GLENORCHY PLANNING AUTHORITY MEETING AGENDA

MONDAY, 15 MARCH 2021

GLENORCHY CITY COUNCIL

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

Chairperson: Alderman Kristie Johnston

Hour: 5.00 p.m.

TABLE OF CONTENTS:

1. PLANNING AUTHORITY DECLARATION

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 15 February 2021 be confirmed.

5. PROPOSED USE AND DEVELOPMENT - STAGED MIXED USE AND DEVELOPMENT (RESIDENTIAL, COMMUNITY MEETING AND ENTERTAINMENT, EDUCATIONAL AND OCCASIONAL CARE, GENERAL RETAIL AND HIRE AND FOOD SERVICES) - 36 CADBURY ROAD, CLAREMONT, 26 CADBURY ROAD, CLAREMONT AND 55 CADBURY ROAD, CLAREMONT

Author: Senior Statutory Planner (Vanessa Tomlin)

Qualified Person: Senior Statutory Planner (Vanessa Tomlin)

Property ID: 3284010

REPORT SUMMARY

Application No.:	**PLN-20-097**
Applicant:	**Claremont City Development Pty Ltd**
Owner:	**MLW Holdings II Pty Ltd**
Zone:	**Inner Residential zone**
Use Class	**Residential, Community Meeting and Entertainment, Educational and Occasional Care, General Retail and Hire and Food Services.**
Application Status:	**Discretionary**
Discretions:	**Special Provision 9.5, 11.3.1 P1, 11.4.1 P1, 11.4.2 P3, 11.4.3 P1 & P2, 11.4.4 P1, P2 & P3, 11.4.7 P1, 11.4.9 P1; E5.5.6 P1, E5.6.2 P2; E6.6.1 P1, E6.7.1 P1; E7.7.1 P1; E13.7.1 P1 & P2, E13.7.2 P1, P2, P3, P4 & P6; & E16.7.1 P1.** (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	**No**
42 Days Expires:	**16 March 2021**
Existing Land Use:	**No existing use onsite (disused primary school buildings)**

Representations:	**33 (10 joint) & 1 petition**
Recommendation:	**Approval, subject to conditions**

REPORT IN DETAIL

PROPOSAL

The application proposes the redevelopment of the site for low and medium rise housing with 315 residential dwellings in various forms, a child care centre, café, commercial tenancies (local shops), and the reuse of the existing 1924, 1936 and 1941 era school buildings as a public hall with a function/exhibition centre and administration space. The lower density 'shop top' housing together with the commercial and community-oriented uses are to be sited toward the western edge of the site in proximity to the Claremont commercial precinct. This western portion of the development forms a forecourt and maintains views from Cadbury Road to the existing school building.

The perimeter of the site (northern and southern edges) is to comprise of low rise townhouses (up to three levels) designed to provide a transition zone from the existing 1-2 storey dwellings in the streetscape to the mass of the medium rise apartments (up to seven levels) that are to be positioned toward the centre and eastern sections of the site. A second inner green core area, a 'landscaped park' is sited and designed to provide future occupants of the dwellings with landscaped amenity and communal space for recreational activities, outdoor relaxation, or children's play. This inner green core is traversed by pedestrian paths forming connection across and within the site. The proposed landscaping fosters the connections and provides edges and visual privacy designed to make this space an active and safe outdoor space for future users.

The site is to be accessed by vehicles in three key locations on the western and northern boundaries of the site. Onsite parking is largely concealed in a podium at the base of the buildings, and this is designed to free up the site from vehicles so as to prioritise pedestrian movement in and around the site. The proposal has relatively wide pedestrian openings between the proposed building when viewed from the streetscape. These opening encourage views through parts of the site and provide an activation zone that transitions the streetscape element into the site, which is designed to encourage interaction between users of the site and the public realm of the streetscape. The proposal will be developed over four stages (Fig. 1).

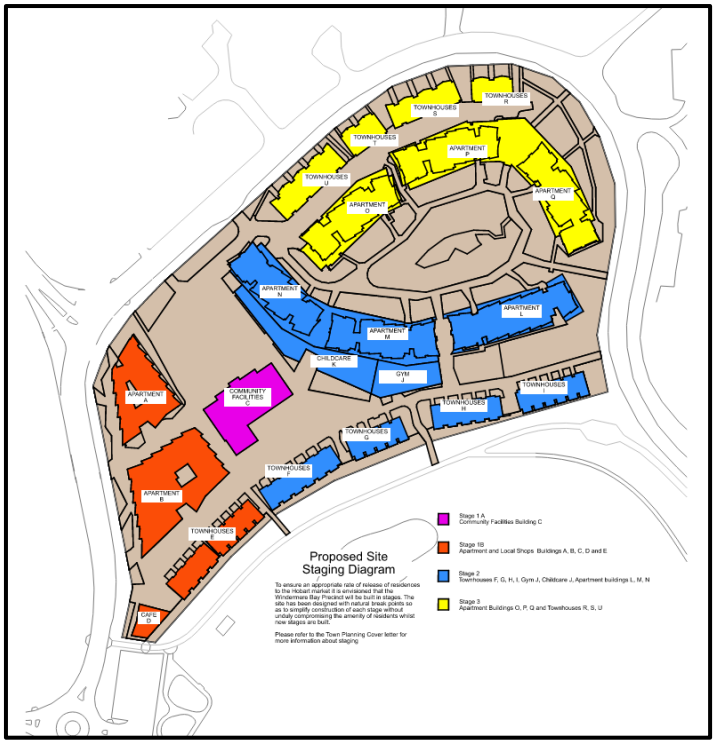


Figure 1. The proposed staging showing Stage 1A (pink), Stage 1B (orange), Stage 2 (blue) and Stage 3 (yellow).

Stage 1A involves the refurbishment of the Community facilities Building C and demolition will form part of this stage. The demolition involves the removal of the existing asphalt carpark and asphalt around the existing school building (Building C), a pedestrian cross over and sections of foot path (to be reinstated as part of a later stage) in the road reservation, tree removal along the southern boundary and reshaping of the embankment, removal of a further thirteen trees of varying height and species within the site, removal of the weatherboard school buildings, five brick school buildings and an adjoining extension to the Building C.

The demolition works specific to the Building C are the removal of hardscaping in preparation for new landscaping, demolition of stairs and ramps on the northern elevation, demolition of a remnant building on the eastern elevation and a small nib wall on the southern elevation, as well as the demolition of an infill roof and wall on the southern elevation. Repairs to the external brickwork and windows will be undertaken during this stage and some windows and doors will be upgraded where required. Internal works are proposed, and that development is regulated by the Tasmanian Heritage Council (THC).

The internal layout of the Building C is to consist of an entry foyer, four multi-purpose rooms, office, kitchen/store, meeting room/exhibition space, and bathroom facilities in a proposed extension to Building C. A service road is proposed along with forecourt gardens, bicycle parking and two parking spaces to the rear of Building C (Fig. 2).

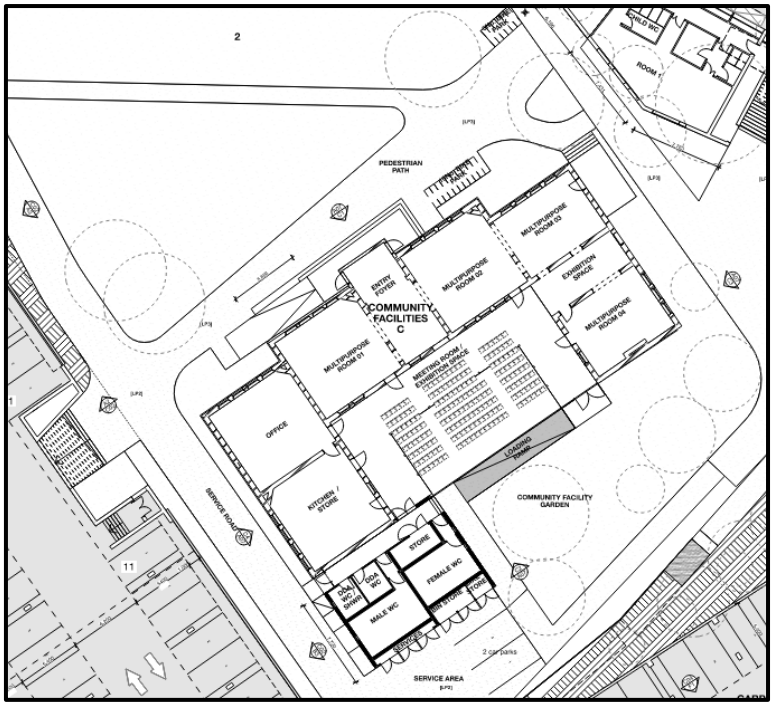


Figure 2. The proposed floor layout for the existing school building.

Stage 1B involves the lower density 'shop top' and low-rise apartments, local shops and cafe identified as buildings A, B, D and E on western edge of the site. Access to the 'semi' ground level parking in the podium for Building A, B and E is from the new crossover and driveway on the western side of the site. The shop top and the low rise apartments in buildings A and B are designed to be outward facing, with what would be the back of the building or servicing areas oriented toward the centre of the buildings around the full height atrium and lift shaft.

Building A is to contain 24 parking space, Building B is to have 45 parking spaces and Building E is to have 32 spaces. The first floor of proposed Building A is for a local shop (129m^2), an internal full height atrium with lift lobby and stairs connecting to five one-bedroom and one two-bedroom low rise apartments on the eastern side of the building. The second floor is to contain two two-bedroom 'shop top' apartments on the western side of the building and four one-bedroom and two two-bedroom low rise apartments on the eastern side of the building. The third floor is a repeat of the second-floor arrangement. The fourth level comprises of two two-bedroom 'shop top' apartments only. The western 'shop top' component of this building is one level higher than the connecting low rise apartments. The low-rise apartments are adjacent to the open gardens leading to the existing school building, when viewed from Cadbury Road. This step down in scale for Building A is designed as a transition down to the lower height of the existing school building. All the apartments in Building A have access to private outdoor space in a balcony arrangement with an eastern or western orientation (Fig. 3.

Figure 3. An elevation view of Building A showing the façade facing Cadbury Road and the 'stepped down' transition in scale of the building where it is in proximity to the existing school buildings.

Building B's first floor is to consist of two 'local shops' with 100m^2 and 149m^2 floor area respectively on the western elevation and a full height atrium with lift lobby and stairs connecting to three one-bedroom, one three-bedroom and a two-bedroom low rise apartments on the eastern side of the building. The second floor has three three-bedroom 'shop top' apartments, and six one-bedroom and two two-bedroom low rise apartments. The third floor is to be a repeat of the second floor and the fourth floor is to consist of four three-bedroom 'shop top' apartments only. The eastern low-rise apartments of this building are one level less than the 'shop top' apartments, providing a reduction in mass on the eastern side of the building which is closest to the existing school building. All apartments have access to private outdoor space in a balcony arrangement with an eastern or western orientation (Fig. 4 & 5). To the southern side of proposed Building B is a single storey building designed as a commercial bin store, substation, and bin chute.

Figure 4.A view of the northern elevation of Building B showing the reduction is scale in proximity to the existing school building.

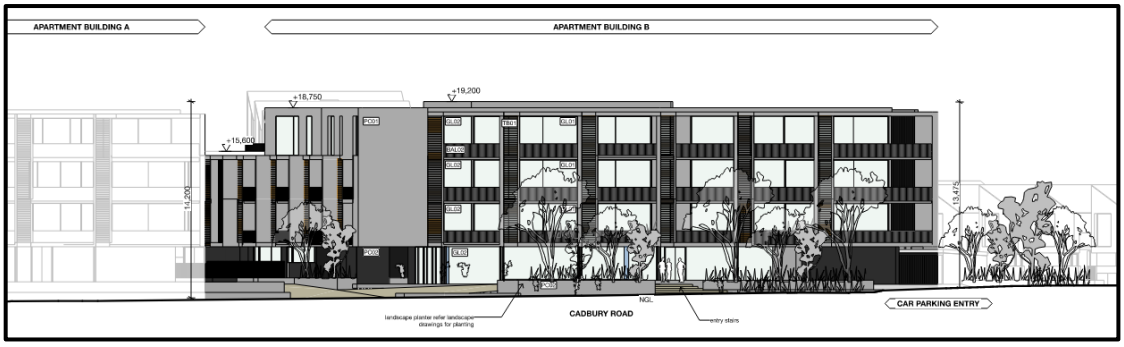


Figure 5. The western elevation view of building B looking toward the proposed building from Cadbury Road.

Building D is to be the café with indoor seating over two levels and outdoor seating on the first floor. The café has an outward facing design and podium connection to the rest of the site. The café is positioned on the south-western edge of the site in order to service both the future occupants and the general public using the nearby multi-use track and reserve (Fig. 6).

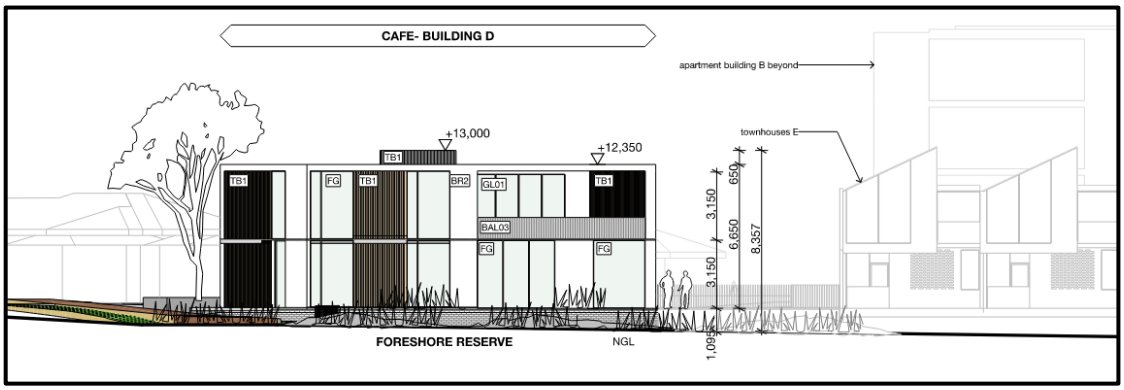


Figure 6. A view of the proposed café from the foreshore reserve, showing the townhouses (building E) and apartment building B beyond.

Building E is to consist of nine two-storey townhouses with two-bedrooms each. These townhouses are to have private outdoor spaces on both the northern and southern elevations of the building (Fig7).

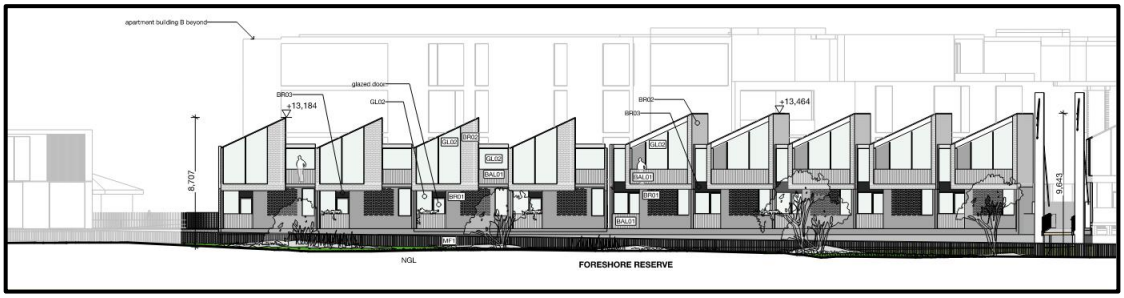


Figure 7. An elevation view looking toward the proposed Building E from the foreshore reserve, with the proposed café to the left of the field of view and proposed building B in the background.

Stage 2 consists of townhouses F, G, H, I on the southern perimeter, as well as an area set aside for a gym (Building J), a childcare centre (Building K) and medium rise apartments identified as Buildings L, M and N. The ground floor podium of the townhouses, Buildings F, G, H, I is to comprise of car parking, with 29 space in Building F, 34 spaces in Building G and 32 space in Building H/I. The townhouses are to all be two-storey (over three levels which includes the car parking podium) with Buildings F consisting of a block of six townhouses, Buildings G and H consist of five townhouses and Building I consists of six townhouses (Fig. 8).

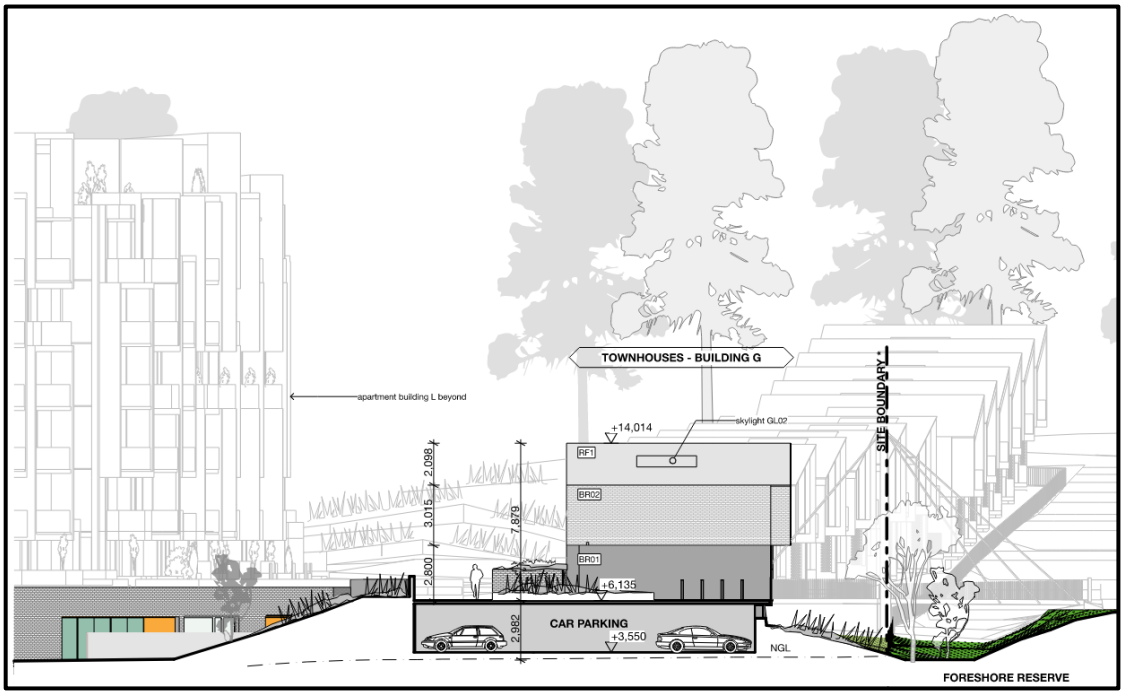


Figure 8. An elevation view of townhouses looking toward the east form Cadbury Road, showing the townhouses ascending along the southern boundary of the site and the midrise apartments of building L in the view field to the left of the figure.

The area set aside for a future gym includes a training area, change rooms and an indoor pool, all at ground level. The proposed Childcare centre is also at ground level and consists of both indoor and outdoor secured play areas. The ground floor podium of the medium rise apartments, Buildings L, M and N is to comprise of 46, 24 and 20 car spaces for each building respectively.

The eastern end of Building L is adjacent to Cadbury Road. The maximum height of the building at the Cadbury Road interface is 16.73m and the building increases in height to 26.7m above natural ground level as it descends down slope toward the inner areas of the site. The first floor of Building L consists of two one-bedroom and three two-bedroom apartments with north facing private outdoor space and six two-bedroom apartments over two levels (first and second floors). In addition to the aforementioned apartments, the second floor consist of one three-bedroom apartment, one two-bedroom apartment and two two-bedroom apartments over two

levels (second and third floors). The third floor consists of previously mentioned apartments over two levels and three two-bedroom and one three-bedroom apartment and six two-bedroom apartments over two levels third and fourth levels). The fourth floor proposes an additional two bedroom and one three-bedroom apartment and a further six two-bedroom apartments over two levels (fourth and fifth). The fifth floor proposes an additional three two-bedroom and one three-bedroom apartment and two two-bedroom apartments over two levels (fifth and Sixth). The sixth floor proposes an additional three-bedroom apartment and the seventh floor positioned central to the building form consists of one three-bedroom apartment with roof top terraces (Fig. 9).

