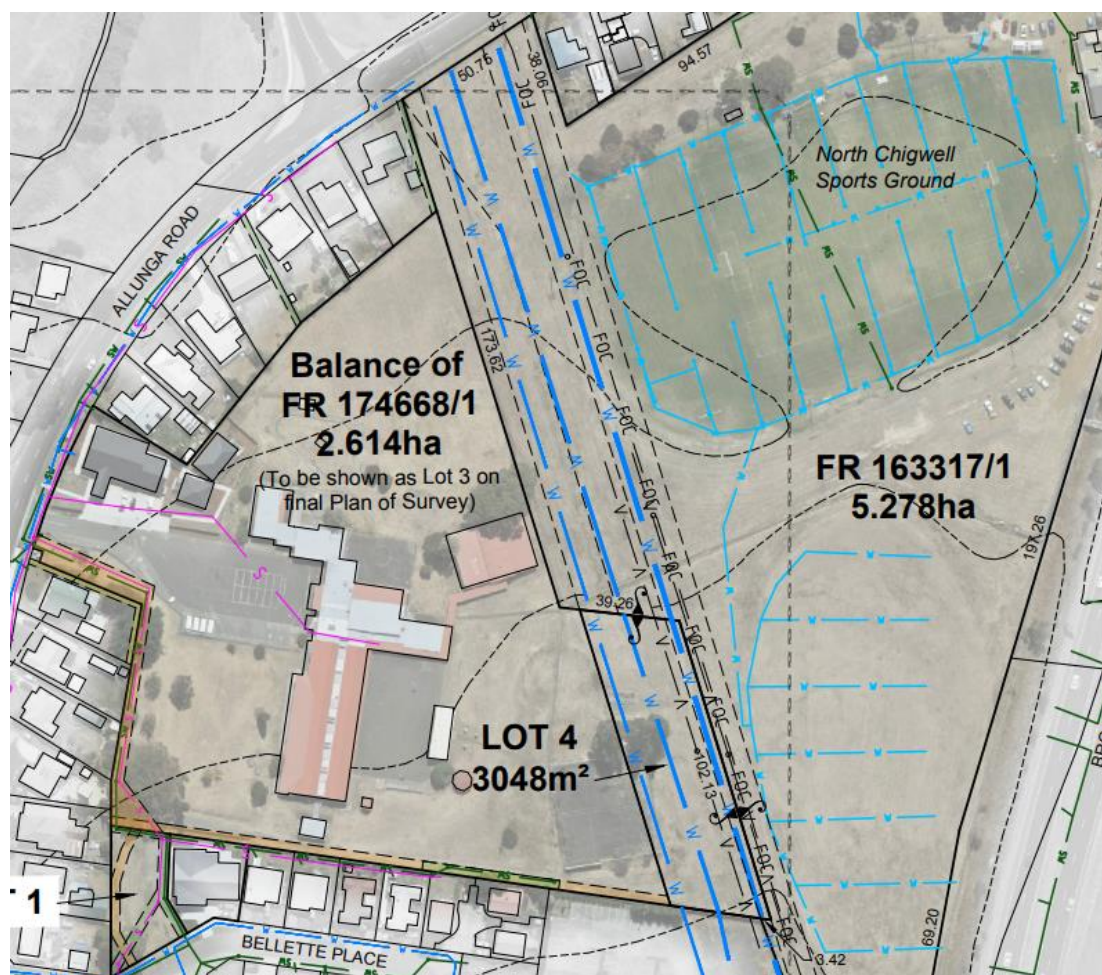


Figure 1: Proposed plan of subdivision.

SITE and LOCALITY

The subject site at 115 Allunga Road (CT174668/1), is an irregular shaped lot, located on the eastern side of Allunga Road. The site has an area of 2.919ha, with existing residential aged care facility and a learning centre.

The site at 131A Allunga Road (163317/1), is an irregular shaped lot with an area of 5.278ha and comprises a wayleave easement and a 30m wide pipeline easement, which extends from north to south. The site is Council owned and is utilised as a sports and recreation area.

The site at 1 Bellette Place (CT118693/24), is public open space with an area of 849m² and has an existing drainage easement running through the site.

The surrounding locality comprises predominantly of residential development.



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

ZONE

The site at 115 Allunga Road and 1 Bellette Place are within the General Residential Zone, while 131A Allunga Road, is split-zoned Recreation Zone and Community Purpose Zone.

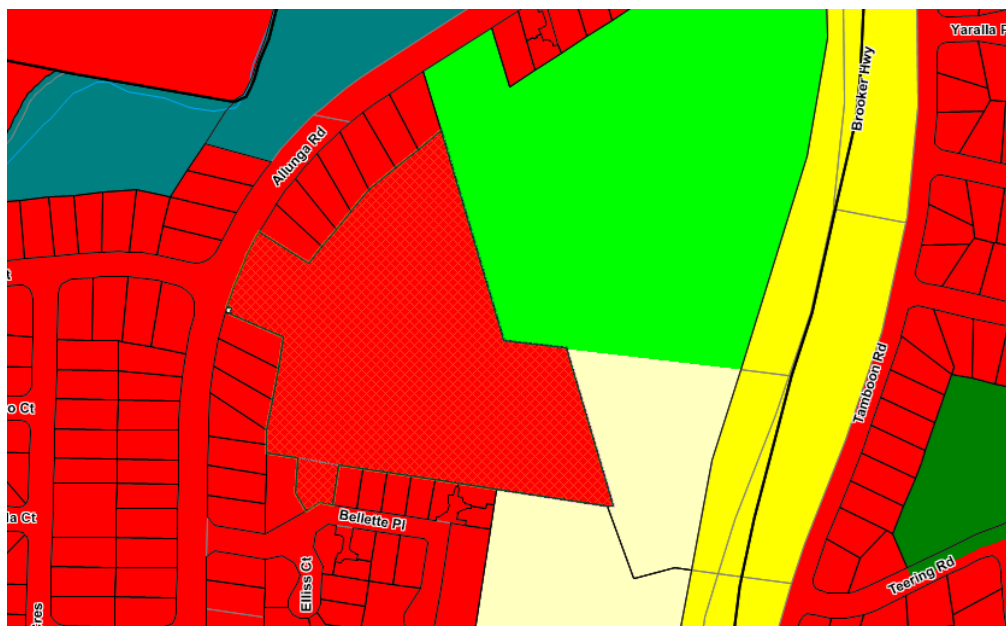


Figure 3: A snapshot of zoning (Red – General Residential zone; Lime – Recreation zone; Light yellow – Community Purpose zone; Yellow – Utilities; Teal – Environmental Management zone)

BACKGROUND

Lot 1 (1 Bellette Place) is an existing title, with public open space designation and is shown on the proposed plan of subdivision to show the 3m wide Right of Way creation. This site is not subject to subdivision and is therefore not assessed against the subdivision standard of the General Residential Zone.

The site has a recent approval for three dwellings (communal residence) – Approved 15/05/19

The Right of Way is to extend from 1 Bellette Place and 115 Allunga Road, to the new proposed boundary of 131A Allunga Road. The Right of Ways are as part of a land exchange agreement between Council (Property section) and owner of 115 Allunga Road and does not require planning assessment.