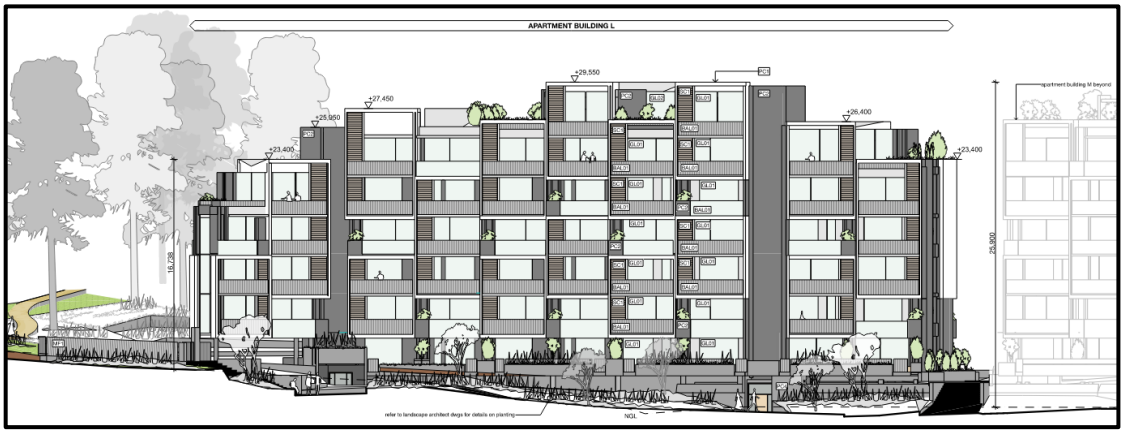


Figure 9. A view of the northern elevation of Building L showing the buildings form reduced in scale toward the Cadbury Road interface and the tallest part of the building is central to the built form.

Building M comprises of seven floors in a similar configuration as Building L, except Building M has only two-bedroom apartments in floors one to six, with the seventh floor being two three-bedroom apartments and two 142m^2 roof top communal gardens at either end of the building. The maximum height of this building above natural ground level is 26.7m toward the centre of the building (Fi. 10

Figure 10. The southern elevation of Building M showing the childcare centre and future gym with the parking in the podium and the residential apartments above.

Building N is to have six levels and a maximum height of natural ground level of 20.6m. The first floor above the podium is to consist of six two-bedroom and one three-bedroom apartments. The second floor of this building consists of three two-bedroom and one three-bedroom apartments with six two-bedroom apartments over two levels (second and third). The third floor proposes an additional three-bedroom apartment and the fourth floor provides a communal roof top garden on the northern section of the building and three three-bedroom apartments. The fifth floor comprises of one three-bedroom apartment on the southern section of the building. The western elevation of Building N, near the carpark pedestrian access adjacent to the existing school building is to have a ground level site managers office, complete with lobby/reception office, first aid room, staff amenities and office space. The building form reduces in height and mass the closer the building is to the Cadbury Road frontage (Fig. 11).

Figure 11.The western elevation of Building N looking from the gardens in front of the existing school building. The built form decreases in height on the northern end of the building where it is adjacent to the Cadbury Road frontage.

Stage 3 proposes low rise townhouses (Buildings R, U, T and S) on the northern perimeter of the site and medium rise apartments (Buildings O, P and Q) toward the centre and eastern end of the site. The proposed townhouses are to be three storeys, and each consists of three-bedrooms. Parking for the townhouses is provided to rear of those dwellings and the private outdoor space faces the frontage. The townhouses are to have individual entry's at street level to create activity and connections to the streetscape (Fig. 12 & 13).

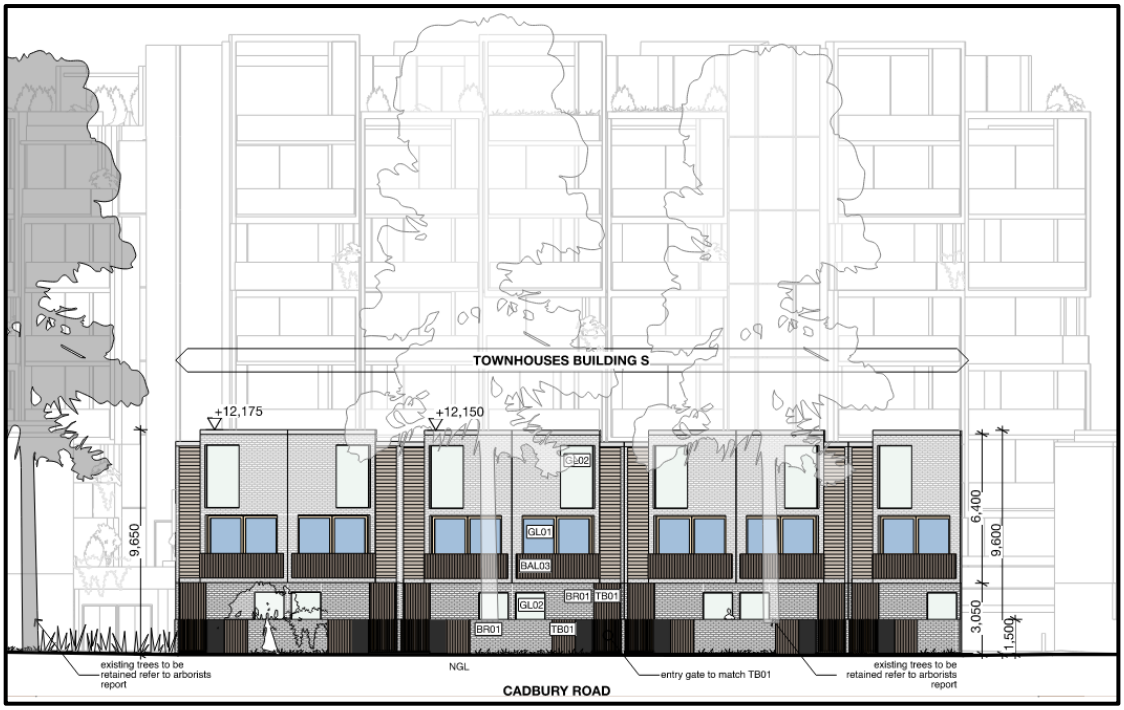


Figure 12. The northern elevation of Buildings S (townhouses) facing Cadbury Road, with the the existing trees in the foreground and Building P in the background.

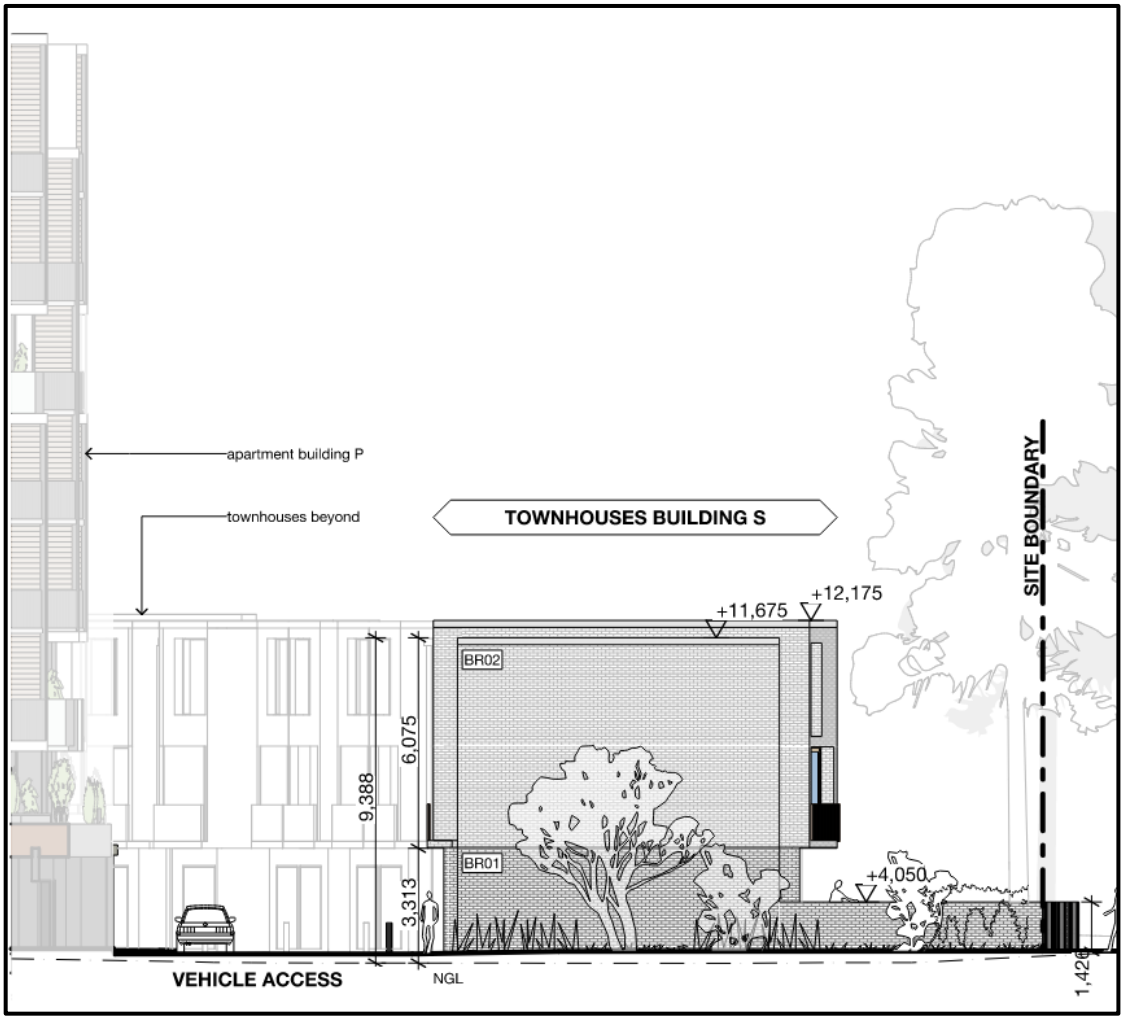


Figure 13. The eastern elevation of Building S showing the separation between the townhouse facing the streetscape and the medium rise apartments forming the 'inner circle' of buildings.

The form of Building O shows a stepped height increase from the lowest part of the building on the western elevation. On the western elevation of Building O is an internal communal bin enclosure at ground level. Within the ground level podium there are to be 20 parking spaces for this building. Seven two-bedroom apartments are proposed on the first floor and the second floor is to consist of three two-bedroom and one three-bedroom apartment, with six two-bedroom apartments over two levels (second and third). The third floor consists of an additional three-bedroom apartment. Floors four and five are a repeat of the layout of the second and third floors. While the sixth floor is to consist of a rooftop communal garden on the western edge of the building and three three-bedroom apartments toward the eastern end of the building. The seventh floor is just a rooftop communal garden on the eastern edge of the building and the overall height of this building above natural ground level is 26.3m (Fig. 14).

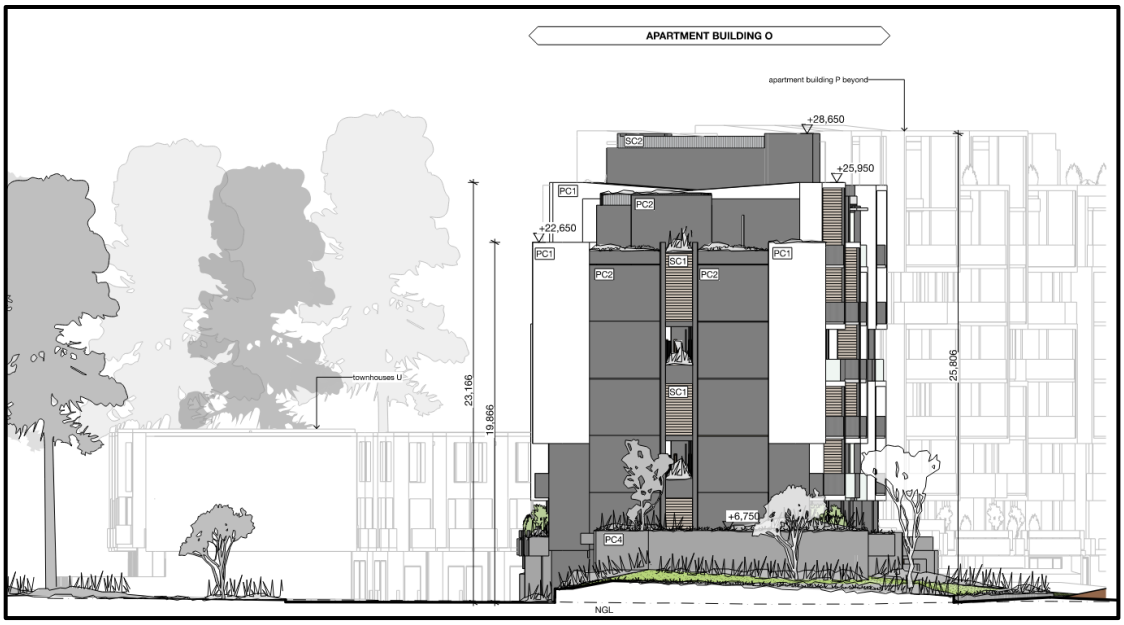


Figure 14. The western elevation of Building O showing the roof top garden on the sixth level. The trees bordering Cadbury Road and the proposed townhouses are in view, with Building P in the background.

Proposed Building P is to be seven levels and is to have a maximum height above natural ground level of 26.4m. The podium level provides 33 parking spaces and a vehicular entry and exit point for both Building P and Q. The first floor of Building P is to consist of four two-bedroom apartments, six two-bedroom apartments over two levels (first and second floors) and a lobby. The second floor comprises of the living area of the six apartments over two levels and one three-bedroom apartment. The third floor is a repeat of the first floor with the addition of a three-bedroom apartment

on the eastern edge of the building. The fourth floor is a repeat of the second-floor layout. The fifth floor is repeat of the floor layout of the third floor and the sixth floor is a repeat of the fourth. The sixth and final floor is to have three three-bedroom apartments and a communal rooftop garden on the eastern edge of the building (Fig. 15).

Figure 15. The eastern elevation view of Building P showing other apartment buildings and the townhouses adjacent to eh Cadbury Road frontage in the background.

Proposed Building Q is connected to Building P by the podium. The top of connecting podium is to be landscaped with native gardens. The first floor of Building Q is to consist of three two-bedroom apartments and six two-bedroom apartments over two levels. The second floor is to have the six living areas of the apartments over two levels (first and second floor) and one two-bedroom apartment and two two-bedroom apartments over two levels (second and third level). The third floor is a repeat of the first floor with the addition of two two-bedroom apartments over two levels (third and fourth). The fourth level is a repeat of the second level and the fifth floor is a repeat of the third-floor layout. The sixth floor comprises of six two-bedroom apartments over two levels (fifth and sixth) and a three-bedroom apartment. The seventh floor is to have two three-bedroom apartments with roof terraces. Building Q is to have a maximum height above natural ground level of 25.33m (Fig. 16).

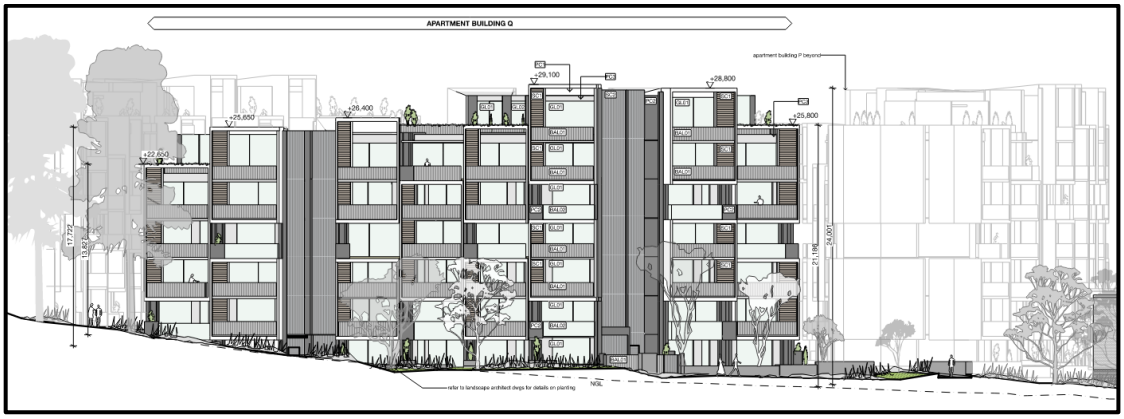


Figure 16 The north-eastern elevation view of Building Q showing the reduction in scale of the building toward the interface with Cadbury Road frontage.

Hard and soft landscaping is proposed throughout the site for each stage and this landscaping responds to the level changes throughout the site. The central green core is to be landscaped as a central parkland and a new footpath around the site is proposed as a connection not presently available (Fig. 17).

Figure 17. A view of the proposed landscaping of the proposal.

The Pinus Radiata around the perimeter of the site is to be maintained and protected during construction. These trees are an important part of the landscape character of the place and form part of the heritage listing. The trees can grow up to 35m in height.

The proposal includes pedestrian connections vis link bridges to the multi-use trail. These link bridges are to span both public and private land and will remain in the ownership of the future body corporate (Fig. 18).

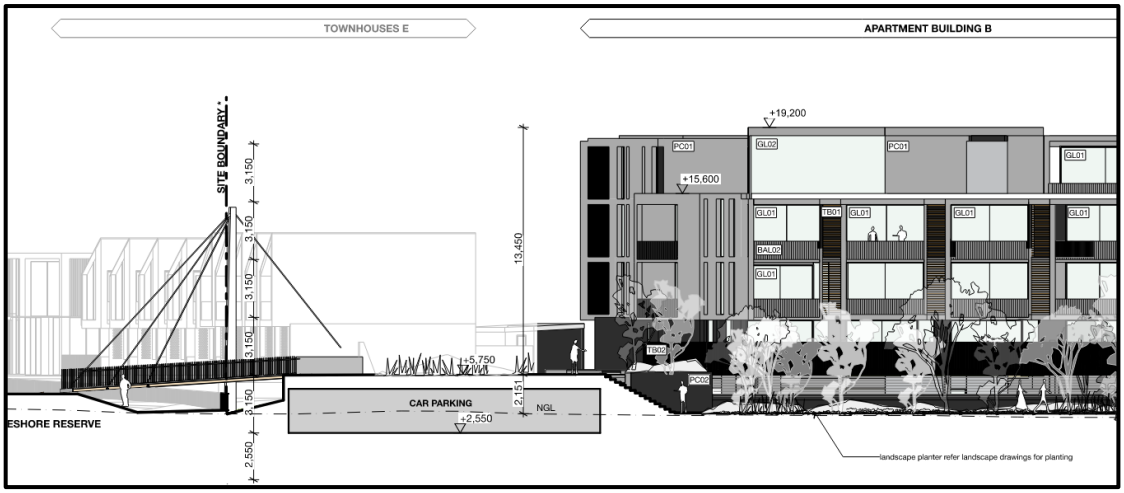


Figure 18. An elevation view of the proposed link bridges spanning across both private and public land to form a connection with the multi-use trail.

The proposal involves service upgrades and the diversion of stormwater infrastructure over the foreshore reserves of 26 and 55 Cadbury Road. Extensive earth works, including excavation and the placement of fill is proposed to facilitate the development. The earthworks are to be contained within the bounds of the area described in the application and as shown on the Earthworks layout plan 19E19-3, sheet C0.11 Revision no. C (Fig. 19).

Figure 19. The layout plan for earthworks on the site to facilitate the development.

SITE and LOCALITY

The site is located on low lying land to the west of the Cadbury peninsula, where Bilton Bay and Windermere Bay form an inlet (otherwise referred to as 'neck'). The site is bordered to the south by a multi-use track and the Windermere Bay reserve, and to the north, east and west by the tree lined avenue of Cadbury Road. The 37,470m^2 site is generally flat, approximately 5m above sea level (ASL) with the exception of the eastern side of the site which rises to approximately 10m ASL (Fig. 20).

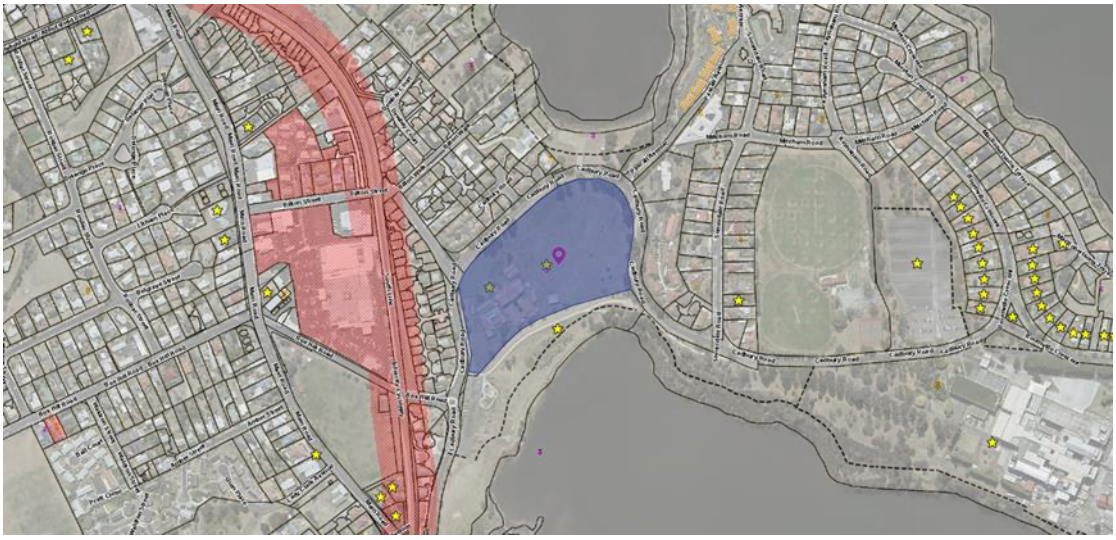


Figure 20. An aerial view of the site and surrounds

The site was most recently occupied by Claremont Primary School. However, this use ceased in 2010 when the school was relocated to the larger site of 2 Cadbury Road, Claremont. Historically the site was part of farmlands settled in 1811, known as Ashburton. A farm homestead and associated buildings comprising a stone house with 12 rooms and a slate roof and outbuildings including stone stable and barn with a detached labourer's cottage was sited on the north-eastern side of the site. A lagoon extended across the site and was later filled. The site was used as the Claremont Army camp post 1918 and opened as the school in 1923.

The locality is characterised by a variety of residential uses and dwelling types, as well as a mix of industrial, commercial and community uses. Use and development within 100m of the site is predominately residential and includes low rise single and multiple dwellings, communal dwellings, and an aged care facility. The residential development opposite the site and adjacent to Cadbury Road is a mix of single and multiple dwellings, with several two-storey dwellings within the streetscape setting. The foreshore recreation areas of Bilton Bay and Windermere Bay, and the intercity cycle way (multi-use track) from part of subject site (Fig.21 & 22).

Figure 21. The tree lined avenue of Cadbury Road looking east showing residential development in the background.

Figure 22. The tree lined avenue of Cadbury Road looking west showing the former school building and double storey dwellings in the foreground and two storey dwellings in the background.

ZONE

The site is located within the Inner Residential zone and is bordered to the north and south by the Open Space zone (Fig. 23).

Figure 23. *A view of the zoning pattern in the locality, showing the Inner Residential zone in burgundy, Open Space zone in green, Environmental Management zone in Teal, General Residential zone in red, Recreation zone in lime green, Light Industrial zone in pink, Major Industrial zone in purple and the General Business in blue.*

BACKGROUND

Supporting documentation

a) All Urban Planning Report Windermere Bay Precinct, dated 4 September 2020.

b) Circa Morris-Nunn Chua Architects Windermere Bay Precinct, Dated 16 September 2020, Revision 2.0.

c) Element Tree Services Proposed Footpaths – Windermere Bay Development, dated 19 October 2020.

d) Circa Morris-Nunn Chua Architects Windermere Bay Precinct, Dated 27 October 2020, revision 1.0.

e) All Urban Planning Report Windermere Bay Precinct, dated 22 February 2021.

f) Landscape and Visual Impact Assessment, IrenenInc Planning and Urban Design, dated 11 January 2020.

Heritage Assessment

a) Conservation Management Plan submitted by Kai Yang with the original Planning Application document set on 27 February 2020. Reference: John Wadsley Planning and Heritage Consultancy, 27 February 2020. Conservation Management Plan – Former Claremont Primary School Site, 36 Cadbury Road, Claremont prepared for Claremont City Developments.

b) Archaeology report (WB14) submitted by Circa Morris-Nunn Architects on 17 September 2020. Reference: Praxis Environment, August 2020. Statement of Archaeological Potential, Archaeological Impact Assessment & Archaeological

Method Statement Former Claremont Primary School/Ashburton/Abbotsfield – 36 Cadbury Road, Claremont prepared for Claremont City Developments.

c) Arborist report (WB10) submitted by Circa Morris Nunn on 17 September 2020. Reference: Element Tree Services, 3/08/20. Development Impact Assessment prepared for Circa Morris-Nunn Architects.

d) Arborist letter report submitted by Circa Morris-Nunn Architects on 27 October 2020. Reference: Element Tree Services, 19th October 2020. Proposed Footpaths – Windermere Bay Development prepared for Circa Morris-Nunn Architects.

Traffic Assessment

a) Midson Traffic Pty Ltd dated September 2020;

b) TIA response letter by Midson Traffic Pty Ltd dated 27 August 2020;

c) Response by Circa Morris-Nunn Architects dated 27 October 2020 regarding impact of footpath on trees and Civil Engineering Plan 19E19-3C showing driveways, on-street parking and pedestrian/cycling connections within Cadbury Road

Hydraulic Assessment

a) Drawings 19E19-3-C0.01 – C.031 – Revision C

b) Circa RFI response Cadbury Rd PLN-20-097 RFI 2

c) WB09 Flood Impact Report rev00

d) WB05 Engineering Report, dated 04/09/2020

e) WB01 Planning Report, dated 04/09/2020

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

Interim Planning Directive No 4 (IDP4) came into effect on 22 February 2021. It has modified some of the provisions in the GIPS 2015. Under the former provisions of 17(1) of LUPAA, the changes only apply to applications lodged after IPD4 came into effect. This application is assessed under the GIPS 2015 that applied prior to 22 February 2021. These provisions can be accessed in the archive version of the GIPS 2015 on iplan.

Part B: Administration

General Exemptions

Nil.

Limited Exemptions

Nil.

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

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

Use Class Description (Table 8.2):

Residential means 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.

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

Educational and Occasional Care means use of land for educational or short-term care purposes. Examples include a childcare centre, day respite facility, employment training centre, kindergarten, primary school, secondary school and tertiary institution.

General Retail and Hire means use of land for selling goods or services or hiring goods. Examples include an adult sex product shop, amusement parlour, beauty salon, betting agency, commercial art gallery, department store, hairdresser, market, primary produce sales, shop, local shop, shop front dry cleaner, supermarket, and video shop. Local shop is the only allowable individual use in this class for the zone. This means that other individual uses in this class are prohibited. It is noted that local shop means land used for the sale of grocery or convenience items where the gross floor area does not exceed 200 m^2. The local shop definition is taken to include a grocery and/or butcher, but not a hairdresser because it is a separate individual use within the use class. Should a future tenant choose to operate a Hairdresser from the site, it is expected that a change of use planning application would be required for that use and the application would be assessed and determined at that time.

Food Services means use of land for preparing or selling food or drink for consumption on or off the premises. Examples include a cafe, restaurant, and take-away food premises.

Business and Professional Services for a medical centre or consulting rooms was not included in the description of this application. Should a future tenant choose to operate a medical centre or consulting rooms from the site, it is expected that a change of use planning application would be required for that use and the application would be assessed and determined at that time.

The submitted plans show an area set aside for a gym, which fits within the use class of Sports and Recreation. However, the gym was excluded from the description of the proposal because details of its operation were not included in the application submission and it is unclear if the gym is directly associated and a subservient part of another use on the site. Should the future operation of the gym be shown to not be directly associated and a subservient part of another use on the site, it is expected that a planning application would be required for that use and the application would be assessed and determined at that time.

Other relevant definitions (Clause 4.1):

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

Desired future character means the desired character for a particular area set out in the planning scheme.

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

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

Function centre means use of land, by arrangement, to cater for private functions, and in which food and drink may be served. It may include entertainment and dancing.

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

Hours of operation means the hours that a business is open to the public or conducting activities related to the business, not including routine activities normally associated with opening and closing for business.

Local shop means land used for the sale of grocery or convenience items where the gross floor area does not exceed 200 m^2.

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*. The *Strata Titles Act 1998* interprets a lot, in respect of a site, to mean a part of the site allocated for separate

occupation by the owner of the lot or a person deriving rights of occupation from the owner.

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

Site area per dwelling means the area of the site (excluding any access strip) divided by the number of dwellings. It is noted that the ordinary meaning of area is the extent or the measurement of the surface (Oxford Dictionary).

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

Part C: Special Provisions

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

9.4 Demolition

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

(a) the purpose of the applicable zone;

(b) any relevant local area objective or desired future character statement of the applicable zone;

(c) the purpose of any applicable code; and

(d) the purpose of any applicable specific area plan.

The proposed demolition of the existing school buildings is taken to form part of this application and is assessed under the applicable standards of the planning scheme. Therefore, no further consideration under Special Provision 9.4.1 is required.

9.5 Change of Use of a Heritage Place

The application proposes the change of use of the heritage place (1924, 1936 and 1941 school buildings) to a public hall, function/exhibition centre and associated administration (offices). A public hall and function/exhibition centre are individual uses that fit within the Community Meeting and Entertainment use class. Use table 11.2 restricts individual uses in this use class within the Inner Residential zone to only being a church, art and craft centre or public hall. This in effect makes the proposed 'function/exhibition centre and associated administration (offices)' prohibited in the zone. However, subclause 9.5.1 enables an application for a use of a Heritage Place

listed in the Historic Heritage Code or a place on the Tasmanian Heritage Register that would otherwise be a prohibited use becomes a discretionary use. The application also proposes individual uses within the General Retail and Hire use class to include a local shop (grocery and/or butcher) and a hairdresser. The hairdresser use would otherwise be prohibited within the zone and would rely on subclause 9.5.1 to be considered as discretionary uses on the site. However, the Hairdresser use is not being consideration as part of this assessment and can be applied for at a later date, once future tenants are known.

The planning authority may approve this application if it would facilitate the restoration, conservation, and future maintenance of the historic cultural heritage significance of the place. In determining this application, the planning authority must have regard to all of the following:

(a) a statement of significance, as defined in the Historic Heritage Code.

(b) a heritage impact statement and a conservation plan, as defined in the Historic Heritage Code, written with regard to the proposed use;

(c) the degree to which the restoration, conservation and future maintenance of the historic cultural heritage significance of the place is dependent upon the commencement of the proposed use;

(d) the extent to which the proposal provides for the active use or re-use of any heritage fabric;

(e) the likely impact of the proposed use on the residential amenity of the area if within a residential area.

A heritage place means a place listed and described in Table E13.1. The spatial extent of listed heritage place is the whole of certificate of title 167249/0, 167249/1 and 167249/2. The Planning Scheme states any quoted certificate of title may or may not be current, however the spatial description of a certificate of title does not change and constitutes an enduring and unchangeable legal definition of the spatial extent of the listing. As a result, CT179351/1 is the heritage listed place and this special provision applies to the site in its entirety.

Given the assessment of this provision requires specialist assessment, Council's Heritage Officer has assessed the proposal against this provision. The full assessment can be found in the Heritage Officer referral comments later in the report. In summary, the statements of significance identify the main 1924, 1938, 1941 school building as the princial extant built heritage item of significance on both architectural and social grounds. The Conservation Management Plan is comprehensive and aligns with the standard for Conservation Plans defined in the Historic Heritage Code. Part 7 of the document has been written specifically with regard to the proposed use of the main school building as a public hall with a range of meeting and exhibition spaces.

In doing so it provides an assessment of the heritage impact of development as the physical manifestation of the proposed use, with positive heritage outcomes with the proposed re-use of the existing school building. In terms of residential amenity, the assessment of the proposed use as a public hall, function/exhibition centre and associated administration (offices) has been taken into account as part of the assessment of the proposal against the applicable standards of the zone. This assessment (detailed later in the report) has found that the re-use of the existing school building would not result in an unreasonable impact upon the residential amenity of the area.

The assessment of the proposal against this Special Provision has found that the re-use of the existing school as a public hall, function/exhibition centre and associated administration (offices) would facilitate the restoration, conservation and future maintenance of the historic cultural heritage significance of the place.

Part D: Zones

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

Zone Purpose Statements

The site is situated within land zoned Inner Residential, where the purpose of this zone is:

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

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

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

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

The application proposes a variety of dwelling types, those being one to four-bedroom apartments and two to three bedroom townhouses at a higher density than the existing development form, which is characterised by single and double storey freestanding and co-joined single and multiple dwellings. The proposed layout and design of the various dwelling types observes the existing variation and pattern of

setback by maintaining the frontage setback (+3m) and side boundary setbacks (+/- 1.5m) that prevail in the area; and the proposed height is taken to be in harmony with the purpose of zone by complying with the applicable performance criteria (discussed later in the report). The proposal is to be located within approximately 150m walkable distance to the Claremont activity centre and proposes non-residential uses on the site that would provide services and facilities to the future occupants and the wider community. The higher residential density proposed is to be situated in proximity to high frequency public transport corridors, Main Road Claremont and is conveniently located to the rail corridor identified for future light rail. The siting and design of the proposal includes high quality private and communal open spaces on a unique site that is separated from surrounding residential use and development, so as to protect the amenity of area.

In summary, the proposal is considered to be in harmony with the purpose of the zone by fostering a change to existing character of the area by providing alternative dwelling forms at a higher density, in a location that is in proximity to services, facilities, employment and high frequency public transport corridors.

Use Table

The application proposes multiple dwellings which is an individual use with the Residential use class. Multiple dwellings are a permitted use within the Inner Residential zone. A site managers office is proposed to support the operation of the site. The site managers office is taken to be directly associated with and a subservient part of the uses on the site (predominately that of the Residential use) and is categorised into the same use class as that other use.

The Community Meeting and Entertainment use class is a discretionary use in the Inner Residential zone only if church, art and craft centre or public hall. As discussed in the assessment of Special Provision 9.5, other uses that fit within this use class that would otherwise be prohibited in the zone can be considered as discretionary uses.

Educational and Occasional Care is a discretionary use class within the Inner Residential zone only if a childcare centre, day respite facility, employment training centre or kindergarten. The individual use of Child Care Centre is proposed and is considered as a discretionary use.

General Retail and Hire is a discretionary use class within the Inner Residential zone only if a local shop.

The Food Services use class is a discretionary use within the zone only if not displacing a residential use. Considering that the proposed café, and individual use in this class is not displacing residential use on the site, the café is taken to be a discretionary use.

11.3 Use Standards

11.3.1 Non-Residential Use P1

The objective of this standard is to ensure that non-residential use does not unreasonably impact residential amenity.

The proposed hours of operation for the non-residential uses are unable to comply with the hours prescribed in the acceptable solution, given the hours proposed are to be:

Proposed use	**Proposed hours of operation**
Local shop	Monday to Friday 8am –7.30pm, Saturday and Sunday 8am –7pm
Community Hall and Exhibition Centre	Monday to Friday 8am-9pm, Saturday and Sunday 8am-11pm
Café	Monday to Friday 7am-9pm, Saturday 7am-9pm
Childcare centre	Monday to Friday 8.30am-5.30pm
Gym	To be determined by future tenant and approval sought accordingly.

The alternative test to meet the standard is the performance criteria. The performance criteria require the hours of operation to not have an unreasonable impact upon the residential amenity through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration, or extent.

The non-residential uses, such as the café and local shops are to be situated on the interface with nearby residential uses. These uses are assessed as being low noise generating uses, with noise emissions equivalent to what is prescribed in the acceptable solution of Clause 11.3.1 A2 for the regulation of noise. The other proposed non-residential uses, like the proposed function/exhibition centre, site management office, and the childcare centre are to located more centrally within the site, with other buildings and Cadbury Road within the intervening space, providing a buffer and effectively mitigating potential noise pollution to the receiving nearby residential uses. The commercial vehicle movements to and from the site, such as the waste collection serviced by a private waste contractor, is proposed to be within the hours of 7.00 am to 5.00 pm Mondays to Fridays inclusive, as prescribed in acceptable solution A4 of Clause 11.3.1. Accordingly, the proposal is assessed as satisfying the performance criteria

11.4 Development Standards for Buildings and Works

11.4.1 Residential density for multiple dwellings P1

The residential density is measured by the site area per dwelling. The proposed site area per dwelling is less than 200m^2 per dwelling and the proposal relies on the performance criteria to comply with the standard.

The objective of the standard is to provide for inner urban densities that:

(a) increase the number and density of dwellings; and

(b) provide a range of dwelling types and sizes appropriate to the location; and

(c) encourage efficient utilisation of residential land and services in inner urban areas.

Performance criteria P1 uses the following test.

Site area per dwelling may be:

(a) less than 200m^2 if any of the following applies:

  (i) the development contributes to a range of dwelling types and sizes appropriate to the locality;

  (ii) the development provides for a specific accommodation need, such as aged care, special needs or student accommodation

(b) more than 400m^2 if any of the following applies:

  (i) site constraints preclude development at a higher density;

  (ii) the development is designed or located to make provision for future development with a site area per dwelling of 400m2 or less.

For the purpose of this assessment, P1(a) is applicable and P1(a)(i) is the relevant part of the performance criteria that is being relied on. This is because for a site area per dwelling less than 200m^2 either P1(a)(i) or P1(a)(ii) may be relied on.

The proposed 315 dwellings will increase the number of dwellings in the area and will introduce a range of dwelling types in the form of townhouses and various sized apartment type dwellings. Grouping the different dwelling types on the site encourages the efficient utilisation of land and infrastructure in the inner urban area. The 2016 ABS Dwelling Statistics for the Claremont locality was provided as part of the submission and is used as a proxy to categorise the dwelling size (number of bedrooms) and dwelling type (dwelling structure). The data is shown in the Table 1 below.

Table 1. The ABS 2016 data for the Claremont locality includes statistics on dwelling size and dwelling type. These categories are a suitable proxy for dwelling size (number of bedrooms) and dwelling type (dwelling structure).

Dwelling Structure (dwelling type)

Dwelling Structure	*No. of dwellings*	*% of total dwellings*
Separate House	2315	73%
Semi detached or town house	248	8%
Flat or apartment	570	18%
Other dwelling	3	0.1%
Total	3140	

Number of bedrooms (dwelling size)

Number of bedrooms	*Number of Dwellings*	*% of total dwellings*
One bedroom	27	1%
Two bedrooms	226	7%
Three bedrooms	1633	52%
Four bedrooms	309	10%
Five bedrooms	48	1.5%
Six bedrooms	20	0.6%
Total	3140	

The data reveals a variety of dwelling types and sizes in the Claremont locality, ranging from single dwellings to apartments, with one to six bedrooms depending on the dwelling type. The majority of dwelling types (73%) are detached dwellings.

The objective of this standard calls for an increase in the number and range of dwelling types in the zone. The reasoning behind this is that a range of dwelling types and sizes provides opportunity for people at various stages of their life and household composition to find suitable accommodation to meet their needs. The one to four-bedroom dwelling typology proposed would contribute to the dwelling stock and give accommodation options for singles, couples, families, and seniors within the local community, thus serving the recognised need in Claremont for a range of housing types.

Accordingly, the proposal is assessed as satisfying the performance criteria by contributing to a range of dwelling types and sizes suitable to the locality. It is noted that the height and form of the buildings is assessed under Clause 11.4.2.

11.4.2 Setbacks and building envelope P3 and 11.4.9 Non-dwelling development P1

The objective of standard 11.4.2 is to control the siting and scale of dwellings to:

(a) provide reasonably consistent separation between dwellings on adjacent sites and a dwelling and its frontage; and

(b) provide consistency in the apparent scale, bulk, massing and proportion of dwellings; and

(c) provide separation between dwellings on adjacent sites to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.

The objective of standards 11.4.9 is to ensure that all non-dwelling development is sympathetic to the form and scale of residential development and does not significantly affect the amenity of nearby residential properties.

The acceptable solution of Clause 11.4.9 requires non-dwelling development to comply with 11.4.2 A1 and A3 as if it were a dwelling. The proposal relies on the performance criteria, which requires non-dwelling development to comply with the related performance criteria as if it were a dwelling. The assessment of the non-dwelling development is in conjunction with the assessment of 11.4.2 P3.