The site at 115 Allunga Road has several planning approvals but the one relevant to the proposed subdivision are below:

- PLS43A-18/01 - Rezone 115 Allunga Road, Chigwell to a General Residential Zone combined with a 3-lot subdivision at 115 Allunga Road and 131A Allunga Road, Chigwell – Approved 27/06/19

This approval allowed the rezoning of 115 Allunga Road from Community Purpose Zone to General Residential Zone.

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).

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil

Limited Exemptions

Nil

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

No SAP applies.

No conflict between zone and code provision.

Use Class Description (Table 8.2):

The proposed lot 4 is to be adhered to 131A Allunga Road and will retain the recreation use of the site.

Other relevant definitions (Clause 4.1):

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

Public open space means land for public recreation or public gardens or for similar purposes.

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

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

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

Part C: Special Provisions

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

9.3 Adjustment of a Boundary

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

- (a) *no additional lots are created;*
- (b) *there is only minor change to the relative size, shape and orientation of the existing lots;*

- (c) *no setback from an existing building will be reduced below the applicable minimum setback requirement;*
- (d) *no frontage is reduced below the applicable minimum frontage requirement; and*
- (e) *no lot boundary that aligns with a zone boundary will be changed.*

Comment:

The proposal does not involve the creation of a new lot as Lot 4 is to be adhered to 131A Allunga Road. The change relative to size, shape and orientation is considered as being minor given the size of the site at 115 Allunga Road and 131A Allunga Road. The setback from existing building is not proposed to be below the 4m rear setback requirement and no frontage is to be impacted. However, the proposed lot is zoned as General Residential Zone and the zoning for the adjoining property at 131A Allunga Road is Recreation and Community Purpose Zone. The proposal causes a change to lot boundary, causing it to no longer align with the zone boundaries and therefore, does not qualify as a boundary adjustment.

9.7 Subdivision

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

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

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

Comment:

The proposed subdivision is assessed as being discretionary because the proposal does not qualify as a boundary adjustment in accordance with clause 9.3.1; is not prohibited under clause 8.9 and can be approved under the *Local Government (Building and Miscellaneous Provisions) Act 1993*.

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

General Residential Zone

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

Comment:

The proposal is assessed as being consistent with the purpose of the General Residential zone because the proposed subdivision is to add to the existing Public recreation area which primarily serve the local community.

Community Purpose Zone

- 17.1.1.1 *To provide for key community facilities and services where those facilities and services are not appropriate for inclusion as an associated activity within another zone.*
- 17.1.1.2 *To ensure land required for future public use is protected from inappropriate use or development.*
- 17.1.1.3 *To encourage multi-purpose, flexible and adaptable social infrastructure to respond to changing and emerging community needs.*

Comment:

The proposed lot 4 is to be adhered to 131A Allunga Road which is partly zoned as Community Purpose Zone. The proposal does not alter the existing public open space use of the site and will contribute to a larger lot size for public use. The proposal is therefore considered as meeting the zone purpose statement.

Recreation Zone

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

Comment:

The proposal does not alter the existing use of the site but looks at increasing the public open space area of 131A Allunga Road. The proposal includes right-of-way arrangements to allow better connectivity to the public open space. The application is assessed as meeting the zone purpose statement.

Development Standards for Subdivisions

10.6.3 Ways and Public Open Space

There is no acceptable solution for this standard and so the proposal relies on performance criteria, which requires the arrangement of ways and public open space within a subdivision to satisfy all of the following:

- (a) *connections with any adjoining ways are provided through the provision of ways to the common boundary, as appropriate;*
- (b) *connections with any neighbouring land with subdivision potential is provided through the provision of ways to the common boundary, as appropriate;*
- (c) *connections with the neighbourhood road network are provided through the provision of ways to those roads, as appropriate;*

- (d) *convenient access to local shops, community facilities, public open space and public transport routes is provided;*
- (e) *new ways are designed so that adequate passive surveillance will be provided from development on neighbouring land and public roads as appropriate;*
- (f) *provides for a legible movement network;*
- (g) *the route of new ways has regard to any pedestrian & cycle way or public open space plan adopted by the Planning Authority;*
- (h) *Public Open Space must be provided as land or cash in lieu, in accordance with the relevant Council policy.*
- (i) *new ways or extensions to existing ways must be designed to minimise opportunities for entrapment or other criminal behaviour including, but not limited to, having regard to the following:*
 - (i) *the width of the way;*
 - (ii) *the length of the way;*
 - (iii) *landscaping within the way;*
 - (iv) *lighting;*
 - (v) *provision of opportunities for 'loitering';*
 - (vi) *the shape of the way (avoiding bends, corners or other opportunities for concealment).*

Comment:

The proposal for subdivision of Lot 4 from 115 Allunga Road, for adhesion with the adjoining public recreation area at 131A Allunga Road (Council Owned), is to allow for the conversion of 3048m² of private land into public land (recreation). The *Subdivisions – Public Open Space Acquisitions and Contributions Policy* does not require the provision of public open space or a contribution of cash in lieu for a one lot subdivision. The proposed plan of subdivision has shown Right-of-ways through 1 Bellette Place and 115 Allunga Road to the proposed new boundary of 131A Allunga Road in order to enhance accessibility for the local community to the Council owned sports ground and recreation area. The ways arrangement forms part of a separate agreement between Council (property department) and land owner at 115 Allunga Road and was not required as part of this application. The ways arrangement however, achieves a positive outcome for the local community in terms of connectivity to existing public spaces.

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

Part E: Codes

The following codes of the Scheme apply to this proposal:

E5.0 Road and Rail Asset Code

The proposal is assessed as meeting the acceptable solution of the applicable standards in the code.

E6.0 Parking and Access Code

The proposal is assessed as meeting the acceptable solution of the applicable standards in the code.

E7.0 Stormwater Management Code

The proposal is assessed as meeting the acceptable solution of the applicable standards in the code.

PART F: Specific Area Plans

No SAP applies.

INTERNAL REFERRALS

Development Engineer

The development application seeks an approval for subdivision to add Lot 4 to CT 163317/1 to form new lot so that the existing pipeline easement is contained wholly within 131A Allunga Road.

E5.0 Road and Railway Assets Code

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

Therefore, the development complies with Code E5 Road and Railway Assets Code.

E6.0 Parking and Access Code

There is no change in the current Traffic, Access and Parking arrangements. It is therefore considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected.

E7.0 Stormwater Management Code

There are no GCC stormwater mains affected by this application; and there is no change to the stormwater lot connection.

Other

E3.0 Landslide Code

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

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

Not applicable.

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

E15.0 Inundation Prone Areas Code

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

Property Manager

The proposal is in accordance with an agreement reached with Catholic Care to exchange Lot 1 for Lot 4. The construction of the proposed public footway forms part of that agreement and will not require any condition in the permit related to its construction.

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:

TasNetworks (Wayleave easement)

The representor states that the sites are affected by a number of electricity assets which form part of the Claremont Zone substation sub transmission corridor, servicing the northern suburbs of Hobart from Glenorchy to Bridgewater. Existing feeders running through this area include: Overhead 22kV Feeders 5102960 and 5696729.