The acceptable solution sets out a quantitative test, where there are numerical limits for the setback and height, as opposed to the performance criteria, which sets a qualitative test measuring described qualities or characteristics, such as the extent of overshadowing and whether it contributes to an unreasonable loss of residential amenity. For the purpose of this assessment, the loss of amenity caused by the proposal is measured as being 'not an unreasonable loss', which contemplates that some loss of amenity may be acceptable.

The proposal exceeds the numerical height limits set out in the acceptable solution and relies on the performance criteria to comply with the standard. Performance criteria P3 is set out below.

The siting and scale of a dwelling must:

(a) not cause unreasonable loss of amenity by:

  (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or

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

  (iii) overshadowing of an adjoining vacant lot; or

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

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

The interpretation of 'adjoining' in this assessment adopts the approach taken in the Supreme Court of Tasmania decision Boland v Clarence City Council [2018] TASSC 43, where adjoining is taken to mean 'next to', 'is near to' and 'neighbouring on' rather than its exact meaning 'is conterminous with'. In addition, land zoned for the same purpose that is separated by no more than a public road is taken to be 'adjoining' land

in the context of this provision. Therefore, the land uses on the opposite side of Cadbury Road to the proposal are taken to be 'adjoining'.

The site is situated to the west of adjoining lots at 61 and 59 Cadbury Road, and no shadow would be cast onto these lots before late afternoon. As such, these lots would receive at least three hours of sunlight on 21 June. The dwellings at 57 Cadbury Road are separated by at least 95m from the site and would not be affected by overshadowing.

The proposal is to the south of 55 Cadbury Road, Bilton Bay Reserve. No shadow would be cast by the proposal because of its siting to the south of this lot, and there is no residential use on the reserve to be affected in any case. The proposal is situated to the south-east of dwellings at 51, 43, 31, 29, 27 and 25 Cadbury Road. No shadow would be cast onto these properties after midday on 21 June, which means that these properties would be unaffected by shadowing during the afternoon and would receive at least three hours of sunlight on the 21 June. The dwellings at 23B Cadbury Road are situated to the west of the proposal. These dwellings would be free of any shadow cast by the proposal by early afternoon and are assessed as not being unreasonably impacted by overshadowing. The shadow diagrams provided as part of the application submission show that on 21 June, overshadowing by the proposal would principally affect the proposal itself. However, the performance criteria examine the impact onto adjoining lots as the measure to comply with this standard, and the proposal is assessed as not causing an unreasonable loss of amenity to adjoining lots by overshadowing.

The proposal contains both low and medium rise dwelling development and the visual impact caused by the apparent scale, bulk or proportions of the dwellings when viewed from the adjoining lots must be considered. A visual impact assessment was provided as part of the application submission. The visual impact assessment (VIA) describes the landscape character of Cadbury Peninsular (the subject site is located at the 'neck' of the peninsular) that rises to the east, and is both visually and historically dominated by the prominent scale of the Cadbury Factory and silos. The peninsular is characterised by several medium density residential developments with public and private multi-unit developments, aged care facilities and supported housing and hostels. These developments are visually identifiable through repetition of form. The adjoining dwellings to the north, north-west and west of the site are characterised by single and double storey dwelling types situated on the low land, with no dwelling sharing a boundary with the subject site and separated from it by a 20m wide road reservation. Bilton Bay and Windermere reserves also form part of the landscape character. The landscape of the site itself is situated on the low land and rises toward the southern edge of the headland of Cadbury peninsular.

In addition to landscape character, the VIA analyses the visual absorption capacity. The visual adsorption capacity is the ability of the topography and vegetation pattern

to screen or visually integrate the proposed visual elements. The VIA also considers the visual urban context, and the level of reasonable tolerance for the built urban form of the scale proposed within that context. The proposal is viewed from various adjoining sites and thirteen viewpoints are used from five different visual character zones around the site. Visual character zone (VCZ) 1 A and B consists of the adjoining lots at 51, 43, 31, 29, 27, 25, 23B and 23A Cadbury Road and 1 Boxhill Road. Viewpoints 7-12 are in this VCZ. VCZ 2 A and B comprise of Bilton Bay and the Windermere Foreshore reserve, with viewpoints 6 and 13. VCZ 3 A consists of at 57, 59 and 61 Cadbury Road, with viewpoints 1-5 (Fig. 24).

Figure 24. The Visual Character Zones capturing different locations around the site.

The VIA adopts this methodology to seek to identify those elements which contribute to the amenity of the place, and the degree to which the proposal has an unreasonable impact. It notes that the assessment of amenity may only have regard to the matters raised in the planning scheme and no other matters in this respect can lawfully be taken into account.

The proposal consists of various built forms and heights. The transition in building height proposed is designed to create a skyline that responds to the variation in grade across the site, with taller buildings grouped to respond to the local rise in the landscape toward Cadbury peninsular and lower height buildings proposed near sensitive interfaces with existing lower built form on the low lying areas (Fig. 25).

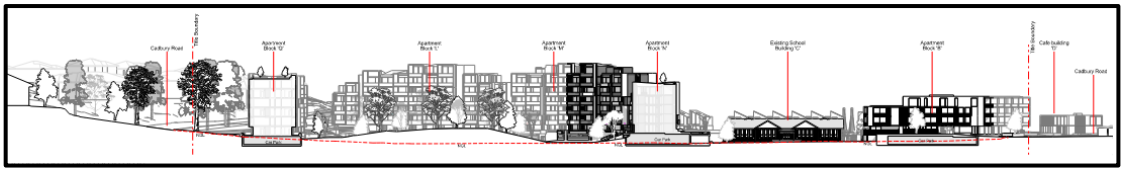


Figure 25. A cross section of the site and proposed development, showing the low lying land ascending up to the Cadbury Peninsular.

The most sensitive interface to the proposal is taken to be the northern and western part of Cadbury Road where the site adjoins the 1-2 storey dwelling types. The less sensitive interface is adjacent to residential aged care and communal dwellings because of the setback or separation distance and the change in topography (upslope).

Viewpoint 1 taken from the shared cycle/pedestrian cycleway connecting the Cadbury factory with the intercity cycleway

The VIA concluded that there was no unreasonable loss of residential amenity at this viewpoint because the views of the site would be fleeting for cyclists using the cycleway and while the view of the site was for a slightly longer duration for the pedestrians, the proposed buildings would provide a new point of interest.

Viewpoint 2 is taken from the vehicular carriageway of Cadbury Road

This viewpoint was assessed as not causing an unreasonable loss of residential amenity through the scale and massing of the development. This is because the slightly higher elevation of the road ensures the foothills on the horizon would be visible post development. Furthermore, the motorists are approaching a sweeping bend so that the existing and proposed views over the site would be fleeting and incidental.

Viewpoint 3 is taken form the carpark at Bilton Lodge, a supported housing/emergency accommodation refuge

The VIA found the dominant foreground view of the mature trees would be maintained and the views through the site to the mountainous horizon would remain visible post development. The VIA concluded that the change from the existing view to the proposed would be reasonable because the proposal would not detract from the significant views of the horizon nor would it impose incongruous scale.

Viewpoint 4 is taken from the centre of the driveway car park entry to Tabor House Nursing Home

The existing viewpoint is characterised by the dominance of the foreground mature pine trees, with the school oval visible in the mid ground and the horizon visible through gaps in the foreground trees. The proposal sits behind the mature pine trees and forms the new mid ground view from this viewpoint. The nursing home is on a higher elevation than the associated car park and this change in elevation would allow

for a higher perspective across the proposal. Given the landscape setting and the proposal being in scale with the foreground trees, it is concluded that the proposal would not cause an unreasonable loss of residential amenity in terms of disproportional scale.

Viewpoint 5 is taken from the private entry to the Derwent Waters Residential Estate and Nursing Home

Similar to the existing conditions for viewpoint 4, the mature trees dominate the foreground and the mountainous horizon is visible intermittently through gaps in the trees. The siting of the proposal in the mid ground allows the mountains in the background to remain visible and the proposal is viewed as being in scale with the mature trees bordering the site in the foreground. The loss of residential amenity at this viewpoint is assessed as not being unreasonable.

Viewpoint 6 is taken from the Bilton Bay Reserve

Prior to development of the site at this view point the foothills of the mountains are visible but are not a significant feature of this view. The VIA describes the mature trees as being the key feature of this viewpoint. The VIA acknowledges that greater amenity is looking out over Bilton Bay, in the opposite direction to the site. However, it is evident at this viewpoint that the proposal is a higher vertical form than was observed at the previous viewpoints. Nevertheless, the proposal remains in scale with the foreground trees and does not unreasonably detract from the residential amenity of this location.

Viewpoint 7 is taken from the small cul-de-sac serving four dwelling off Cadbury Road (includes 43 and 51 Cadbury Road)

The visual qualities of this location are taken to be the street tree plantings of the verge, and the expanse of the sports field. The VIA notes that the street trees in the cul-de-sac creates foreground detail and would soften the proposal visible in the mid ground. The siting of the low-rise townhouses at the street edge provides a pedestrian scale and mitigates the presence of the taller buildings behind. The façade articulation of the taller buildings in the background is provided to reduce apparent or perceived scale and create visual interest. It is noted that the medium rise apartments are to be setback approximately 20m from the northern boundary and will be over 45m from the dwellings on the surrounding site. The separation distance assists in reducing the visual dominance of the buildings. The VIA concludes that the proposal is clearly visible from this viewpoint but does not detract from any identified visual qualities. The VIA assesses the proposal as not unreasonably impacting the residential amenity in terms of disproportional scale.

Viewpoint 8 is taken from the centre of a larger cul-de-sac extension to Cadbury Road containing 27, 29 and 31 Cadbury Road

Similar to the previous view point the visual qualities are of the street tree plantings and the open sports field in the mid ground. The taller buildings proposed in the background of this viewpoint are partially obscured by the townhouses at the street edge and further softened by the street trees. When viewed at a greater distance from Cadbury Road the apparent scale of the medium rise buildings is reduced. In contrast, at street level, the low-rise townhouses are more prominent. The lower scale townhouses at this sensitive interface are to have adequate frontage setbacks to compliment the streetscape. The VIA concludes that the loss of residential amenity at this viewpoint caused by apparent scale, bulk or proportions is not unreasonable (Fig. 26).

Figure 26. Viewpoint 8 in Visual Character Zone 1B, showing the before and after views of the site and proposal.

Viewpoint 9 is taken form the cul de sac serving 25 Cadbury Road

The viewpoint is of the existing school building and is framed by street trees on Cadbury Road. The VIA concludes that there is little discernible change in this

viewpoint because the vista assigns the old school building primacy as the centrepiece of the development.

Viewpoint 10 is from Bilton Road looking toward the Cadbury Road intersection

The existing school buildings and car park are visible at this viewpoint, with street trees in the both the foreground and background. The shop top apartments and the low-rise apartments would present to the street as three to four storey buildings. The low-rise apartment building transitions down in height to the lower scale existing school building. The existing school building would be partially concealed post development at this viewpoint but would come into view again as one crosses the street. The VIA assesses the loss of the school building view to not be unreasonable. This is because the new buildings form and scale is not incongruous with the surrounding character or streetscape, comprising of existing one to two storey buildings in this VCZ.

Viewpoint 11 is taken from the private driveway serving Derwent Pines units (25 Cadbury Road)

The timber school buildings are prominent in this view field. Beyond that, the trees lining the foreshore and the Meehan Ranges are visible. The VIA acknowledges that there is some amenity value in the existing view across the site. However, it argues that the scale of the proposed four storey buildings is not inconsistent with the two storey buildings in this VCZ. The proposal would over time offer amenity of a different nature, with activation of the street edge and the establishment of landscaped plantings. The loss of residential amenity is assessed a not being unreasonable at this viewpoint.

It is noted that the colour palette requires additional colours and further consideration of the context and environmental setting, particularly for the colour and material of the Buildings A and B, and to a lesser extent the townhouses on the northern periphery of the site. This is because when viewed from viewpoint 10 and 11, the uniformity of the white/light grey walls can create a visually dominate, expanse of blank repetitive façades. A condition is recommended with the intent for a secondary (mid-to-dark tone) colour to be introduced to compliment the selected palette, break up the repetition of surfaces and further reduce the visual impact of development. This will discourage the use of single colour finishes and/or materials within larger areas of non-articulated walls.

Viewpoint 12 is from Box Hill Road near the Claremont Road junction

The VIA describes this viewpoint as being within the former school setting of trees and oval. It is regarded in the context of a normal urban street scene, with neither high nor significant amenity value. The VIA notes that this viewpoint provides one of the few viewpoints sufficiently distant to show the proposal in its entirety. Although, the increase in distance for the site reduces the apparent scale of the development. The VIA observes the repetition in form of the townhouses facing Windermere Bay and its

consistency with existing and emerging built form on the peninsular. The VIA acknowledges the view to be noticeably new and no identified visual values are removed or detracted from to any unreasonable extent (Fig. 27).

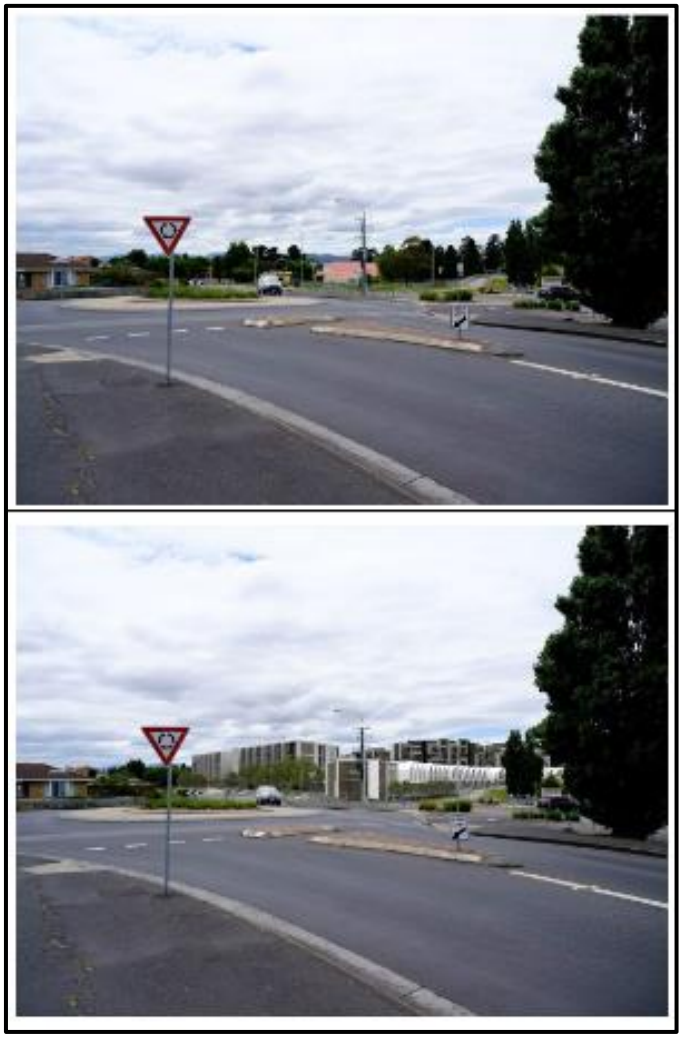


Figure 27.Viewpoint 12 in Visual Character Zone 1B, showing the before and after views of the site and proposal.

Viewpoint 13 is taken from the Windermere Bay foreshore reserve playground

The VIA describes the higher amenity value of the landscape being that of the foreshore reserve and the subject site offers little in comparison. This viewpoint is similar to the latter in that this viewpoint is sufficiently distant to show the proposal in its entirety. The VIA again observes the repetition in form of the townhouses facing Windermere Bay and notes its consistency with existing and emerging built form on the peninsular. It is assessed that the proposal does not obscure or remove the present amenity of the foreshore and it is determined that there is no unreasonable loss of residential amenity as a result.

In summary, the VIA is based on the assessment of significance of impact, which requires an analysis of the sensitivity of a viewpoint and the magnitude of change. The VIA acknowledges the noticeably new low to medium rise buildings in the view field and observes the transitioning in height to sensitive interfaces provides a more appropriate scale at that interface, and the modulated design and use of facade articulation creates interest and reduces the apparent or perceived scale of the development. The analysis shows no unreasonable loss of residential amenity for the various viewpoints pre and post development and concludes that the proposal satisfies this part of the performance criteria.

Owing to the VIA relying on the pattern of vegetation to screen or visually integrate the proposed visual elements, a condition is recommended to ensure the mature pine trees are maintained and replanted when necessary. This recommended condition is linked to the heritage conditions recommended later in this report, given the heritage significance of the place.

The last part of this performance criteria is the siting and scale of the dwellings must provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area. The prevailing separation distances in the area range from nil (co-joined dwellings) to approximately 31 m. The separation pattern of the proposal is in harmony with the pattern of separation in the area, by having a nil separation for co-joined dwellings (townhouses) and up to approximately 20m between the medium rise buildings.

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

11.4.3 Site coverage and private open space P1

The proposal complies with the site coverage and impervious free areas of the acceptable solution by not covering more than 50% of the site and by having at least 47% of permeable surfaces. However, 50m^2 of private outdoor space exclusive to each dwelling is not proposed and so the proposal relies on the performance criteria.

The objective of the standard is to provide for outdoor recreation and the operational needs of the residents; and opportunities for the planting of gardens and landscaping; and private open space that is integrated with the living areas of the dwelling; and private open space that has access to sunlight.

The performance criteria require dwellings to have:

(a) private open space that is of a size and dimensions that are appropriate for the size of the dwelling and is able to accommodate:

(i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any communal open space provided for this purpose within the development; and

(ii) operational needs, such as clothes drying and storage;

unless the projected requirements of the occupants are considered to be satisfied by public open space in close proximity; and

(b) reasonable space for the planting of gardens and landscaping.

The dwellings proposed are a mix of one to four-bedroom apartments and two to three-bedroom townhouses. These various dwelling types are expected to attract occupants with different requirements. Each dwelling type has been designed to have access to an area(s) of private outdoor space dedicated to each dwelling. This is in the form of ground level private outdoor space associated to the townhouses adjacent to Cadbury Road, and balconies and courtyards for the shop top dwellings, the townhouses adjacent to the Windermere Bay foreshore and for the low rise and medium rise apartments. These areas of private outdoor space are taken to be useable areas in a size and design to accommodate the operational needs of the future occupants and provide opportunities for various sized gardens. These spaces are complimented by the communal open space provided in the 'inner green core' and communal roof top gardens, as well as the personal storage areas located within the podium near the parking areas of each residential building.

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

11.4.3 Site coverage and private open space P2

The proposal relies on performance criteria P2, which states a dwelling must have private open space that:

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

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

(ii) orientated to take advantage of sunlight;

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

The townhouses in Buildings U, T, S and R are to have north facing ground level private outdoor space conveniently located between the dwellings and the Cadbury Road frontage, and first floor balconies to the front and rear of these dwellings (Fig. 28 & 29).

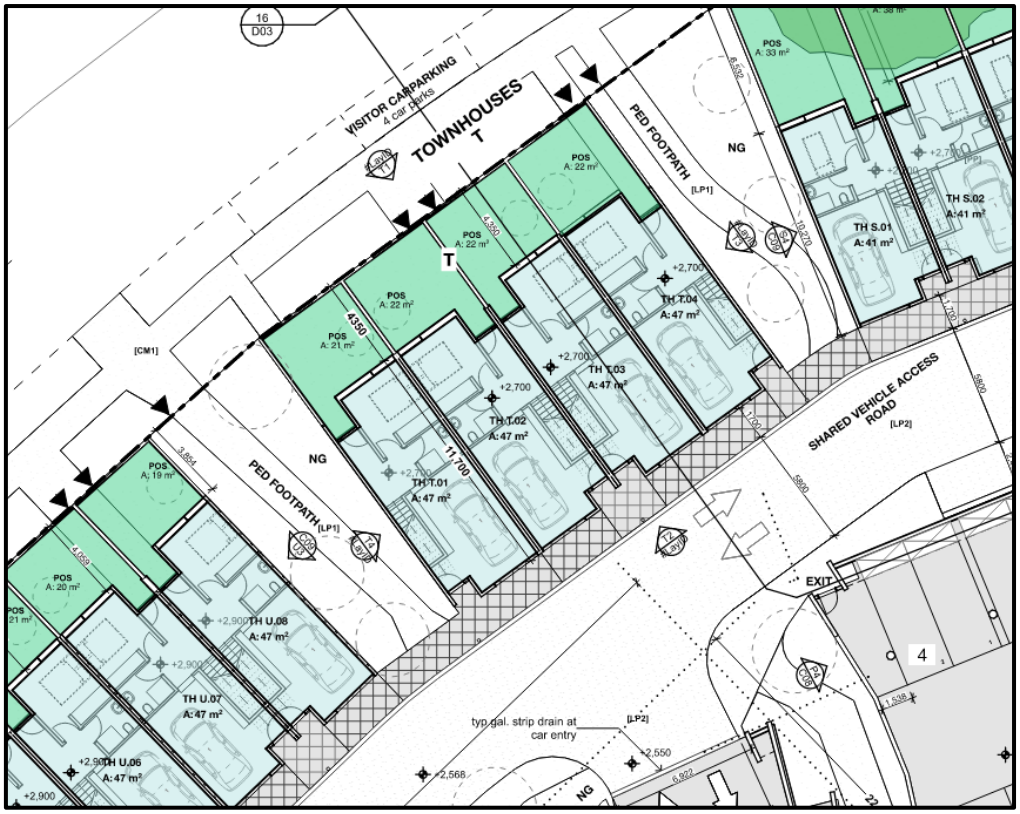


Figure 28. The layout of the Townhouses fronting Cadbury Road showing the ground level private outdoor space conveniently located to the habitable rooms of the dwelling.