For operational requirements and community safety these lines should be protected by an easement. TasNetworks therefore requests that a wayleave easement be identified on title. This is consistent with the easements currently in place over neighbouring lands.

Planner's Comment:

The current title and schedule of easement for 131A Allunga Road (CT 163317/1) shows the wayleave easement and a condition has been recommended for the easement to be extended onto the new proposed boundary of the lot. Since, the lot created is to be adhered to the 131A Allunga Road title, the condition requires the wayleave easement to be shown on the Final Plan of Survey prior to the sealing of the plan.

CONCLUSION

The proposal requires discretionary consideration under Special Provision 9.7 and is relying on the performance criteria to comply with Clause 10.6.3 Ways and Public Open Space standard. The proposal is assessed as satisfying the performance criteria and complies with the standards. The proposal is assessed as complying with all other subdivision standards in the General Residential zone, as well as the applicable standards of the Road and Railway Assets code, Parking and Access code and Stormwater Management code.

The application was publicly advertised for the statutory 14-day period and one representation was received. The representation was addressed, and a condition was recommended on the permit.

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

Recommendation:

That a permit be granted for the proposed use and development of Subdivision at 115 Allunga Road Chigwell subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-19-223 and Drawing No. P1 submitted on 07/08/19, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2019/01184-GCC, dated 22/08/19, form part of this permit.
3. An original and two copies of each of the Plan of Subdivision and Schedule of Easements must be submitted to Council for sealing.
4. The lot 4 and CT163317/1 formed from the adhesion/consolidation of lots must be shown as a single lot on the Final Plan of Survey.

Engineering

5. The final plan and schedule of easements must include, to the satisfaction of the Council's Development Engineer, any existing or proposed right of ways, drainage and/or service easements that are or may be required to adequately provide access and services to, from or through the lots shown on the plan.
6. Please note: The wayleave easement appurtenant to TasNetworks must be extended on the adhered lot of CT163317/1 and shown on the Final Plan of Survey prior to sealing.

Advice to Applicant

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

Engineering

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

Other Permits

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

APPENDIX A**10.0 General Residential Zone**

Standard	Acceptable Solution	Proposed	Complies?
10.6 Development Standards for Subdivision			
10.6.1 Lot Design	A1 The size of each lot must comply with the minimum and maximum lot sizes specified in Table 10.1, except if for public open space, a riparian or littoral reserve or utilities.	The intent of the new lot is to be amalgamated with the existing public open space lot at 131A Allunga Road (Council owned). The lot is therefore for public open space purposes.	Yes
	A2 The design of each lot must provide a minimum building area that is rectangular in shape and complies with all of the following, except if for public open space, a riparian or littoral reserve or utilities: (a) clear of the frontage, side and rear boundary setbacks; (b) not subject to any codes in this planning scheme; (c) clear of title restrictions such as easements and restrictive covenants; (d) has an average slope of no more than 1 in 5; (e) the long axis of the building area faces north or within 20 degrees west or 30 degrees east of north; (f) is 10 m x 15 m in size.	No building area was required as proposed lot is for public open space purposes	Yes

	A3 The frontage for each lot must comply with the minimum and maximum frontage specified in Table 10.2, except if for public open space, a riparian or littoral reserve or utilities or if an internal lot.		
	A4 No lot is an internal lot.	The proposed lot is to be adhered to 131A Allunga Road, which is not an internal lot.	Yes
	A5 Subdivision is for no more than 3 lots.	The proposed subdivision does not create a new lot as the lot is to be adhered to the land title of 131A Allunga Road.	Yes
10.6.2 Roads	A1 The subdivision includes no new road.	No new road is proposed	NA
10.6.3 Ways and Public Open Space	A1 No Acceptable Solution.	Assessment against performance criteria is required	No – see report
10.6.4 Services	A1 Each lot must be connected to a reticulated potable water supply.	131A Allunga Road has existing potable water supply connection	Yes
	A2 Each lot must be connected to a reticulated sewerage system.	131A Allunga Road has existing sewer connection	Yes

	A3 Each lot must be connected to a stormwater system able to service the building area by gravity.	No building area required	NA
	A4 The subdivision includes no new road.	No new road proposed	NA

APPENDIX B**E5.0 Road and Railway Assets Code**

Standard	Acceptable Solution	Proposed	Complies?
5.5 Use Standards			
E5.5.1 Existing road accesses and junctions	A1 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.		NA
	A2 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.		NA
	A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.		Yes

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

Standard	Acceptable Solution	Proposed	Complies?
	A1.2 Buildings, may be: (a) located within a row of existing buildings and setback no closer than the immediately adjacent building; or (b) an extension which extends no closer than: (i) the existing building; or (ii) an immediately adjacent building.		NA
E5.6.2 Road accesses and junctions	A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h		NA
	A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.		Yes
E5.6.3 New Level Crossings	A1 No Acceptable Solutions.		NA

Standard	Acceptable Solution	Proposed	Complies?
E5.6.4 Sight distance at accesses, junctions and level crossings	A1 Sight distances at: (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.		NA

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

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

Standard	Acceptable Solution	Proposed	Complies?
	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.		N/A

Standard	Acceptable Solution	Proposed	Complies?
E6.7.4 On-Site Turning	A1 On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following: (a) it serves no more than two dwelling units; (b) it meets a road carrying less than 6000 vehicles per day.		N/A
E6.7.5 Layout of Parking Areas	A1 The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 "Design of Parking Modules, Circulation Roadways and Ramps" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 "Headroom" of the same Standard.		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;		NA

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

Standard	Acceptable Solution	Proposed	Complies?
E6.7.10 Design of Bicycle Parking Facilities	A1 The design of bicycle parking facilities must comply with all the following; (a) be provided in accordance with the requirements of Table E6.2; (b) be located within 30 m of the main entrance to the building.		N/A
	A2 The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.		
E6.7.11 Bicycle End of Trip Facilities	A1 For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.		N/A
E6.7.12 Siting of Car Parking	A1 Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a		NA

Standard	Acceptable Solution	Proposed	Complies?
	parking area is already provided in front of the building line of a shopping centre.		
E6.7.1.13 Facilities for Commercial Vehicles	A1 Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless: (a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site; (b) the use is not primarily dependent on outward delivery of goods from the site.	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.		NA

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

Standard	Acceptable Solution	Proposed	Complies?
E7.7 Development Standards			
E7.7.1 Stormwater Drainage and Disposal	A1 Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.		N/A
	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		NA

Standard	Acceptable Solution	Proposed	Complies?
	accommodated within existing or upgraded public stormwater infrastructure.		
	A4 A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.		NA

Attachments/Annexures

- 1 Attachments - 115 Allunga Road Chigwell



**8. PROPOSED USE AND DEVELOPMENT - MULTIPLE DWELLINGS
(3 EXISTING AND 1 NEW) - 27 GARDEN GROVE WEST MOONAH**

Author: Planning Officer (Bhavna Gungabison)

Qualified Person: Planning Officer (Bhavna Gungabison)

Property ID: 5426633

REPORT SUMMARY:

Application No.:	PLN-18-199
Applicant:	Wilson Homes Tasmania Pty Ltd
Owner:	I S Murdoch and R M Auld
Zone:	General Residential Zone
Use Class	Residential
Application Status:	Discretionary
Discretions:	10.4.3 Site coverage and private open space for all dwellings (P2) 10.4.6 Privacy for all dwellings (P3) (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	14 Oct 2019
Existing Land Use:	Residential
Representations:	1
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL:**PROPOSAL**

The application is for the construction of an additional dwelling at 27 Garden Grove, with access through the strata development at 15 Twelfth Avenue. The subject site at 27 Garden Grove consists of an existing single dwelling towards the front of the property. The site at 15 Twelfth Avenue is a strata development with two existing dwellings and access through Twelfth Avenue.

The proposed site plan shows changes to the strata boundaries and changes to the existing parking arrangement within the common property, to accommodate for the new 3m wide driveway and access to the proposed dwelling through the common property at 15 Twelfth Avenue to 27 Garden Grove. The sites at 27 Garden Grove and 15 Twelfth Avenue are currently under the same ownership and do not have a right-of-way arrangement across both properties. A condition for adhesion of both titles have been recommended on the permit to avoid any future land use/development conflicts prior to occupancy of the proposed dwelling.

The proposed strata boundaries are to be assessed against the *Strata Titles Act 1998* (separate to the planning process).

Since the intention of the sites (27 Garden Grove and 15 Twelfth Avenue) are for four (4) multiple units with three existing and one proposed unit, the assessment is based on 27 Garden Grove and 15 Twelfth Avenue being one lot (as per the recommended condition on the permit).

The proposed dwelling is to be double storey with a maximum height of 7.1m above natural ground level and a setback of 3m from the north-eastern side boundary, 7m from the south-eastern boundary (rear boundary of 27 Garden Grove lot), a minimum of 4.7m from 2/15 Twelfth Avenue and more than 4.5m setback from any frontage.

The proposed dwelling is to consist of a single garage, a laundry, a bedroom, a multi-purpose room and a bathroom on the ground floor level, with a staircase which leads to the first floor, consisting of an open plan kitchen, living and dining area and a bedroom with bathroom. The open plan living, and dining area opens onto a 17.9m² un-roofed balcony which faces north. The multi-purpose room leads to the nominated private open space of 24m² on the ground floor level. A second car parking space is provided on site which allows for a total of two car parking spaces for the proposed development.

The development site (27 Garden Grove and 15 Twelfth Avenue), provide a total of eight (8) car parking spaces on the site and waste storage bins for the exclusive use of each dwelling.

The existing private open spaces of units at 27 Garden Grove and 15 Twelfth Avenue are to remain unaffected by the proposed development in terms of location and size.

The Figure 1 below shows the proposed site plan with the existing dwellings at 15 Twelfth Avenue (1/15 Twelfth Avenue and 2/15 Twelfth Avenue) and 27 Garden Grove. The proposed dwelling is encircled in red, which is to have access through the existing 3m wide driveway access from Twelfth Avenue.

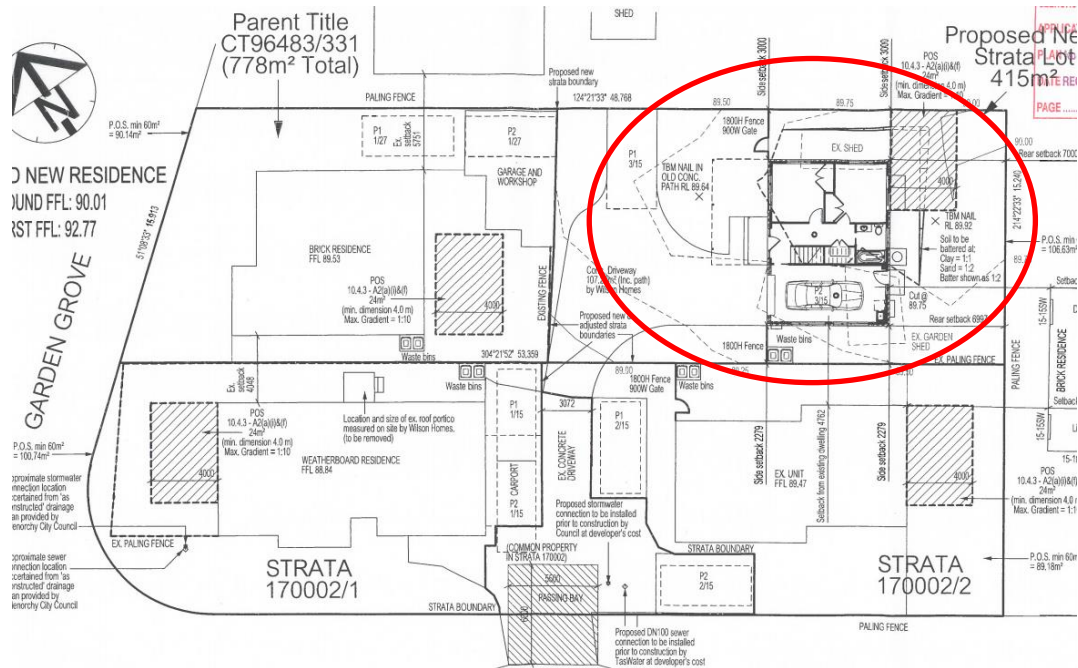


Figure 1: Proposed site plan

SITE and LOCALITY

The subject site at 27 Garden Grove (CT96483/331) is a rectangular shaped lot with a frontage of 15.9m, depth of 48.8m and total area of 778m². The site consists of an existing dwelling towards the front of the property and associated outbuilding (garage and workshop). The site is accessible from Garden Grove and consists of two car parking spaces within the property.

The subject site at 15 Twelfth Avenue (CT170002/1 and CT170002/2) is a corner lot with a strata development comprising of two multiple dwelling units and a shared driveway access through Twelfth Avenue.

The sites are located on the corner of Garden Grove and Twelfth Avenue and are in an area characterised by single dwellings on similar lot sizes



Figure 2: An aerial view of the subject sites and surrounding locality

ZONE

The subject site is within the General Residential Zone under the Glenorchy Interim Planning Scheme 2015.