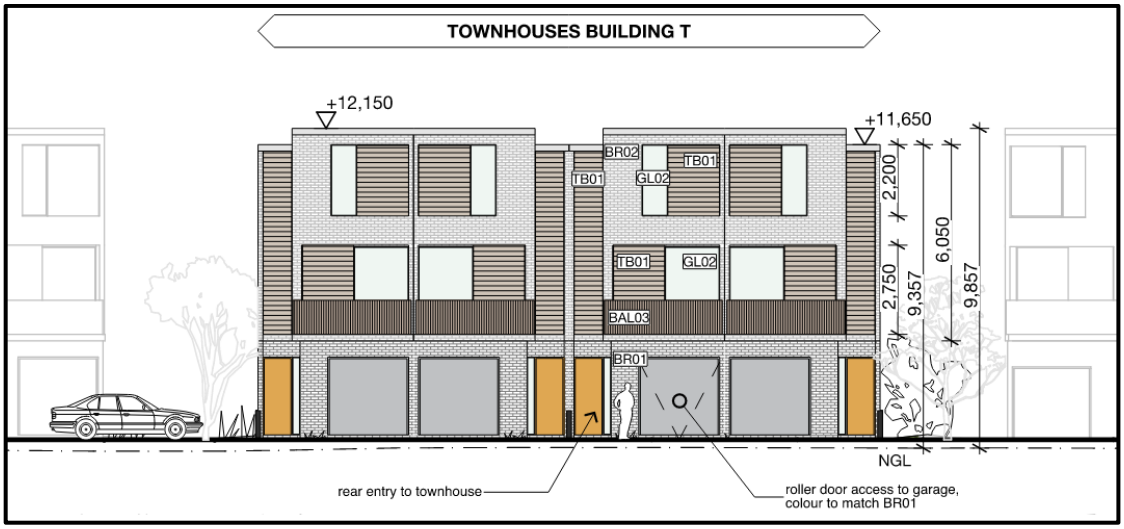


Figure 29. The elevation view of the townhouses in Building T showing the rear of the townhouses with first floor balconies.

Buildings O and P have a north/south axis and private outdoor space is provided conveniently to each dwelling as balconies in varying sizes and designs on either side of Building I. Both Building O and P have a communal rooftop garden. Building Q has a similar arrangement of private outdoor space as Buildings O and P, although Building

Q has an east/west axis. The penthouse apartments on the top floor have private outdoor space on three side of Building I.

The private outdoor space for Building N is conveniently located to the living areas of these dwellings on the eastern or western side of the building, with a rooftop communal garden on the northern end of the building. Buildings M and L have a north/south axis and have private outdoor space conveniently located to the living areas on the northern and southern elevation. Building M has two rooftop communal gardens on the eastern and western ends of the building (Fig. 30).

Figure 30. The roof top view of Building M showing the roof top gardens at either end of the building.

The shop top apartments in Buildings A and B have private open space provided conveniently as balconies. Building A has an east/west axis and balconies are located on these sides of the building for the future occupants. Building B has balconies associated with a dwelling on the eastern, northern and western sides of the buildings. All balconies are conveniently located to the living areas of the associated dwellings and are oriented to take advantage of sunlight.

The town houses on the southern periphery of the site, adjacent to Windermere Bay have the larger area of private outdoor space located on the northern side of those dwellings above the podium. These townhouses also have a conveniently located balconies or courtyards on the southern elevation of the second floor living rooms.

All dwellings throughout the site have access to and are supplemented by communal open space, whether it be as a communal roof top space or within the 'inner green core'.

In summary, it is assessed that all dwellings have private outdoor space conveniently located to the living areas of each dwelling that are oriented to take advantage of sunlight and can serve as extension of the dwelling for outdoor relaxation, dining and entertaining. The communal open space areas provide opportunities for recreational activities and for children's play.

11.4.4 Sunlight and overshadowing P1

The objective of this standard is to provide:

(a) the opportunity for sunlight to enter habitable rooms (other than bedrooms) of dwellings; and

(b) separation between dwellings on the same site to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.

All dwellings except those in Buildings A, B, N and Q have north facing windows (Building A and B dwellings are on an east west axis). Accordingly, the proposal relies on performance criteria, which requires a dwelling to be sited and designed so as to allow sunlight to enter at least one habitable room (other than a bedroom).

The Buildings A, B, N and Q have an east west axis, which provides an opportunity for the dwellings contained in those buildings to receive morning and afternoon sunlight to the habitable rooms (other than bedrooms). The eastern elevation of Building A and B faces gardens and the existing school building, while the western elevation of these buildings front Cadbury Road. The design of the buildings with largely glazed elevations and its siting provides unhindered exposure to sunlight for those dwellings. The western elevation of Building N faces the gardens in front of the existing school building and this siting, together with the substantial glazing on this elevation provides an opportunity for those dwellings to receive afternoon sunlight into habitable rooms. In addition, the eastern elevation has the capacity to receive sunlight to the habitable rooms in the mornings. The eastern elevation of Building Q fronts Cadbury Road, and this elevation is setback from Cadbury Road by a minimum of 7.41m at the southern end of the building to 24.9m at the northern end of the building. The frontage area is to be landscaped and existing Pinus Radiatis trees are to be retained. Nevertheless, the east facing orientation and the large glazed windows to the dwellings in this building provides an opportunity for sunlight to enter those habitable rooms. The western elevation of this building faces onto the 'inner green core' and afternoon sunlight to the dwellings in this building is not obstructed by another building.

The siting and design of Buildings E, F, G, H, I, M, N, O, P, R, S, T and U enables the dwellings contained within those buildings to receive sunlight. These buildings have a north-south axis, with the glazed northern elevations of these buildings providing opportunity for sunlight to enter the habitable rooms. The townhouse in the southern periphery of the site identified as Buildings E, F, G, H and I have been designed with skylights, which will allow sunlight to entre those dwellings.

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

11.4.4 Sunlight and overshadowing P2

The proposal relies on the performance criteria to comply with this standard. The performance criteria requires a multiple dwelling to be designed and sited to not cause unreasonable loss of amenity by overshadowing a window of a habitable room (other than a bedroom), of another dwelling on the same site, that faces between 30 degrees west of north and 30 degrees east of north (see diagram 11.4.4A).

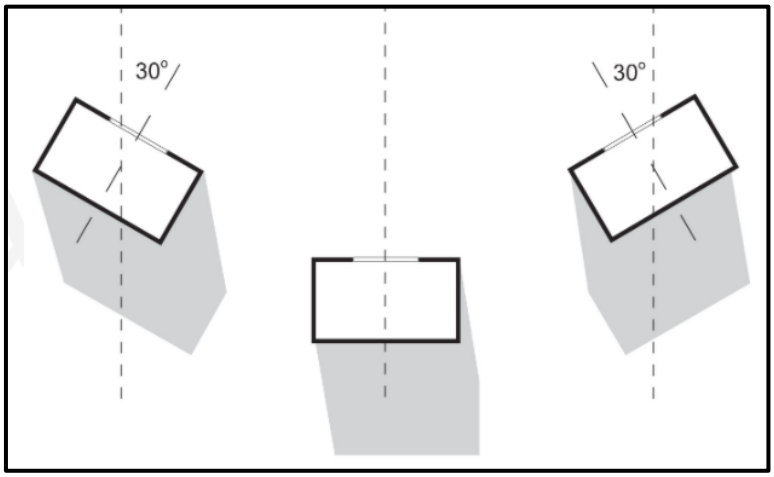


Diagram 11.4.4A. Orientation of a window of a habitable room as specified in 11.4.4 A1, A2 and P2.

The townhouses in Buildings U, T, S and R are to be to the north of the medium rise apartments in Buildings O and P. Building O and P have windows facing faces between 30 degrees west of north and 30 degrees east of north. The townhouses do not cause the north facing windows in medium rise apartments to receive less than three hours of sunlight between 9.00 am and 3.00 pm on 21st June.

Medium rise buildings M and L are to the north of townhouses of Buildings G, H and I, that have windows facing faces between 30 degrees west of north and 30 degrees east of north. The shadow diagrams provided show that the skylight windows for buildings G, H and I enables sunlight to enter into the second storey living rooms of those dwellings for at least three hours between 9.00 am and 3.00 pm on 21st June.

The existing school building (Building C) is to the north of the town houses in Building F. The siting and scale of the existing school house does not cast unreasonable shadow on to Building F. However, some shadow may be cast onto Building F by Building M. Nonetheless, the shadow diagrams show that the north elevation of Building F with its habitable room windows would receive at least three hours of sunlight in the afternoon of 21 June.

Building E townhouses sit to the south of the shop top apartments of Building B. The shadow diagrams show that the northern elevation of Building E would receive two consecutive hours of sunlight on 21 June. However, the shadow diagrams show that

the skylights would allow three hours of sunlight to enter into the second floor living areas of those dwellings.

The proposal is assessed as complying with the standard through the performance criteria by being designed and sited to not cause an unreasonable loss of amenity in terms of overshadowing of habitable room windows.

11.4.4 Sunlight and overshadowing P3

The proposal relies on performance criteria to comply with this standard. The performance criteria require a multiple dwelling to be designed and sited to not cause unreasonable loss of amenity by overshadowing the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of 11.4.3. It is noted that the proposal relies on P2 of 11.4.3, where the private outdoor space requirements of the future occupants involves the use of communal open space for planting of gardens and the like in proximity to the dwellings.

Building A is to the north of Building B, both containing shop top and low-rise apartments. Given the siting of Building A, there is potential for the lower level private open space on the northern elevation of Building B to be overshadowed. The extent of the overshadowing is considered to not cause an unreasonable loss of amenity to the affected dwellings because of the 10m plus separation between the buildings and the way the balconies are design on an angle so as to take advantage of sunlight. Furthermore, the future occupants are to have access to communal open spaces for planting gardens and the like (Fig. 31).

Figure 31. The layout of Building A and B showing Building A to the north of Building B. the private outdoor spaces are separated by solid screens for privacy and deliberately designed on an angle to take advantage of sunlight.

The town houses in Buildings E, F, G, H and I are to have private outdoor space on the northern and southern elevations of those dwellings. It is acknowledged that the northern private outdoor spaces will be overshadowed at varying times throughout the day (June 21) by Building B, M and L. However, these townhouses have access to other areas of private outdoor space (required under P2 of 11.4.3) that would not be overshadowed by another dwelling on the same site. Case in point, the private outdoor space on the southern elevation balconies of the town houses and communal areas of private outdoor space within the site.

Townhouses on the northern periphery of the site, Buildings U, T, S and R are to be to the north of the private outdoor space of the dwellings in Buildings O and P. It is assessed that the low scale of the town house and the separation of these buildings

from Buildings O and P would not unreasonably overshadow the private outdoor space of the dwellings in those buildings.

It is acknowledged that Building O may overshadow the private outdoor space of dwellings in building N at various times of the day (June 21). However, the extent of the overshadowing is taken to be minor given the separation, siting, and design of the buildings. This is because Building O is to have north/south axis and Building N is to have an east/west axis, and the lowest end of Building O (19.5m in height) is adjacent to Building N, but is separated by some 17m.

In summary, the proposed buildings have been sited so that each dwelling would receive good solar access to private and communal outdoor spaces and is assessed as complying with the standard through the performance criteria.

11.4.7 Frontage Fences P1

Town houses R, S, T and U face the frontage to Cadbury Road and propose frontage fences within 3m of that frontage. The frontage fences are to consists of sections of vertical slats and brick finishes and is to be 1.5m in height above natural ground level. The design of the frontage fences allows for 30% transparency over the total length of the fences. However, 'uniform' is taken to mean not discontinuous or unbroken. Accordingly, the proposal relies on the performance criteria.

The objective of the standard is to control the height and transparency of frontage fences to:

(a) allow the potential for mutual passive surveillance between the road and the dwelling; and

(b) establish a consistent pattern of frontage fences.

The performance criteria require the fence (including free-standing walls) within 3m of a frontage to allow for mutual passive surveillance between the road and the dwelling (particularly on primary frontages) and maintain or enhance the streetscape.

The existing frontage fences in the streetscape are in a variety of materials and heights. The existing frontage fences are generally low in scale measuring 1m height with some frontage fences up to 1.7m above natural ground level, and range in transparency from transparent open designs right through to solid fencing. The proposed fencing, with a maximum height of 1.5m is assessed as allowing for mutual passive surveillance and is in keeping with the existing pattern of low scale mixed material frontage fencing designs in the streetscape (Fig. 32).

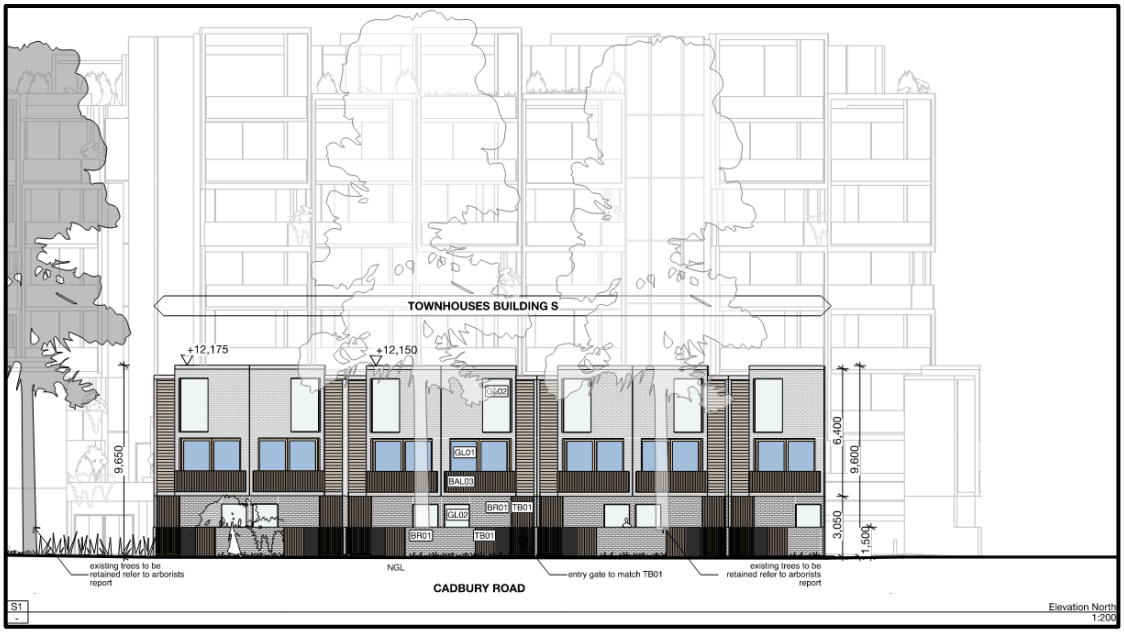


Figure 32. A view of the frontage fence for buildings, showing the typical frontage fence proposed.

Part E: Codes

A code is a set of planning controls for particular types of use or development that may apply to more than one zone and matters that affect land that cannot be described by zone boundaries. E5.0 Road and Railway Assets code, E6.0 Parking and Access code, E7.0 Stormwater Management code, E13.0 Historic Heritage code, E15.0 Inundation Prone Areas code and E16.0 Coastal Erosion Hazard code applies to the assessment of this application (Fig. 33). It is noted that E17.0 Signs code is not applicable because no display of commercial signage or the placement of coordinated interpretative and directional signage is proposed as part of this application.

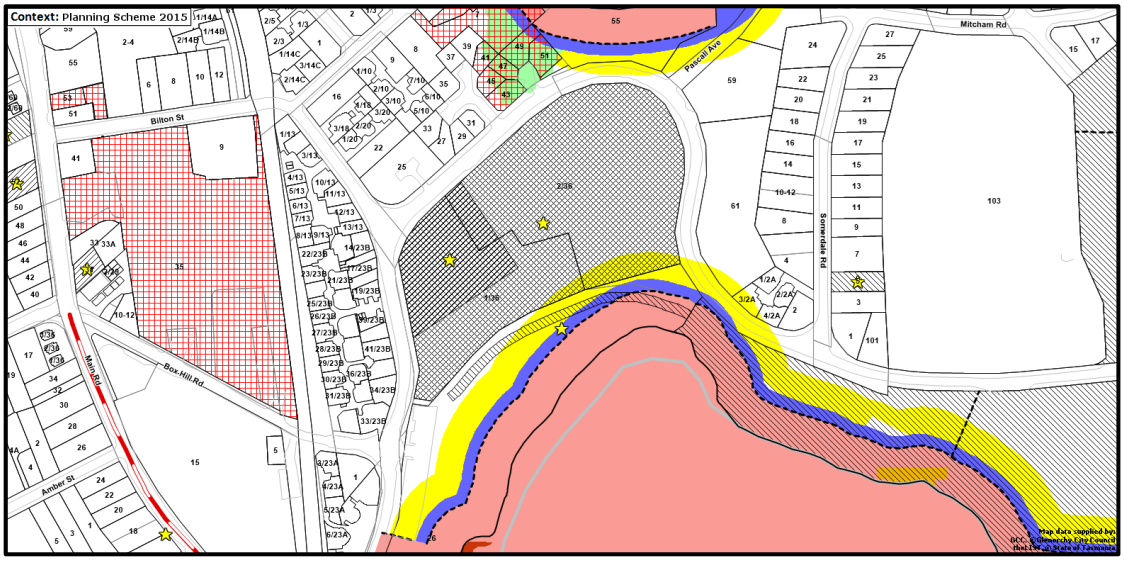


Figure 33. The code overlay pattern for the site and surrounds, showing the site listed on the Cultural Heritage code and the Tasmanian Heritage register (gold stars and

cross hatching), Waterway and Coastal Protection code (purple), Biodiversity code (pink) and Coastal Erosion code (yellow and orange bands).

E5.0 Road and Railway Assets Code

The proposal accords with all the applicable standards as demonstrated in the Engineering Assessment under the Referrals section later in this report.

E6.0 Parking and Access Code

The proposal accords with all the applicable standards as demonstrated in the Engineering Assessment under the Referrals section later in this report.

E7.0 Stormwater Management Code

The proposal accords with all the applicable standards as demonstrated in the Engineering Assessment under the Referrals section later in this report.

E10.0 Biodiversity Code

The site of 25 Cadbury Road forms part of the application because linkage bridges connect the proposal site, 36 Cadbury Road with the multi-purpose trail on the adjoining site of 25 Cadbury Road; and upgraded stormwater infrastructure is proposed for 25 Cadbury Road and 55 Cadbury Road. The Biodiversity Protection Area overlays part of 25 Cadbury Road and 55 Cadbury Road. The proposed upgrading of stormwater infrastructure is within the Biodiversity Protection Area. However, the site is disturbed from its natural state and the proposed works to the stormwater infrastructure does not involve the clearance and conversion or disturbance of native vegetation within a Biodiversity Protection Area. Consequently, the code does not apply to the assessment of the application (Fig. 34).

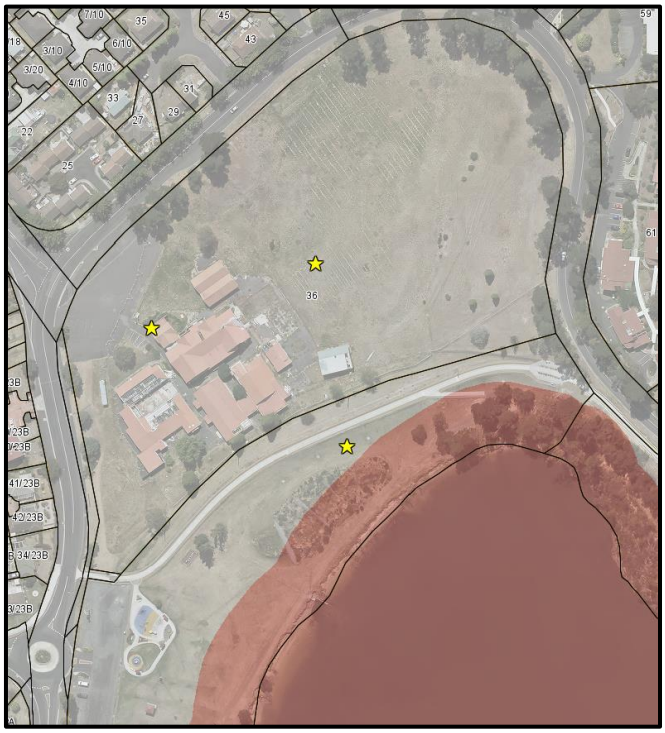


Figure 34. The area shown in pink is the extent of the Biodiversity Protection Area, which overlays 25 Cadbury Road.

E11.0 Waterway and Coastal Protection Code

The Waterway and Coastal Protection Area overlays part of the adjoining site of 25 Cadbury Road and 55 Cadbury Road. However, the proposed location of the eastern most linkage bridge is outside the extent of the Waterway and Coastal Protection Area and the proposed upgrade to the stormwater infrastructure complies with exemption E11.4.1(c), which exempts the clearing or modification of vegetation or soil disturbance in a public garden or park. The Windermere Bay foreshore reserve is a public park and works on public land are managed under other regulation than the requirements of the planning scheme. Consequently, this code does not apply to the assessment of the application (Fig. 35).

Figure 35. The area shown in purple is the extent of the Waterway and Coastal Protection Area, which overlays 25 Cadbury Road.

E13.0 Historic Heritage Code

The proposal accords with all the applicable standards as demonstrated in the Hertiage Officer's assessment under the Referrals section later in this report.

E15.0 Inundation Prone Areas Code

This code applies to development on land identified as being overlaid by Coastal Inundation High, Medium and Low Hazard Areas and Riverine Inundation Hazard Area or development of buildings and works dependent on a coastal location. The Coastal Inundation hazard bands extend over part of 25 Cadbury Road and 55 Cadbury Road, and the area of the proposed upgrade to the stormwater infrastructure (Fig. 36).

Figure 36. The area shown in light and dark green is the extent of the Coastal Inundation hazard bands, which overlays 25 Cadbury Road.

The standards of this relate to habitable and non-habitable buildings, as well as landfill, solid (retaining) walls and land application areas for onsite wastewater management. No standards in this code are applicable to the assessment of the application.

E16.0 Coastal Erosion Hazard Code

This code applies to works on land in the Coastal Erosion Hazard Area and development of buildings and works dependent on a coastal location. The area of the proposed upgrade to the stormwater infrastructure is overlaid by the Coastal Erosion Hazard Area bands (Fig. 37).

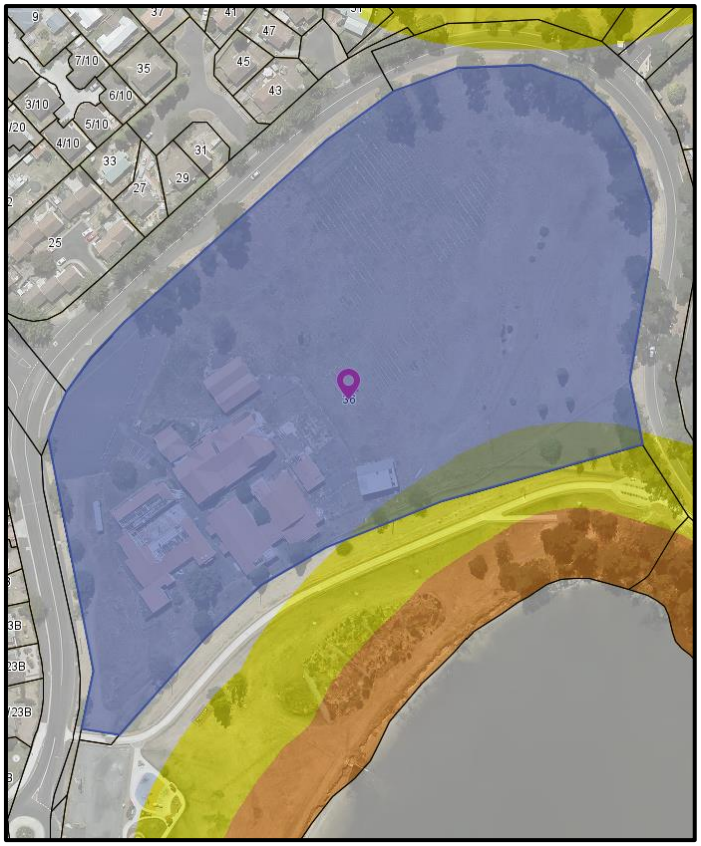


Figure 37. The area shown in light and dark green is the extent of the Coastal Erosion Hazard Area bands, which overlays 25 Cadbury Road.

The standards of this code relate to habitable buildings, extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway, dredging or reclamation and coastal protection works, and the suitability of building and works in the coastal erosion hazard area. The proposed stormwater upgrade works, and the linkage bridges are located within the coastal erosion hazard areas.

E16.7.1 Buildings & Works P1

The performance criteria of this standard is applicable to the assessment of this proposal and requires buildings and works to satisfy all of the following:

(a) not increase the level of risk to the life of the users of the site or of hazard for adjoining or nearby properties or public infrastructure;

(b) erosion risk arising from wave run-up, including impact and material suitability, may be mitigated to an acceptable level through structural or design methods used to avoid damage to, or loss of, buildings or works;

(c) erosion risk is mitigated to an acceptable level through measures to modify the hazard where these measures are designed and certified by an engineer with suitable experience in coastal, civil and/or hydraulic engineering;

(d) need for future remediation works is minimised;

(e) health and safety of people is not placed at risk;

(f) important natural features are adequately protected;

(g) public foreshore access is not obstructed where the managing public authority requires it to continue to exist;

(h) access to the site will not be lost or substantially compromised by expected future erosion whether on the proposed site or off-site;

(i) provision of a developer contribution for required mitigation works consistent with any adopted Council Policy, prior to commencement of works;

(j) not be located on an actively mobile landform.

The proposed stormwater upgrade involves the underground diversion of stormwater infrastructure and the upgrading of and maintenance to the existing public stormwater outfall/discharge point. The construction of the new linkage bridges would involve minimal disturbance through the placement of piers/pylons on the site.

Considering that the proposed underground diversion works and the linkage bridges are to be located on a low hazard areas, and the proposed upgrades and maintenance is to occur on existing public infrastructure, the risk of the works in its entirety would be contained and would not increase the level of erosion risk to adjoining properties, natural features or public infrastructure, or to health and safety of people using the area. There would be exclusion zones during works to comply with work health and safety requirements, but no long-term closure of the foreshore reserves is proposed.

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

PART F: Specific Area Plans

No Specific Area Plan applies to this assessment.

INTERNAL REFERRALS

Heritage Officer

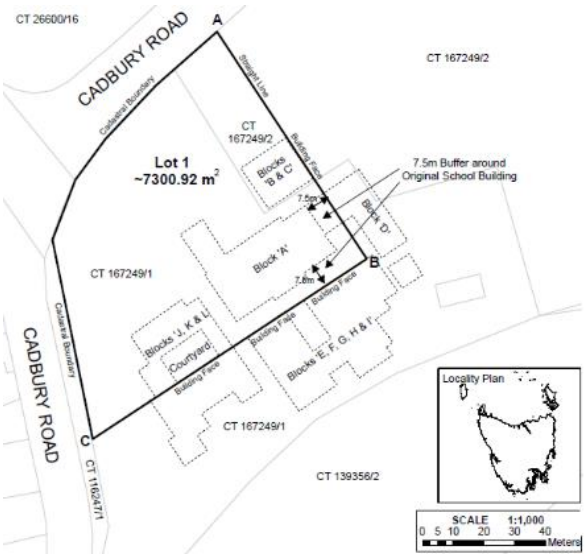
1.0 HERITAGE LISTINGS:

1.1 Glenorchy Interim Planning Scheme 2015 (GIPS) – Heritage Place

Table E13.1 REF No.	Street Address/Extent	Property Name	General Description
0366	36 Cadbury Road	Former Claremont Primary School	Former Claremont Primary School main building and setting, including Cadbury-era *Radiata* Pine trees lining

			Cadbury Road, and the site of the former Ashburton house complex (also known as Rust's farm).
0387	26 Cadbury Road encompassing all that part of the land within a 5m offset from the centre of the bike track	Former Cadbury Branch Line Rail Formation	Former rail line formation

1.2 Tasmania Heritage Register (THR)

THR ID No.	CPR 9882 (extract)
11600 (Refer also to Attachments for the Tasmanian Heritage Register datasheet for the Place)	

2.0 DESCRIPTION OF SUBJECT SITE & SURROUNDING CHARACTER

The subject site is 3.747Ha in area and located on the 'neck' of the Claremont Peninsula between Bilton Bay and Windermere Bay (refer to Figure 1 – Site location).

The majority of the site is relatively flat and slopes uphill to the east.

Land to the north, east, and west of the site is generally developed with residential properties, with the Claremont Shopping Centre to the west and the Cadbury Industrial Estate and residential land, including the Cadbury Garden Estate, to the east.

The western section of the site contains a cluster of neglected and fire damaged buildings from the former Claremont Primary School. The original school building survives at the core of the complex addressing Cadbury Road.

The eastern portion of the land comprises a grassed expanse – formerly the school oval – and undeveloped hillside.

A number of mature Monterey (or Radiata) pine trees (*Pinus radiata*) approximately 350 metres in extent - follow the curve of Cadbury Road, north-east of the former school entrance.

3.0 HERITAGE ATTRIBUTES OF THE PLACE

The heritage attributes of the Place that give rise to its significance at the local level, include:

- The former Claremont Primary School complex, in particular the main red brick Inter-War Period school building that opened in 1924 including the 1938 and 1941 additions.

- the broader setting, including;

    - A line of mature Monterey (or Radiata) pine (*Pinus radiata*) trees that follow the curve of Cadbury Road north-east of the former school entrance (approximately 350 linear metres).

    - Two sites of sub-surface historical archaeological significance and potential linked to the 1820s 'Abbotsfield' and mid-19th century Ashburton farm complexes (latter has Claremont Army Camp associations).

- The former Cadbury Branch Line rail formation.

Refer to Figure 1 for an annotated aerial view showing the indicative locations of key features.

Figure 1: Aerial view showing the indicative locations of key heritage features comprising the Place.
(Base image: GCC Spectrum Spatial GIS)

2a. Front view of part of the main school building.

2b. Cadbury era *Pinus radiata* trees lining the margins of the property on the inside curve of Cadbury road.

2c. General view of the area of archaeological potential corresponding to the former site of 'Abbotsfield' and 'Ashburton' farm complexes.

2d. The shared bicycle/pedestrian path established on the former Cadbury Branch Line rail formation.

2e. Damaged and derelict 1950s – mid 1980s school buildings to the rear and side of the main heritage building.

Figure 2: A series of images showing key features comprising the subject Place. (all photos GCC, dated 26/2/2021)

4.0 SUMMARY HISTORICAL CONTEXT

c1811 – Site forms part of land granted to John Fawkner jnr. Fawkner later figured prominently in the establishment of Melbourne.

c1819 – Fawkner's Claremont land was advertised for sale and purchased by Deputy Judge advocate, Edward Abbott who named the area 'Abbotsfield'.

1823 – Property comprising 250 acres encompassing the peninsula (that is, Cadbury peninsula or Dog's Ear Point) was offered for sale. The advertisement refers to a 'pool of excellent water', a 'neat cottage' and a stockyard.

1827 – Lease advertisements refer to a dwelling, servants hall, fowl house, orchards and stock yards.

1831 – 'Abbotsfield' was purchased by Joseph Bowden.

1834 – Bowden changed the name of the property to 'Ashburton' and was living there by 1835.

mid-late 1830s – Bowden appears to have commenced construction of a new, much larger house.

1840 – A lease advertisement refers to a 'good stone dwelling house containing 10 rooms' with scullery, dairy, coach house and fowl house. An 1847 lease advertisement refers to the house as having 11 rooms.

1861 – Sale notice includes a detailed plan and descriptions that accord with the 1840 lease advertisement.

1880s – 'Ashburton' owned by the Triffit family (Dogs Ear Point now referred to as Triffit's Point).

1887 – Sale notice describes 'Ashburton' as the most desirable farm at Glenorchy. Refers to 160 out of 280 acres of 'more or less good' agricultural and sheep land' as having been cultivated, abundant firewood, a lagoon that affords a 'never failing' supply of water for all stock, while the house is supplied by a large 100,000 gallon underground tank. The house complex is referred to as being stone with 12 rooms and a slate roof, with outbuildings including stone stable and barn with a detached labourer's cottage. It was subsequently purchased by wattle bark merchant Frank Bond who later added Henry Bilton's property to his portfolio, creating an estate of 730acres.

1897 – Albert Flexmore purchased 'Ashburton' and other land from Bond.

late 1890s – early 20th century - 'Ashburton' is leased by the Rust family.

1910 – 'Ashburton' and the peninsula considered by the Commonwealth as a possible site for a quarantine station that never eventuated.

1911 – A syndicated headed by Claude Clerk purchased Triffet's Point (including 'Ashburton') with the notion of subdividing it into one hundred and twelve 2.5 acre lots, a plan that also did not come to fruition.

1911 – the Commonwealth Government leased the land at Triffet's Point and established a remount depot for consignment of 100 horses for military purposes.

1914 – At the outbreak of war, the Triffet's point remount depot was repurposed as a military training camp, whereupon 'Ashburton' with its strategic location on the narrow neck of land leading to the point, became the guard house for the camp. Reports at the time described it as solid, sombre, bare, unadorned and fitted up as a quarters for the staff.

Post 1918 – on conclusion of the war the Claremont Army camp was briefly used as a Spanish flu quarantine facility prior to dismantling and disposal of the buildings.

1920 – The site was selected by the Cadbury Company as the ideal location for establishment of chocolate factory and workers estate.

August 1920 – media reports indicate that that the 'old stone house' ('Ashburton') beside the Cadbury branch line railway formation had been demolished.

1923 – Cadbury and the State government agree on a plan for the establishment of a primary school to service the local area. Builder, James Adrewartha of North Hobart was the successful tenderer.

1924 – opening of the Claremont Primary School.

1938 – Additions to the school commenced by G. Rowbottom of Granton in 1936 were completed. These included a new entrance, Head Teacher's room, staffroom, library, domestic science room, store and enclosed verandah to the rear all in the same style and materials as the original buildings.

1940 – Plans for a north wing were drawn up, completing the front elevation of the school.

1944 or 1947 – Cadbury Fry Pascall gave an additional 2 acres 2 roods and 6 perches adjacent the school to the Education Department, the additional land providing an expansive area for sports and recreation.

1953 – 30 cubic yards of fill (including cinders and ashes from Cadbury) is imported to level off the school oval (partly on the site of the former lake/lagoon) requiring removal of willow trees that had survived from the 'Ashburton' phase of land use.

1953, 1957, mid 1980s – Construction of additional timber and brick buildings to accommodate the growing school population.

1973 - Cadbury Fry Pascall transferred the balance of the land between the school site and Cadbury Road, an area amounting to 5 acres 2 roods and 8.5 perches, to the Crown.

1983 – The Cadbury Branch line railway was closed and later converted to a shared pedestrian/bike path by Glenorchy City Council.

2009 – Plan devised to rationalise schooling in Glenorchy in response to falling student numbers.

2010 – Claremont Primary School closed.

2017, 2020 –various parts of the neglected school complex damaged by fire.

4.1 Sources:

Element Tree Services (Alister Hodgman), 3 August 2020, Development Impact Assessment, 36 Cadbury Road, Claremont. Unpublished report prepared for Circa Morris-Nunn Architects.

Element Tree Services (Alister Hodgman), 19 October 2020, Proposed Footpaths – Windemere (sic) Bay Development. Unpublished letter report prepared for Circa Morris-Nunn Architects.

John Wadsley Planning and Heritage Consultancy, 27 February 2020. Conservation Management Plan, Former Claremont Primary School Site, 36 Cadbury Road, Claremont. Unpublished report prepared for Claremont City Developments.

Praxis Environment, August 2020. Statement of Archaeological Potential, Archaeological Impact Assessment & Archaeological Method Statement – Former Claremont Primary School/Ashburton/Abbotsfield. Unpublished report prepared for Claremont City Developments.

Tasmanian Heritage Council, *Tasmanian Heritage Register datasheet 11,600 – Claremont Primary School.*

5.0 STATEMENT OF SIGNIFICANCE

(a) the place is important to the course or pattern of Tasmania's history (at the local level)

Claremont Primary School reflects the post-war transformation from what was an agricultural estate reflecting the rural character and agricultural economy of 19th century Glenorchy, to suburb stimulated by the arrival of an internationally significant industrial entity, Cadbury Fry Pascall (Cadbury). It demonstrates, in particular, the provision of educational facilities delivered in partnership with Cadbury, its associated communitarian values and philosophies.

Attributes: The site contains a cluster of single-storey brick and weatherboard buildings that reflect the growth and development of the school over the period 1923 – 2010.

Prominent amidst the group is the main red brick Inter-War Period school building completed in 1924 with additions (1936, opened in 1938, 1941), (Figures 3 and 4).

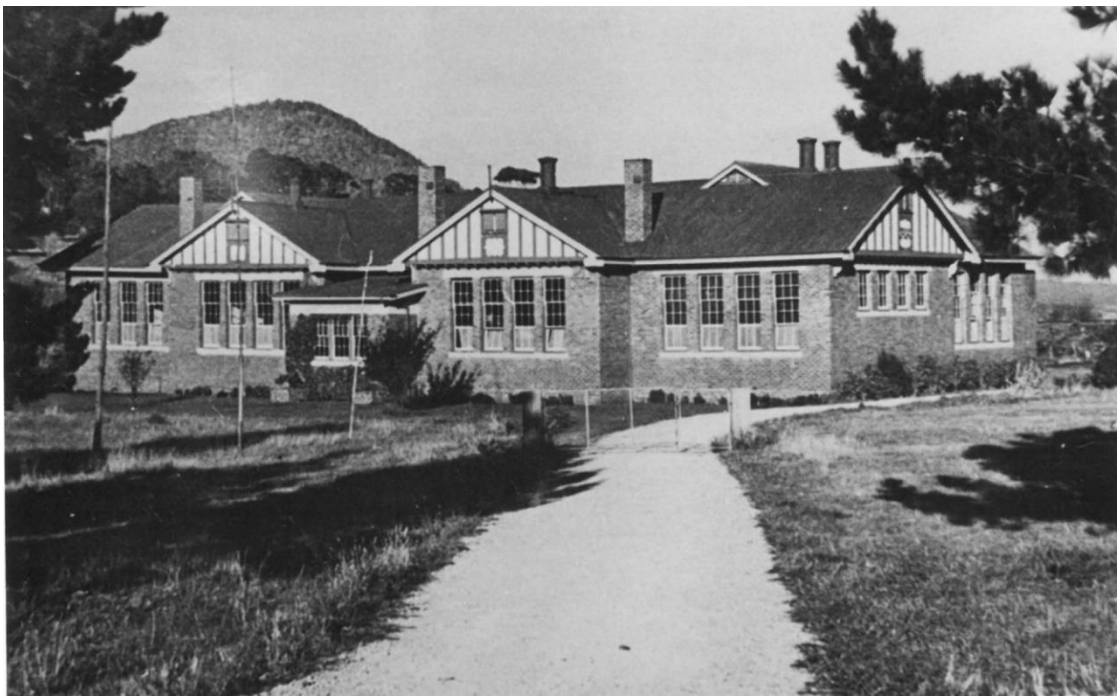


Figure 3 – The main 1924, 1938, 1941 school building (Source: GCC Photo Collection)

Figure 4 – Front view of the main 1924, 1938, 1941 school building partly obscured by intrusive structures, boarded up, neglected, vandalised and partially damaged by fire but retaining its Inter-War architectural character and pre-eminence in the former school buildings complex (Source: GCC image, 26/2/2021)

The setting of the school, on the neck of the peninsula between Bilton and Windermere Bays, effectively marks the gateway to the original planned Cadbury estate.