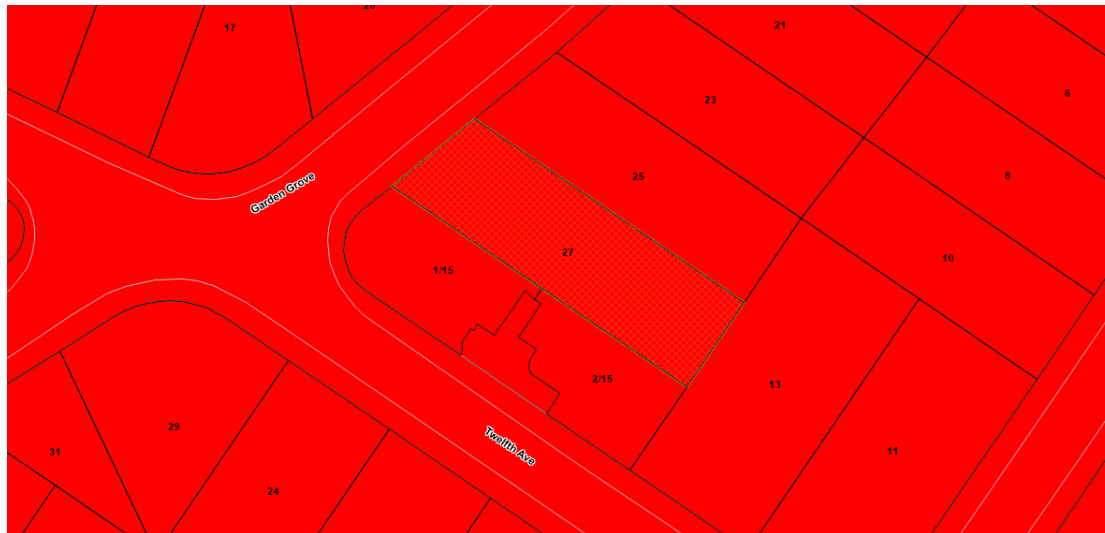


Figure 3: A snapshot of the relevant zoning of the site (Red – General Residential Zone)

BACKGROUND

No background relevant to the assessment of the proposal is available.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil

Limited Exemptions

Nil

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

No SAP applies.

The following codes apply which override the zone provisions in an instance of a conflict:

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

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):

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

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

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

Multiple dwellings mean 2 or more dwellings on a site.

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

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

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

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

Part C: Special Provisions

No special provision of the Scheme applies to this proposal.

Part D: Zones

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

Zone Purpose Statements

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

Comment:

The proposed multiple dwellings development is 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 in accordance with the zone purpose statement of the Scheme.

Use Table

Residential (Multiple dwellings) is a permitted use class in Table 10.2. However, the proposal is discretionary owing to reliance on the performance criteria for Clause 10.4.3 Private open space and Clause 10.4.6 Privacy for all dwellings.

Use Standards

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

Development Standards for Residential Buildings & Works

10.4.3 Site coverage and private open space for all dwellings (A2/P2)

The proposed dwelling identifies a 24m² private open space area which complies with the acceptable solution A2. However, the private open space is to be accessed from a multi-purpose room on the ground floor level which is highly likely to be utilised as a bedroom. As the acceptable solution requires a private open space to be directly accessible from and adjacent to a habitable room (other than a bedroom), the proposal is assessed against the performance criteria P2 which requires the following:

A dwelling must have private open space that:

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

Comment:

A 17.89m² unroofed balcony is proposed along the northern elevation of the proposed dwelling which is directly accessible from the open plan living and dining area. The balcony is capable of serving as an extension of the dwelling for outdoor relaxation, dining and entertainment area. The balcony is oriented towards north to have ample sunlight. The private open space located on the ground floor level, provides ample room for children's play and outdoor relaxation. As a whole, the proposal is assessed as meeting the performance criteria and therefore meets the standard.

10.4.6 A3 Privacy for all dwellings

The proposal does not accord with the Acceptable Solution in 10.4.6 A3 with respect to window separation from the shared driveway. This is because, the shared driveway extends to the edge of the proposed dwelling and no screening is proposed. A visitor parking space is to be catered for within the site which is likely to turn and reverse close to the edge of the first-floor bedroom window. Therefore, the proposal relies on the Performance Criteria P3 which requires the following:

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

Comment

It is considered that the shared driveway would not cause any amenity loss due to its proximity to windows on the northern elevation of the proposed unit. There would be one ground floor bedroom window which is to be setback more than 2.5m from the shared driveway and the first-floor bedroom window has a height of approximately 3m from the finished surface level of the driveway. Given that the bedroom window is located on the first-floor level, it is considered that there would be minimal detrimental impact with respect to vehicle noise or light intrusion.

The proposal is assessed as meeting the standards through compliance with the performance criteria.

Part E: Codes

The following codes of the Scheme apply to this proposal:

E5.0 Road and Rail Asset Code

The proposal complies with the relevant Acceptable Solutions as demonstrated in the appendix section of the report. The proposal was referred to Council's Development Engineer who is in favour of the proposal and has provided comments in the referral section of the report.

E6.0 Parking and Access Code

The proposal complies with all relevant Acceptable Solutions as demonstrated in the appendix section of the report. The proposal was referred to Council's Development Engineer who is in favour of the proposal and has provided comments in the referral section of the report.

E7.0 Stormwater Management Code

The development complies with the applicable standards of the Stormwater Management Code. The proposal has been referred to Council's Development Engineer, who is in favour of the development and has provided comments in the below section.

PART F: Specific Area Plans

No SAP applies.

INTERNAL REFERRALS

Development Engineer

E5.0 Road and Railway Assets Code

This Code applies to use or development of land:

- (a) that will require a new vehicle crossing, junction or level crossing; or
- (b) that intensifies the use of an existing access; or

- (c) that involves a sensitive use, a building, works or subdivision within 50m metres of a Utilities zone that is part of:
 - (i) a rail network;
 - (ii) a category 1 - Trunk Road or a category 2 - Regional Freight Road, that is subject to a speed limit of more than 60km/h kilometres per hour.

The acceptable solution of the Use Standard for the Road and Railway Assets Code is satisfied in that the proposed development generated traffic increase is less than the 40 vehicle movements and not greater than 20%.

E6.0 Parking and Access Code

This code applies to all use and development.

Eight (8) car parking spaces are proposed to be provided. One (1) visitor carparking spaces is required and this is proposed to be included as a condition of the planning permit. It is considered there is adequate room available on site for this space to be provided. This will satisfy the parking provision of the Acceptable Solution A1 of Clause E6.6.1 of the Glenorchy Interim Planning Scheme 2015

E7.0 Stormwater Management Code

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

The applicant has shown how stormwater from new impervious areas will be connected by gravity to public stormwater infrastructure to satisfy Clause E7.7.1 A1. However, the existing dwelling at 27 Garden Grove has a separate connection that will be required to be abandoned and the drainage diverted to the internal common drainage that discharges to a single connection point.

Water sensitive urban design principles are required to satisfy Glenorchy Interim Planning Scheme 2015 Clause E7.7.1 A2. It is recommended as a condition of approval that this be approved by Council's Development Engineer prior to building approval and be installed and completed prior to a Certificate of Occupancy being issued for the additional dwelling unit.

The applicant has not addressed A3 and A4 of this code and this is proposed to be a condition of the planning permit to satisfy the acceptable solution, should the application be approved.

No other clauses of the stormwater management code are applicable to this application.

Other

E3.0 Landslide Code

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

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

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

E15.0 Inundation Prone Areas Code

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

EXTERNAL REFERRALS

TasWater

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 one (1) representation being received. The issues raised are as follows:

Setback and building envelope

The representor states that the setback locations on the plans are incorrect and the rear boundary is opposite the access strip/along the north-eastern boundary. The proposal is not in keeping with the general aesthetic of the surrounding area and is subject to cause unreasonable loss of amenity visually due to bulk, scale and proportion. The proposed development therefore does not meet the requirements of the standard.