(b) the place possesses uncommon or rare aspects of Tasmania's history (at the local level)

Claremont Primary School is an uncommon example of a sustained private/public partnership between the Tasmanian government and Cadbury aimed at providing contemporary school facilities to service urban growth in the burgeoning suburb of Claremont and surrounding population areas, stimulated by major industrial and allied residential development.

The site contains an unusual array of attributes evident in its extant building stock, landscaping and sub-surface archaeological potential that reflects 19th century rural land use, aspects of the First War Army Camp at Claremont, evidence of former rail access to the Cadbury factory, private/public partnerships to provide a school for factory worker' families and locals alike at what was demonstrably the gateway to the Cadbury Industrial estate.

Attributes: The partnership between the Company and the State was ongoing. In 1923 Cadbury gave 1 ¾ acres of Company property enabling construction of the main red brick Inter-War Period school building completed in 1924 with additions in 1938.[1] In the 1940s Cadbury gave an additional 2 acres, 2 roods and 6 perches of adjacent open space, wrapping around, and to the north and east of the school buildings complex, for sporting and recreational purposes. The balance of the land between the school and Cadbury Road was transferred by Cadbury to the Crown in 1973. This constitutes the broader setting of the school and includes Cadbury's landscaping, favouring Monterey Pines that was originally continuous along Cadbury Road from Claremont Railway Station, past the School to the Cadbury Estate and Factory (Figure 5).

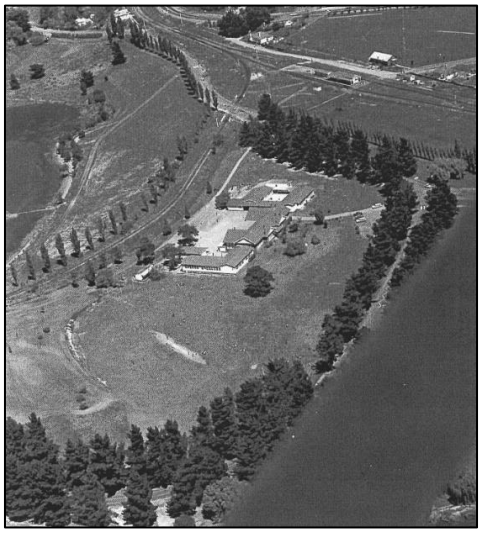


Figure 5 – Mid 20th century view of the subject site showing the Monterey pines flanking Cadbury Road as it curves past the School (Source: GCC File)

[1] Tasmanian Heritage Register Data Sheet - Place ID No: 11600, p 4/6.

Cadbury's intent to create a treed estate encompassing the site of the Claremont Primary School is clearly reflected in the Company's 1923 design sketch (Figure 6) and demonstrated by the extent to which plantings had been implemented by 1946 (Figure 7).

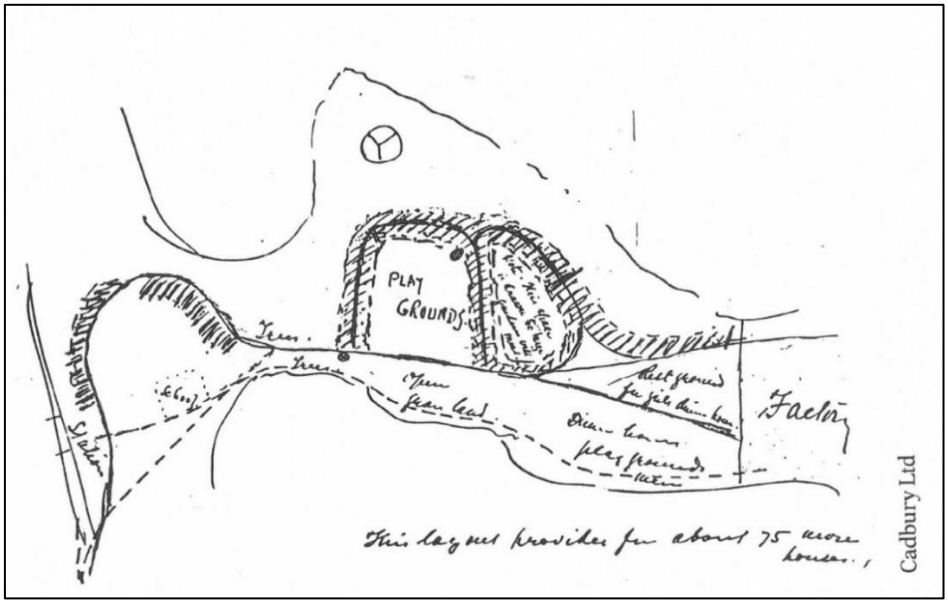


Figure 6 – 1923 'plan to work by' showing the plan for trees around Cadbury Road and the school site at left of sketch (Source: Freestone, R. 1989. *Model Communities – The Garden Village Movement in Australia*. Thomas Nelson, Melbourne, p. 153)

Figure 7 – The School at the gateway to the Cadbury estate and the broader treed landscape that remains discernible in the present and extends to what is now the locally heritage-listed former Cadbury (Mondelez) Factory (Source: Aerial Photograph in GCC collection: 1946_Run3_19849)

The Monterey pines (*Pinus radiata*) pictured in Figures 5 and 7, survive, in part, on the site today (see also Figure 2b). They are considered significant at the local level

for their demonstration of garden city movement principles, as tangible surviving evidence of the gateway to the Cadbury's Claremont estate, and as important elements in the setting of the Claremont Primary School. In the broader context, *Pinus radiata* (along with *Cupressus macrocarpa*) were favoured plantings, particularly during the early – mid 20th century period, as boundary markers and windbreaks in the Tasmanian landscape.[2] To this end, Tassell (1988) considers they are important as part of a composite variety of exotic species that impart an English character to the Tasmanian landscape.[3]

The historical archaeological potential of the former 19th century 'Abbotsfield' farmstead and 'Ashburton' house complex completes what is an unusual array of attributes spread across the site. See also criterion (c), following, for description of the historic cultural heritage significance of 'Abbotsfield' and 'Ashburton'.

(c) the place has the potential to yield information that will contribute to an understanding of Tasmania's history (at the local level)

Subsurface features and artefact bearing deposits associated with the former 'Abbotsfield' and 'Ashburton' house complex have the potential to yield information that will contribute to an understanding of the lifeways of Glenorchy's 19th century rural inhabitants and the First World War army camp at Claremont.

The 'Abbotsfield' farmstead (pre-1824 – possibly 1835) represents the first phase of land alienation that extended northwards from the original New Town settlement.

Together with 'Ashburton' (possibly 1835 – 1920), they potentially offer rare insight to 19th century rural estates that characterised Glenorchy prior to its transformation to an industrial hub that provided the catalyst for sustained suburban development from the early-mid 20th century. [4]

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2 Tassell, C.B., 1988. *Tasmanian rural cultural landscapes: a study*. Queen Victoria Museum, Launceston & Australian Heritage Commission, Canberra, p. 47.

3 Tassell, C.B., 1988, pp. 33 and 85.

4 Municipality of Glenorchy, 1964. *Glenorchy 1864 -1964. Review of a Century of Progress*. Glenorchy Historical Society, 2014. 150th Anniversary Municipality of Glenorchy 1864-2014.

Figure 8 – 'Ashburton' farm complex in 1910 (Source: Crop from panoramic view of site as it appeared in the *Tasmanian Mail*, July 28, 1910, p19 – Photographic inserts p2 available here: https://stors.tas.gov.au/rd/tasmail/1271234)

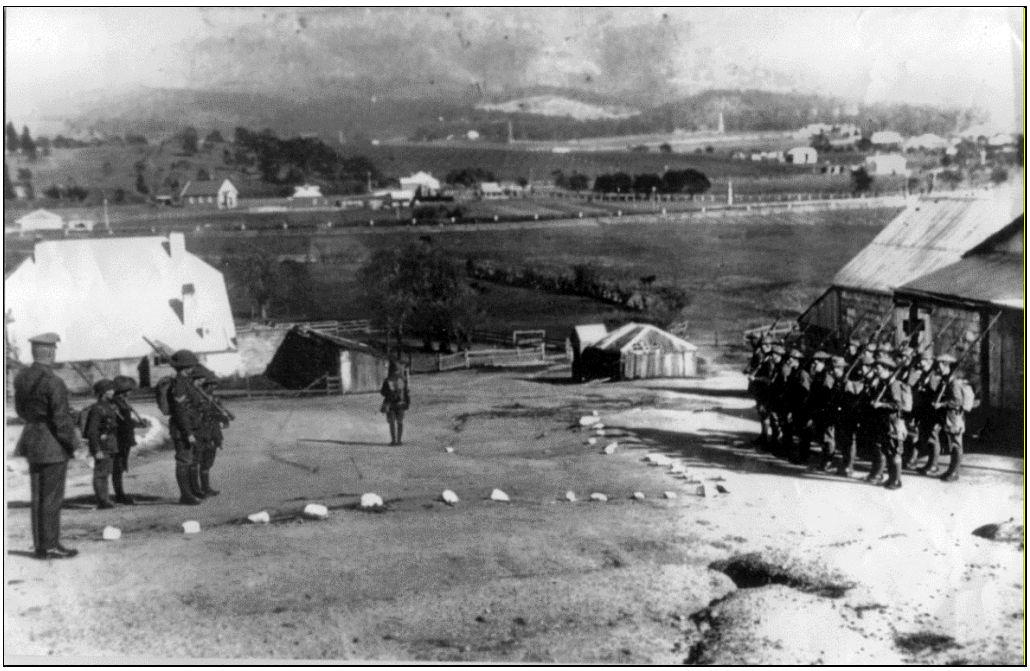


Figure 9 – Troops in training assembled within the nucleus of the complex at 'Ashburton' some time during the period 1914-18. The Red Cross symbol on the outbuilding suggests the site was actively occupied by the Army, potentially as the entry point to the Camp proper that was located on Triffitt's Point. Note also the substantial nature of the main house and the barn-like outbuilding, and the timber vernacular structures, including a slab structure with hipped shingle or paling roof at centre-right. (Source: Colin Dennison collection)

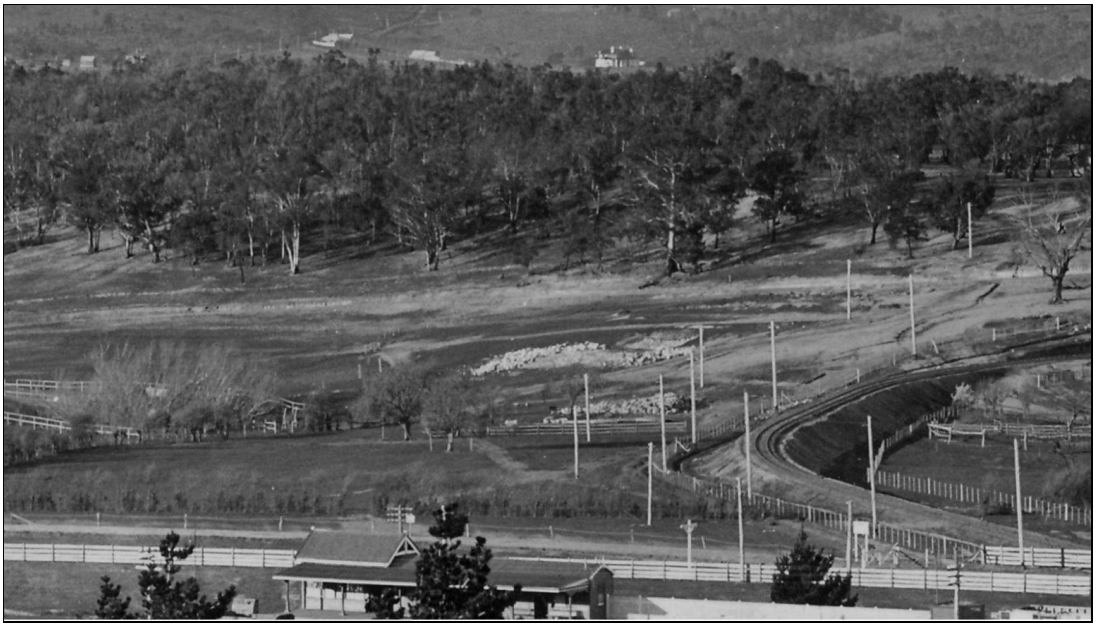


Figure 10 - Enlargement from a panoramic view circa 1920 showing the neck of land leading to Triffitt's (now Dogshear) Point corresponding to the Cadbury rail spur, and which was to become the site of the Claremont Primary School. The levelled (and now archaeological) remnants of 'Ashburton' on the low hillside are clearly visible, just to the right of the centre in the photograph. (Source: Crop and enlargement of a photograph presented to GCC by Mrs M Smith)

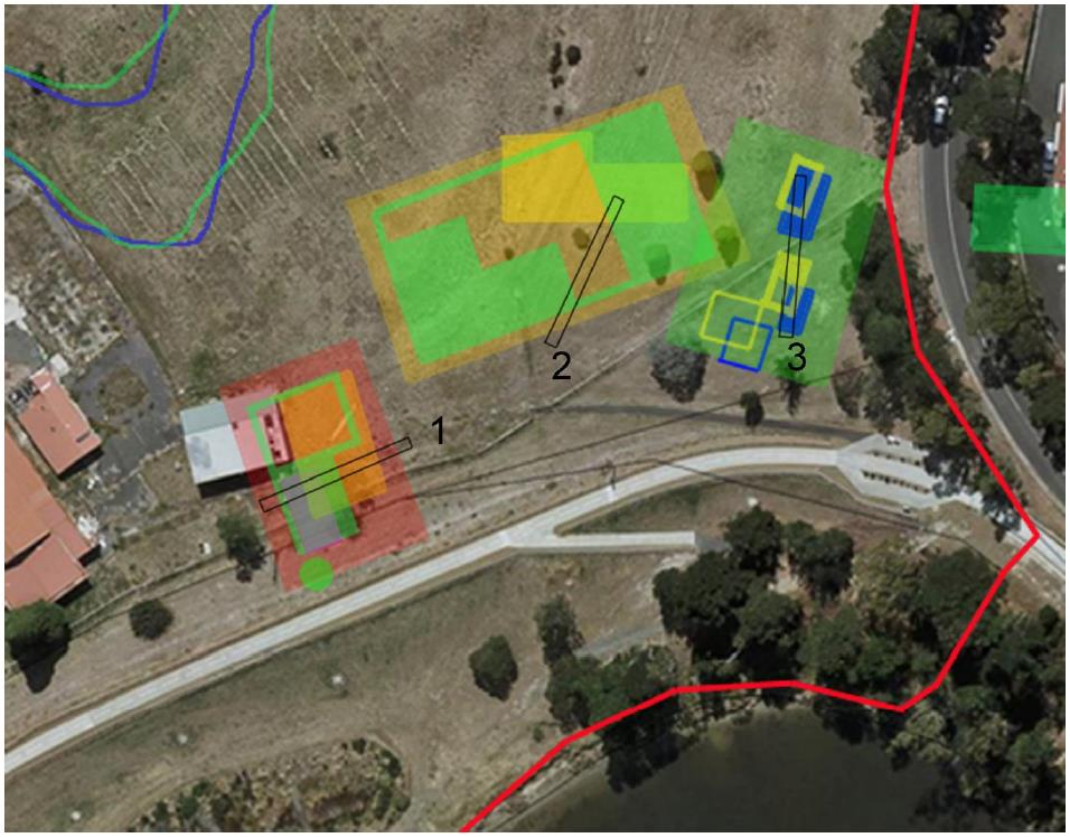


Figure 11– Composite plan (all sources) showing prospective archaeological site locations and part of the lagoon at top left. (Source: Extract from Praxis Environment report, p 78 submitted as part of Application documentation).

Predicted survival of potential archaeological deposits

The prospect of survival of any physical evidence of the 'Abbotsfield'/'Ashburton' complexes that remained following the demolition of the latter in 1920 is likely to be reasonably high. Apart from discrete impacts caused by trenching for services and the importation of fill in the area corresponding to the former lagoon, there appears to have been no widespread development or disturbance post-demolition of 'Ashburton' in 1920.

Significance of its archaeological profile**:**

Where the potential is proven, the opportunity exists for the site to yield original information on aspects as diverse as:

- floristic composition, the character of the site environment and changes in land use,
- mid-19th century lifeways pertinent to the rural character of Glenorchy,
- the layout and function of buildings and spaces,
- class, gender, tastes, living conditions, health of the occupants,
- coincidence between the 'Abbotsfield' and 'Ashburton' phases of occupation,
- changes in intra-site status over time and/or comparison between the material culture of counterpart sites that have been archaeologically investigated in Tasmania,
- evidence attributable to known occupants (eg, prominent local farmers, the Rust family),
- the brief military phase of occupation noting that, aside from potential remnants of the trenches that survived earthworks and landscaping for the Claremont golf course at Triffitt's (now Dogshear) Point, evidence of this theme associated with 'Ashburton' will constitute the only tangible physical evidence of a structure associated with the Camp to date.

(d) the place is important in demonstrating the principal characteristics of a class of place in Tasmania's history (at the local level).

The 1924/1936'1941 (main) Claremont Primary School building is a fine example of a modest Inter War educational building, significant for its setting, form and detailing.

Although boarded up, neglected and damaged through vandalism the principal characteristics of this period and class of school building survive and remain evident in the simple massing of the building, gabled roof form (including gabled wings and finials to the front façade), gable vent and broad expanses of vertically proportioned multi-paned windows.

While the building is unarguably in a dilapidated, 'down-at-heel' state its historic cultural heritage significance at the local level is essentially undiminished (and certainly recoverable where damage has been done). It is clearly discernible in all respects as the pre-eminent extant heritage structure in the former school buildings complex and is a distinctive and significant element in the Cadbury Road streetscape.

(f) the place has a strong or special association with a particular community or cultural group for social or spiritual reasons (at the local level).

Claremont Primary School carries strong meaning for the local community being the principal primary educational facility in Claremont for over 85 years.

The site contains a cluster of single-storey brick and weatherboard buildings that reflect the growth and development of the school over the period 1923 – 2010.

In the period since the Place was entered in Heritage Schedule 5a of the *GPS 1992* (and subsequently in Table E13.1 of the *GIPS*), the surviving physical integrity of the school complex has suffered through a combination of vandalism and neglect. The eastern wing of the 1924, 1938, 1941 school building has been damaged (but not catastrophically) by fire and selected surrounding buildings have been compulsorily demolished by statutory order for structural and safety reasons.

(g) the place has a special association with the life or works of a person, or group of persons, of importance in Tasmania's history (at the local level).

The Claremont Primary School site has a special, sustained and demonstrated association with Cadbury.

One of the key planks of Cadbury's approach to business was the provision of facilities for their employees. The provision of school facilities at Claremont was a key objective discussed at the Cadbury Fry Pascall, Board of Directors meeting on 21 April 1922.[5] The outcome of those deliberations resulted in Cadbury offering land for the purposes of establishing a school which was duly constructed on the subject site in a position accessible to the residents of the Estate and Claremont village. Further offers of land by Cadbury in the 1940s and again in 1973 gave rise to the broader extent of the school site encompassing the school oval and environs. Clearly, in documentation and evidently (in the consistent approach to landscaping, demonstrated by the Monterey pines) the Place was considered part of the Estate.

5 Glenorchy History Group information in GCC files.

6.0 SCOPE OF PLANNING PERMIT APPLICATION

The Application is for the staged redevelopment of the entire site for;

(i) low and medium rise housing in a variety of forms

(ii) a childcare centre

(iii) gymnasium

(iv) 'shop top' housing

(v) on site carparking, most concealed beneath buildings and accessed from three points of entry.

(vi) retention, reconstruction, restoration and adaptation of the former Claremont Primary School main building for use as a public hall with function/exhibition centre and administration space.