Planner's Comment:

The proposed dwelling is assessed as meeting the acceptable solution for the setback and building envelope standard of the zone.

The assessment is based on the following:

The proposal is for a multiple dwelling development (4) which involves both 27 Garden Grove and 15 Twelfth Avenue. The properties (post-adhesion) would be a corner block and assessment has been done accordingly. The building envelope for corner lots do not have a rear boundary setback but instead have one primary frontage, one secondary frontage and two side boundaries (as shown in Figure 4 below)

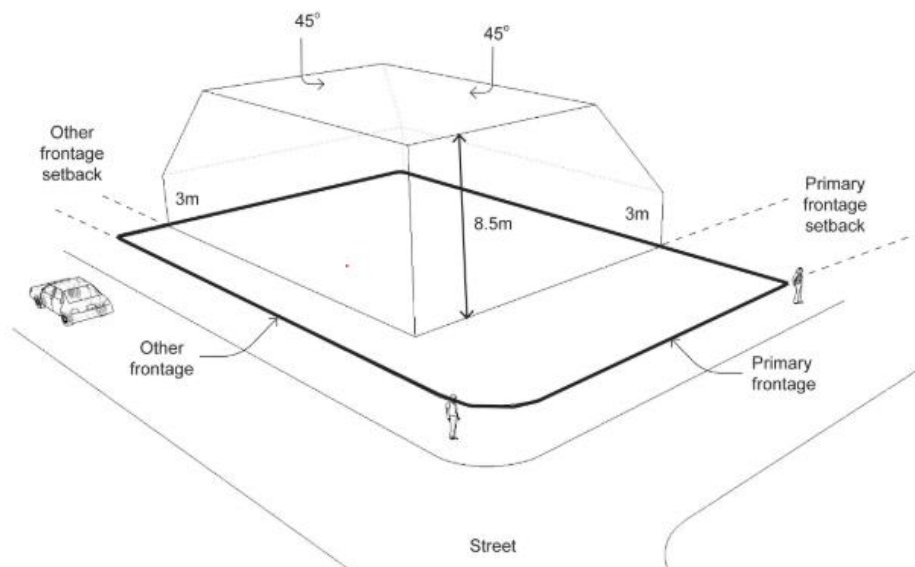


Figure 4: Diagram 10.4.2 C demonstrating Building envelope for corner lots as required by subclause 10.4.2 A3(a)

When assessed as a corner lot, the proposal complies with the building envelope requirement (described in appendix section) and does allow for an increased setback from the south-eastern boundary as required under the acceptable solution A3.

On the other hand, even if the assessment was based on the proposed dwelling being fully contained within 27 Garden Grove, the proposal would have been assessed against the setback requirements for a regular lot (as shown in Figure 5 below).

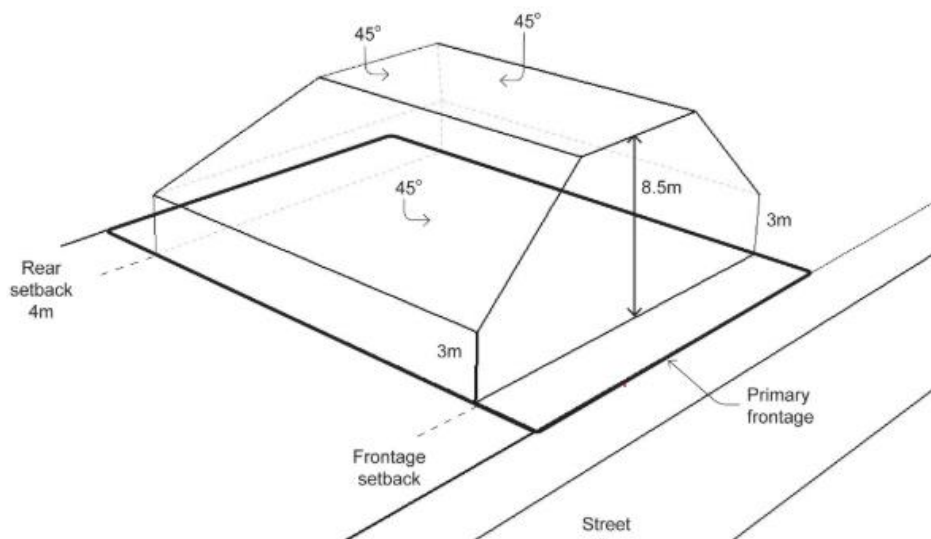


Figure 5: Diagram 10.4.2A, demonstrating Building envelope as required by subclause 10.4.2 A3 (a)

The proposed dwelling would still meet the setback and building envelope requirements for a regular lot as illustrated in Figure 5.

Since the proposal complies with the acceptable solution, it is considered as being in keeping with the surrounding area and reasonable in terms of scale, bulk and proportion.

Please note: The representor has based an argument on the proposed unit being on an internal lot. This is however not the case as the proposal is for a multiple dwelling development with no internal lot involved.

Sunlight and overshadowing for all dwellings

The representor states that the proposed dwelling does not satisfy the acceptable solution A2 and A3 for overshadowing of the existing dwelling and private open space of 2/15 Twelfth Avenue

Planner's Comment:

As described in the appendix section of the report, the impact on existing window at 2/15 Twelfth Avenue is not relevant as there is no habitable room (other than a bedroom) window opening along the northern elevation. The existing opening is for a door and assessment under the standard is not required. The habitable room windows (located to the east and south) do get adequate sunlight.

Supporting documentation provided as part of the application (Figure 6 below), shows that the existing private open space, indicated by the star receives between 3hrs to 3.5hrs of sunlight during winter solstice which therefore complies with the acceptable solution A3.

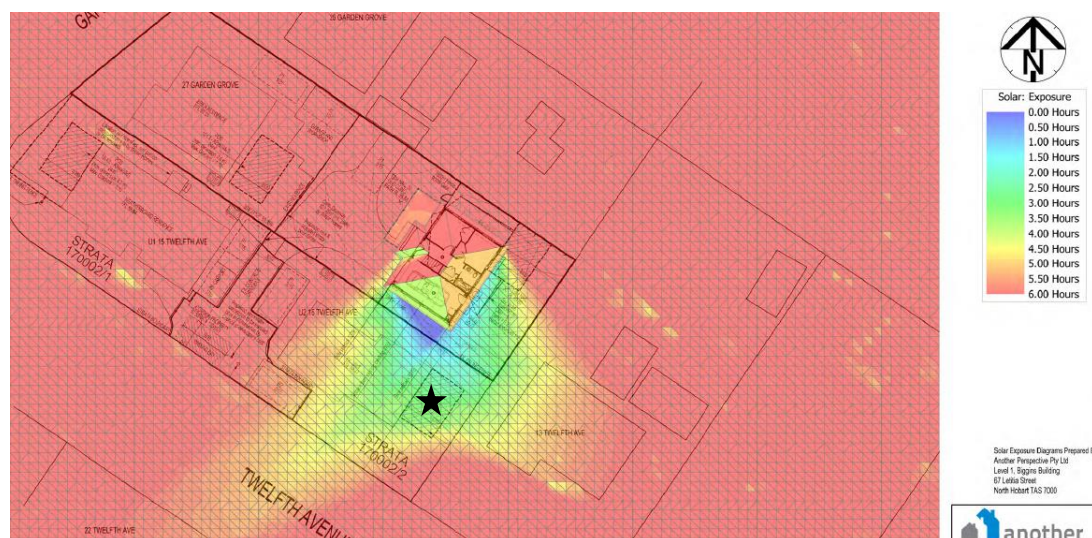


Figure 6: Solar exposure diagram (21st June)

Privacy

The representor states that the dwelling provides for balcony and windows with no screening and therefore does not meet the acceptable solution A1 and A2.

Planner's Comment:

This issue has been addressed in the privacy clause of the appendix. The balcony and windows which are subject to this assessment, meet the setback requirements and are assessed as complying with the acceptable solution A1 and A2.

CONCLUSION

The application proposes four multiple dwellings (three existing and one new) at 27 Garden Grove and 15 Twelfth Avenue. The application is assessed as complying with the acceptable solutions for the applicable standards of the General Residential Zone, as well as the relevant codes, except where reliant on the performance criteria for private open space and privacy standard.

The proposal is assessed as satisfying the relevant performance criteria in order to meet the objectives of the applicable zone and code standards.

The application was on public exhibition for the statutory time period and one representation was received. The issues have been addressed in the report.

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 Multiple Dwellings (3 existing, 1 new) at 27 Garden Grove West Moonah, 1/15 Twelfth Avenue West Moonah, 2/15 Twelfth Avenue West Moonah subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-18-199 and Drawing No. P3 submitted on 15/08/19, 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 2018/01347-GCC, dated 30/08/2018, form part of this permit.
3. The titles for 27 Garden Grove (CT96483/331) and 15 Twelfth Avenue (CT 170002/1 and CT170002/2) must be adhered under S110 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*; unless the four strata lots as shown on the approved plans is registered under the *Strata Titles Act 1998*, prior to a Certificate of Occupancy being issued for the additional dwelling.

Engineering

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

6. Nine (9) clearly marked car parking spaces (two spaces per dwelling) must always be provided prior to occupancy of the additional dwelling and kept available for these purposes. Car parking spaces, manoeuvring areas and aisles must be provided in accordance with the Australian Standard AS 2890.1 – 2004 Off-Street Parking. In areas set aside for car parking, securely fixed wheel stops, or kerbing must be provided to the satisfaction of Council to prevent damage to fences or landscaped areas.
7. Driveways, car parking and turning areas must be constructed and sealed with an approved impervious surface treatment prior to occupancy of the additional dwelling. Construction details must generally be in accordance with Council's standard requirements. The driveway, parking and manoeuvring areas must be kept clear of obstructions, such as service authority infrastructure, letterboxes or bin enclosures and parked vehicles so that vehicle paths are not restricted.
8. Lighting must be provided for the carpark and walkways in accordance with Australian Standard AS 1158.3.1 – Lighting for roads and public spaces and completed prior to occupancy of the additional dwelling.
9. The stormwater connection for the existing dwelling at 27 Garden Grove must be abandoned and the stormwater must be diverted internally to the common drainage prior to strata application for the four (4) dwelling units or occupancy of the additional dwelling (whichever comes first). 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.
10. Prior to the issuing of a Building Permit, a detailed design of Water sensitive urban design (WSUD) elements and maintenance plan must be submitted for approval, to the satisfaction of Council's Development Engineer. The WSUD elements must be installed and completed prior to a Certificate of Occupancy being issued for the additional dwelling unit and maintained for the duration of the use.
11. Landscaping to the satisfaction of Council's Development Engineer must be provided within the common area at no less than 5% of the area of the carpark area to improve visual amenity. The landscaping must be completed prior to the Certificate of Occupancy being issued for the additional dwelling unit.

Advice to Applicant

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

Engineering

The designer should ensure that the needs of all providers including TasWater, TasGas, TasNetworks, and Telstra are catered for both in the design and construction of the works. Underground service providers should be contacted for line marking of their services and any requirements or conditions they may have prior to commencing any works on site.

Phone 1100, Dial Before You Dig or visit www.dialbeforeyoudig.com.au for information on the location of underground services and cables in relation to the proposed development prior to commencing any works on site.

Other Permits

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

APPENDIX A**10.0 General Residential Zone**

Standard	Acceptable Solution	Proposed	Complies?
10.4 Development Standards for Residential Buildings and Works			
10.4.1 Residential density for multiple dwellings	A1 Multiple dwellings must have a site area per dwelling of not less than: (a) 325m ² ; or (b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.	The subject site at 27 Garden Grove, has an area of 778m ² . Two dwellings on the site allows 389m ² of site area per dwelling.	Yes - complies
10.4.2 Setbacks and building envelopes for all dwellings	A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or (b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or	The proposed dwelling is to be located behind the building line of the existing dwellings at 27 Garden Grove and 2/15 Twelfth Avenue and is to be setback more than 4.5m from the frontage.	Yes - complies

	(c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or (d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.		
	A2 A garage or carport must have a setback from a primary frontage of at least: (a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or (b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.	The proposed garage is setback more than 5.5m from the frontage. The carport for unit 1/15 Twelfth Avenue is to be setback 3.8m from the secondary frontage and not within the primary frontage setback. The standard is therefore not applicable for the carport.	Yes – complies
	A3 A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must: (a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by: (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and	The proposed dwelling is to be setback 3m from the north-eastern side boundary, 7m from the south-eastern side boundary (rear boundary of 27 Garden Grove), 2.3m from the south-western side boundary (adjoining 2/15 Twelfth Avenue) and more than 4.5m from the frontage. The proposed dwelling fits within the building envelope, both under Diagrams 10.4.2A and 10.4.2C.	Yes – complies

	(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and (b) only have a setback within 1.5 m of a side boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or (ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).		
10.4.3 Site coverage and private open space for all dwellings	A1 Dwellings must have: (a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and (b) for multiple dwellings, a total area of private open space of not less than 60 m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) a site area of which at least 25% of the site area is free from impervious surfaces.	Total site coverage for 27 Garden Grove ≈ 41% Total site coverage for 15 Twelfth Avenue and 27 Garden Grove ≈ 25% The multiple dwellings have each been attributed between 89m ² and 106m ² of private open space. The site has more than 25% of site area, free from impervious surfaces.	Yes - complies
	A2 A dwelling must have an area of private open space that: (a) is in one location and is at least: (i) 24 m²; or	The proposed dwelling has a nominated 24m ² private open space which is oriented towards north-east and is directly accessible and adjacent to a habitable room(multi-purpose room) on the ground floor level.	No – see report for assessment against

	(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: (iii) 4 m; or (iv) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and (d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and (e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and (f) has a gradient not steeper than 1 in 10; and (g) is not used for vehicle access or parking.	The multi-purpose room is however likely to be utilised as a third bedroom and therefore assessment against performance criteria has been done. There is no change proposed to the existing private open spaces for the existing dwellings at 27 Garden Grove, 1/15 Twelfth Avenue and 2/15 Twelfth Avenue.	performance criteria
10.4.4 Sunlight and overshadowing of all dwellings	A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).	The proposed dwelling has the first-floor living and dining room windows oriented between 30 degrees west of north and 30 degrees east of north.	Yes – complies

	A2 A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B): (i) at a distance of 3 m from the window; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.	The proposed dwelling is not located to the north of the existing dwelling at 27 Garden Grove. The existing dwelling at 2/15 Twelfth Avenue does not have a habitable room (other than a bedroom) window between 30 degrees west of north and 30 degrees east of north. The habitable room (other than bedroom) windows for 2/15 Twelfth Avenue are situated to the east and south of the dwelling. The opening along the northern façade is a sliding door which is exempt from consideration.	Not applicable
	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):	The proposed dwelling is situated to the north of the private open space of the existing dwelling at 2/15 Twelfth Avenue. Shadow diagram provided as supporting documentation shows that the existing private open space is to have a	Yes - complies

	(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.	minimum of 3hrs of sunlight on 50% of the area on 21st of June. Please refer to more detailed assessment against the acceptable solution in the body of the report (representation section).	
10.4.5 Width of openings for garages and carports for all dwellings	A1 A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).	The proposed garage is not located within 12m of the primary frontage. The carport for existing Unit 1/15 Twelfth Avenue is to be setback 3.8m from the <u>secondary</u> frontage.	Not applicable
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	The proposed balcony along the north-west elevation has a floor level of more than 1m above natural ground level and does not include screening. The balcony is however setback 3m from the north-eastern side boundary, 9m from the existing garage of	Yes - complies

	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.	27 Garden Grove dwelling and 9m from the existing dwelling at 2/15 Twelfth Avenue. The proposed balcony meets the setback requirements of A1	
	A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b): (a) The window or glazed door: (i) is to have a setback of at least 3 m from a side boundary; and (ii) is to have a setback of at least 4 m from a rear boundary; and (iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and	The proposed dwelling has habitable room windows with floor level more than 1m above natural ground level but are setback 3m from the north-eastern side boundary, 7m from the south-eastern side boundary(rear boundary of 27 Garden Grove) and a minimum of 9m from the garage/workshop for the existing dwelling at 27 Garden Grove. The windows facing the existing dwelling at 2/15 Garden Grove have a sill height of 1.7m above the floor level or made obscure (non-habitable room – bathroom). The windows and doors therefore comply with A2.	Yes - complies

	(iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site. (b) The window or glazed door: (i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or (c) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.		
	A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least: (a) 2.5 m; or (b) 1 m if: (i) it is separated by a screen of at least 1.7 m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.	The shared section of the driveway is to be separated more than 2.5m from a habitable room window or door of the proposed dwelling. The parking space 1 is appurtenant to the proposed dwelling. A condition is however recommended for the visitor parking to be accommodated on the site which is likely to be located on the western side of parking space (P1) of the proposed dwelling. The parking space will be setback more than 2.5m from any habitable room window or door. However, manoeuvring out of the parking space onto the shared driveway causes a discretion and therefore assessment against performance criteria P3 is required.	No – see report.

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 fences 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.	The multiple dwelling has a 1.5m ² storage area for waste and recycling bins, located to the south-western side of the dwelling and is for the exclusive use of the proposed dwelling. The existing dwellings have a 1.5m ² bin storage area for their exclusive use and are not located to the front of the respective dwellings.	Yes - complies

E5.0 Road and Railway Assets Code

Standard	Acceptable Solution	Proposed	Complies?
5.5 Use Standards			
E5.5.1 Existing road accesses and junctions	A1 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.	Not an applicable standard.	
	A2 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.	Not an applicable standard.	
	A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.		Yes - complies

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

Standard	Acceptable Solution	Proposed	Complies?
	A1.2 Buildings, may be: (a) located within a row of existing buildings and setback no closer than the immediately adjacent building; or (b) an extension which extends no closer than: (i) the existing building; or (ii) an immediately adjacent building.		
E5.6.2 Road accesses and junctions	A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h	Not an applicable standard.	
	A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.		
E5.6.3 New Level Crossings	A1 No Acceptable Solutions.	Not an applicable standard.	

Standard	Acceptable Solution	Proposed	Complies?
E5.6.4 Sight distance at accesses, junctions and level crossings	A1 Sight distances at: (e) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and (f) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.		Yes - complies

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: (e) 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 does not include a visitor parking as required per four dwellings. The proposal has a shortfall of one parking space but Council's Development Engineer has concluded that the site has adequate space to cater for a visitor parking (more specifically, to the west of parking space 1 of the proposed dwelling. The proposal is therefore assessed as meeting the acceptable solution	Yes - conditioned
E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability	A1 Car parking spaces provided for people with a disability must: (a) satisfy the relevant provisions of the Building Code of Australia; (b) be incorporated into the overall car park design; (c) be located as close as practicable to the building entrance.	Not an applicable standard.	
E6.6.3 Number of Motorcycle Parking Spaces	A1 The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after	Not an applicable standard.	

Standard	Acceptable Solution	Proposed	Complies?
	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 an applicable standard.	
E 6.7 Development Standards			
E6.7.1 Number of Vehicle Accesses	A1 The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.		Yes
E6.7.2 Design of Vehicular Accesses	A1 Design of vehicle access points must comply with all of the following: (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of	Not an applicable standard.	

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

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.		
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		Yes - conditioned

Standard	Acceptable Solution	Proposed	Complies?
	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.		Yes - conditioned
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	
E6.7.10 Design of Bicycle Parking Facilities	A1 The design of bicycle parking facilities must comply with all the following; (a) be provided in accordance with the requirements of Table E6.2; (b) be located within 30 m of the main entrance to the building.	Not an applicable standard.	

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.	Not an applicable standard.	
E6.7.12 Siting of Car Parking	A1 Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.	Not an applicable standard.	
E6.7.1.13 Facilities for Commercial Vehicles	A1 Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless:	Not an applicable standard.	

Standard	Acceptable Solution	Proposed	Complies?
	(a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site; (b) the use is not primarily dependent on outward delivery of goods from the site.		
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements of the road authority.		Yes

APPENDIX**E7.0 Stormwater Management Code**

Standard	Acceptable Solution	Proposed	Complies?
E7.7 Development Standards			
E7.7.1 Stormwater Drainage and Disposal	A1 Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.		Yes - conditioned
	A2 A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply: (a) the size of new impervious area is more than 600 m ² ; (b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots.		Yes - conditioned
	A3 A minor stormwater drainage system must be designed to comply with all of the following: (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed;		Yes - conditioned

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

Attachments/Annexures

- 1 Attachments - 27 Garden Grove West Moonah



CLOSED TO MEMBERS OF THE PUBLIC

9. APPEAL REPORT SUMMARY

This item is to be considered at a closed meeting of the Glenorchy Planning Authority by authority of the Local Government (Meeting Procedures) Regulations 2015 Regulation 15(4) (In relation to subregulation 15(3) only, matters relating to legal (or possible future legal) action taken (or may be taken) by or involving the Council).