7.0 TERMS OF REFERENCE FOR THIS ASSESSMENT

The Application is assessed here against the heritage provisions of the *Glenorchy Interim Planning Scheme 2015* (GIPS 2015)*,* specifically:

Historic Heritage Code E13.0 (Clauses E13.7 Development Standards for Heritage Places, E13.7.1 Demolition, E13.7.2 Buildings and Works other than Demolition) noting in particular that the Heritage Code does not apply to development within the area listed on the Tasmanian Heritage Register. Refer to s1.2 of this referral for definition of the area listed in the Tasmanian Heritage Register and that is excepted (excluded) from assessment under the provisions of the local Historic Heritage Code as a consequence of Clause E13.2.1.

Please note that whilst the above exception (exclusion) applies in relation to the local Historic Heritage Code provisions, it does not apply in relation to use because Use determinations are the sole province of the planning scheme (and do not figure in the Tasmanian Heritage Council's determination of the Application) .

Special Provisions in Part C, Clause 9.5 relate to Change of Use of a Heritage Place enabling the planning authority to consider an Application for a change of use that would otherwise be regarded as prohibited in the Zone, as discretionary. This clause is triggered by the proposal in this Application to use the former Claremont Primary School main building as a public hall, function/exhibition centre and administration (offices) (a Use that would otherwise be prohibited, were the school not heritage listed).

8.0 REPRESENTATIONS IN RELATION TO HERITAGE

<u>8.1 Summary of matters raised in representations</u>

Matters raised in representations referring to heritage included:

(i) Observations that the proposed development is incompatible in bulk and scale ("dwarfs") the old school building to the extent that the latter appears out of place, negating any point in retaining it as a heritage listed building.

(ii) Queries as to the adequacy of visitor carparking when there is a function or exhibition at the refurbished primary school building.

(iii) Concerns about the impact of earthworks on the health and retention of the pine trees and the adequacy of the tree protection plan (arborists report) citing the coincidence between earthworks involving cutting and the location of three existing trees.

(iv) Expression of the imperative to preserve the trees, noting the contribution they make to the avenue that extends to the Cadbury industrial estate.

(v) The apparent coincidence between the corner of a proposed building and the canopy of a Cadbury era *Pinus radiata* tree.

8.2 Response to representations (corresponding to the numbered summary in section 8.1, above)

(i) Fundamentally, retention of the main 1924, 1938, 1941 school building, repaired, reconstructed and sympathetically re-purposed for use as a public hall, visible from Cadbury Road, represents an overwhelmingly positive heritage outcome.

In considering the scale of the proposed development upon the school building it is important to note the limitations in Council's jurisdiction arising from the exception that exists as a result of Clause E13.2.1 of the Historic Heritage Code (explained in section 7.0, above).

The following comments are made with regard to the urban design of the development:

- The proposed demolition of non-significant structures that intrude upon the view of the school represents an improvement upon the current situation. As a result, the front of the old school building will be entirely visible from Cadbury Road for the first time in decades.

- Appropriate setbacks have been applied to proposed new buildings adjacent to the heritage item with due consideration given to height, scale and style avoiding mimicry and assigning the old school building primacy as the centrepiece of the development. General planning conditions relating to the texture and hue of finishes are likely to provide some further relief and softening of building forms.

(ii) The adequacy of visitor carparking is considered in general planning under E6.0 Parking and Access code.

(iii), (iv) (v) The significance of the Cadbury-era pine trees is highlighted in this referral, and in the Conservation Management Plan submitted by the proponent. Conditions relating to the trees have been recommended so as to be clear on the extent of tree removal approved as part of any Permit issued by the planning authority and to ensure that there are sufficient control measures in place to provide protection.

9.0 SUMMARY ASSESSMENT AGAINST GIPS 2015 PART C SPECIAL PROVISIONS (9.5)

9.5.1: An application for a use of a Heritage Place listed in the Historic Heritage Code or a place on the Tasmanian Heritage Register that would otherwise be prohibited is discretionary.	
9.5.2: The planning authority may approve such an application if it would facilitate the restoration, conservation and future maintenance of the historic cultural heritage significance of the place.	
9.5.3: In determining an application the planning authority must have regard to:	
Standards	Assessing Officer Comments
(a) a statement of significance, as defined in the Historic Heritage Code;	A statement of significance is defined in Clause E13.3 of the Historic Heritage Code "means a report from a suitably qualified person setting out the historic cultural heritage significance of the place". Clause E13.3 of the Historic Heritage Code in the GIPS ties the definition of historic cultural heritage significance to the *Historic Cultural Heritage Act 1995*. According to Part 1, Section 3 of the Act, "historic cultural heritage significance", of a place, means its significance in terms of the registration criteria. The registration criteria are those listed in Part 4 section 16(2) of the Act. They are as follows: (a) the place is important to the course or pattern of Tasmania's history;

	(b) the place possesses uncommon or rare aspects of Tasmania's history; (c) the place has the potential to yield information that will contribute to an understanding of Tasmania's history; (d) the place is important in demonstrating the principal characteristics of a class of place in Tasmania's history; (e) the place is important in demonstrating a high degree of creative or technical achievement; (f) the place has a strong or special association with a particular community or cultural group for social or spiritual reasons; (g) the place has a special association with the life or works of a person, or group of persons, of importance in Tasmania's history; (h) the place is important in exhibiting particular aesthetic characteristics. For articulation of State historic cultural heritage values refer to the attached Tasmanian Heritage Register Data Sheet included in the Attachments. For local historic cultural heritage values refer to the statement in section 5 of this referral prepared by Council's Heritage Officer [BA (UNE), Grad Dip. Arch. Heritage (UNE), Grad Cert Planning (Deakin) M.ICOMOS] being a 'suitably qualified person' with several decades of active and continuous professional public and private sector experience in the Tasmanian heritage sector.

	In summary the statements of significance identify the main 1924,1938,1941 school building as the principle extant built heritage item of significance on both architectural and social grounds.
(b) a heritage impact statement and a conservation plan, as defined in the Historic Heritage Code, written with regard to the proposed use;	A Conservation Management Plan (CMP) has been prepared by John Wadsley Planning and Heritage Consultancy (refer to section 4.1 of this referral for reference). The CMP is comprehensive and aligns with the standard for Conservation Plans defined in the Historic Heritage Code. Part 7 of the document has been written specifically with regard to the proposed use of the main school building as a public hall with a range of meeting and exhibition spaces. In doing so it provides an assessment of the heritage impact of development as the physical manifestation of the proposed use. The following represent key positive attributes of the proposal: - Use of the former main 1924, 1938, 1941 school building for public purposes. - Retention of the main 1924, 1938, 1941 school building as the centrepiece of the development, visible from Cadbury Road. - Recovery of original façade details and fenestration through a combination of repair and reconstruction with no new external openings or changes in roof form. - Sympathetic adaptation with new amenities appropriately separated from the historic building and otherwise

	situated to the rear of the building so as not to intrude on key views of the building from Cadbury road. - Retention of internal wall divisions ensuring former classroom layouts remain legible. - Repair and preservation of internal, high, pressed metal ceilings (with discrete concessions in the interests of energy efficiency that do not intrude upon external views of the building).
(c) the degree to which the restoration, conservation and future maintenance of the historic cultural heritage significance of the place is dependent upon the commencement of the proposed use;	Commencement of the proposed use as a component of the development represents the only driver for recovery and re-use of the main 1924, 1938, 1941 school building on the horizon. Under the circumstances, it is not unreasonable to forecast that, without investment of the significant resources needed to create a viable use for the building, the pattern of vandalism and neglect that has prevailed in recent years will only continue, to a point where this familiar and significant landmark in Claremont will inevitably be lost to the community.
(d) the extent to which the proposal provides for the active use or re-use of any heritage fabric;	The repair and recovery in preparation for active use of the main 1924, 1938, 1941 school building as a public hall is proposed as part of the earliest stage of development (Stage 1A).
(e) the degree to which the restoration, conservation and future maintenance of the heritage significance of the place is dependent upon the establishment of the proposed use;	The conservation and future upkeep of the main 1924, 1938, 1941 school building is wholly dependent upon establishment of the proposed use.

(e) the likely impact of the proposed use on the residential amenity of the area if within a residential area	Refer to Planning Officer's report for response to this element of the standard.

10. SUMMARY ASSESSMENT AGAINST APPLICABLE GIPS 2015 DEVELOPMENT STANDARDS FOR HERITAGE PLACES (E.13.7)

E13.7.1 – Demolition Objective - To ensure that demolition in whole or part of a heritage place does not result in the loss of historic cultural heritage values unless there are exceptional circumstances.	
P1: Demolition must not result in the loss of significant fabric, form, items, outbuildings or landscape elements that contribute to the historic cultural heritage significance of the place unless all of the following are satisfied;	
Performance Criteria	Assessing Officer Comments
(a) there are, environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place; *(b) there are no prudent and feasible alternatives;* *(c) important structural or façade elements that can feasibly be retained and reused in a new structure, are to be retained;* *(d) significant fabric is documented before demolition.*	<u>Demolition of balance of former school buildings within the area subject to the local Historic Heritage Code</u>: Demolition of all former school buildings, with the exception of the main 1924, 1938, 1941 school building, is proposed on the grounds that they have been significantly and adversely impacted by vandalism and neglect, and are unrecoverable as a consequence of that. This assessment finds that whilst the main 1924, 1938, 1941 school building is the pre-eminent extant built heritage element, the balance of school buildings proposed to be demolished are of no particular architectural importance but will have a degree of social significance attached to them arising from their former educational use. Whilst it is neither prudent nor feasible to retain any of the buildings proposed for demolition *in-situ*, a condition is recommended to ensure that an

	illustrated photographic record is created for archival purposes. This is consistent with the Conservation Management Plan (CMP) prepared by John Wadsley Planning and Heritage Consultancy (p52) submitted by the Applicant which states that: "Prior to demolition of the remainder of the school complex, a full recording of all extant features must be carried out including photographs and a plan of the structure". It is further noted in the CMP that a collection of images was taken prior to extensive damage occurring and that could form the basis for an extant record. Securing a record of the site in this manner would also potentially assist in interpretation of the school in any publicly accessible display. <u>Removal of 2 x Cadbury era *Pinus radiata* trees in the area subject to the local Historic Heritage Code</u>: In total three Cadbury-era pine trees are proposed to be removed to make way for the development. Two of these trees ET19 and ET20 are located within the extent of the Heritage Place subject to the Historic Heritage Code. Whilst the loss of two trees represents an adverse heritage impact, the net benefit of the development in relation to overall heritage values and the imperative to construct safe access points from the development on to Cadbury Road at this location renders it acceptable, noting that the arborist's report has identified that ET19 is already suffering from decay and has the shortest landscape life in the group. A condition is recommended to ensure that the extent

	of tree removal approved in any Permit issued by the planning authority is unambiguous and limited to two trees (see also the comments in relation to protection of trees in the officer assessment under E13.7.2).
P2: Demolition must not result in the loss of significant archaeological evidence associated with the Heritage Place unless all of the following are satisfied:	
(*a) there are, environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place;* *(b) there are no prudent and feasible alternatives;* *(c) the archaeological potential is understood and impacts to archaeological evidence are managed in accordance with an archaeological method statement.*	<u>Archaeological potential - 'Abbotsfield' and 'Ashburton' farm complexes</u>. Significant archaeological potential associated with the 'Abbotsfield' and 'Ashburton' farm complexes (pre-c1824 – 1920) has been identified in part of the area corresponding to the proposed development. The Applicant has submitted a Statement of Archaeological Potential, Archaeological Impact Statement and Archaeological Method Statement that is detailed and proposes a comprehensive and controlled program of archaeological investigations to be undertaken ahead of construction and that when complete will have 'cleared' the site ready for development. This assessment accepts that development of the part of the site corresponding to the area/s of archaeological potential is a key factor in ensuring the viability of the overall proposal (and the substantial heritage benefits it will generate). While archaeological excavation is destructive, it is also highly controlled to the extent that the methods employed in salvaging information from sub-surface contexts are focussed on the use of specialised techniques to enable

	fine-grained information gathering in response to specific research questions, recovery and analysis of artefacts, and interpretation of findings. In this instance, given the opportunity that exist to effectively 'realise' the potential in archaeological contexts, the proposal to comprehensively investigate the 'Abbotsfield', 'Ashburton' sites through controlled archaeological investigation is considered of greater value to the community than reservation of the correspond land *in situ.* Conditions are recommended to ensure that the archaeological investigations are appropriate in scope, responsive to the results of testing, comprehensive, completed early to avoid any critical path complications and reported in a timeframe that will maximise opportunities for interpretation thereby delivering a community benefit from the work.

E13.7.2 – Building and Works other than Demolition. Objective - To ensure that development at a heritage place is: (a) undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance; and (b) designed to be subservient to the historic cultural heritage values of the place and responsive to its dominant characteristics.	
Performance Criteria	Assessing Officer Comments
P1: Development must not result in any of the following:	
(a) loss of historic cultural heritage significance to the place through	Development adjacent the main 1923, 1938, 1941 former Claremont Primary

incompatible design, including in height, scale, bulk, form, fenestration, siting, materials, colours and finishes; *(b) substantial diminution of the historic cultural heritage significance of the place through loss of significant streetscape elements including plants, trees, fences, walls, paths, outbuildings and other items that contribute to the significance of the place.*	<u>School building:</u> In considering the scale of the proposed development upon the school building it is important to note the limitations in Council's jurisdiction arising from the exception that exists as a result of Clause E13.2.1 of the Historic Heritage Code (explained in section 7.0 of this referral). Notwithstanding this, and as set out in the response to representations in section 8.2 of this referral: - The proposed demolition of non-significant structures that intrude upon the view of the school represents an improvement upon the current situation. As a result, the front of the old school building will be entirely visible from Cadbury Road for the first time in decades. - Appropriate setbacks have been applied to proposed new buildings adjacent to the heritage item with due consideration given to height, scale and style avoiding mimicry and assigning the old school building primacy as the centrepiece of the development. General planning conditions relating to the texture and hue of finishes will likely provide some further relief and softening of building forms. <u>Establishment of two overbridge connections to the former Cadbury Branch Line rail formation</u>: The proposed connections are set apart, orientated at right angles, and will not impact upon the legibility of the formation in the landscape (noting that

	it has already been adapted for shared use as a pedestrian and bike path). Cadbury era *Pinus radiata* trees in the area subject to the local Historic Heritage Code: Two Cadbury-era pine trees (one of which is suffering from decay) are proposed to be removed to make way for a vehicular access to the development from Cadbury Road. This will reduce the numbers of trees but could not be said to substantially diminish the historic cultural heritage significance of the place since the surviving extent of the former avenue will remain legible in the landscape. Conditions are recommended to ensure that: - Control measures in the form of Tree Protection Zones are clearly specified and delineated by fencing and signage for the duration of construction. - Professional advice is sought if, at any stage, incursion into the established Tree Protection Zones is seen as necessary, and prior to any incursion taking place. - Removal of any of the surviving Cadbury era pine trees identified by a qualified arborist as having reached the end of their landscape life or in response to identified risks to public safety or property, constitutes the trigger for planting of a *Pinus mugo* (Mountain pine), a horticultural form suitable for planting in proximity to buildings (and being the preferred species of two suggested by the Applicant's arborist as suitable for the

	purpose, based on climate change considerations and potential to disperse as a weed). The objective of this condition is to perpetuate the pine tree lined margins of Cadbury Road through introduction of succession plantings as and when appropriate, it being the case that trees eventually grow old and die, or suffer failure in response to a variety of factors. Advice is also recommended to be included in any Permit issued by the planning authority to encourage the planting of pines in any gaps in the existing tree line where such opportunities exist.
P2: Development must be designed to be subservient and complementary to the place through characteristics including:	
(a) scale and bulk, materials, built form and fenestration; *(b) setback from frontage;* *(c) siting with respect to buildings, structures and listed elements;* *(d) using less dominant materials and colours.*	<u>Development adjacent the main 1923, 1938, 1941 former Claremont Primary School building:</u> See comment in relation to P1, above.
P3: Materials, built form and fenestration must respond to the dominant heritage characteristics of the place, but any new fabric should be readily identifiable as such.	
	This element of the standard is outside the planning authority's terms of reference due to the exception that exists in Clause E13.2.1 of the Historic Heritage Code (explained in section 7.0 of this referral).
P4: Extensions to existing buildings must not detract from the historic cultural heritage significance of the place.	

	This element of the standard is outside the planning authority's terms of reference due to the exception that exists in Clause E13.2.1 of the Historic Heritage Code (explained in section 7.0 of this referral).
P5: New front fences and gates must be sympathetic in design, (including height, form, scale and materials), to the style, period and characteristics of the building to which they belong.	
Acceptable solution A5: New front fences and gates must accord with original design, based on photographic, archaeological or other historical evidence.	This element of the standard is outside the planning authority's terms of reference due to the exception that exists in Clause E13.2.1 of the Historic Heritage Code (explained in section 7.0 of this referral).
P6: The archaeological potential is understood and impacts to archaeological evidence are managed in accordance with an archaeological method statement.	
	<u>Archaeological potential - 'Abbotsfield' and 'Ashburton' farm complexes:</u> The Applicant has submitted a Statement of Archaeological Potential, Archaeological Impact Statement and Archaeological Method Statement that is detailed and proposes a comprehensive and controlled program of archaeological investigations to be undertaken ahead of construction and that when complete will have 'cleared' the site ready for development. Conditions are recommended to ensure that the archaeological investigations are appropriate in scope, responsive to the results of testing, comprehensive, completed early to avoid any critical path complications and reported in a timeframe that will maximise opportunities for interpretation thereby delivering a community benefit from the work.

E13.7.3 – Subdivision. Objective - To ensure that subdivision of part of a heritage place maintains cohesion between the elements that collectively contribute to an understanding of historic cultural heritage values, and protects those elements from future incompatible development.	
P1: A proposed plan of subdivision must show that historic cultural heritage significance is adequately protected by complying with all of the following:	
Performance Criteria	Assessing Officer Comments
(a) ensuring that sufficient curtilage and contributory heritage items (such as outbuildings or significant plantings) are retained as part of any title containing heritage values; *(b) ensuring a sympathetic pattern of subdivision;* *(c) providing a lot size, pattern and configuration with building areas or other development controls that will prevent unsympathetic development on lots adjoining any titles containing heritage values, if required.* *(d) designing the layout of the proposed subdivision so as to include archaeological evidence within sufficient curtilage established for heritage values on the one allotment in any subdivided title to ensure historic cultural heritage significance and associations are maintained in cohesion.*	Criterion P1 (a) – (d) has been applied and found not to be pertinent to this Application because the proposal does not involve subdivision.

11.0 SUMMARY GCC HERITAGE ASSESSMENT AND RECOMMENDATION:

11.1 Summary:

Three key propositions in relation to heritage present themselves for the consideration of the planning authority in the determination of this Application for development of 36 Cadbury Road:

1. Demolition of all former Claremont Primary School structures with the notable exception of the 1923, 1938, 1941 main school building that is proposed to be repaired, reconstructed and re-purposed for use as a public hall, function/exhibition centre and administration (offices).

2. Retention of the majority of the Cadbury era *Pinus radiata* trees that line the margins of Cadbury Road (and that continue with minor gaps to the Cadbury Industrial Estate).

3. Archaeological investigation of two 19th century farm complexes that have the potential to yield rare insights to Glenorchy's early environmental and rural character along with aspects of the Claremont Army Camp.

All propositions have been assessed either as satisfying or as capable of satisfying, through imposition of conditions, the requirements of the heritage provisions of the *Glenorchy Interim Planning Scheme 2015*.

11.2 Recommendation

The recommendation, therefore, is for approval of the Application with conditions aimed at:

(a) Achieving optimal outcomes for the community by emphasising key aspects of the Application in ensuring that:

- the repair, reconstruction and use of the main school building is prioritised in the first stage of development.
- information derived from extant recording of school buildings along with the results of historical research and archaeological excavations is interpreted and conveyed to the community for information and educational purposes in a timely manner.

(b) Clear control measures are put in place to achieve certainty in the protection of the Cadbury era *Pinus radiata* trees to be retained, and to perpetuate this landscape element through succession plantings.

Development Engineer

The development application seeks an approval for an old school redevelopment. The application proposes to develop, in stages, 315 residential dwellings, a childcare centre for 30 children, café with 50 seats, commercial tenancies and shops over 378 sqm. floor area and retention of the existing school building as a function centre as shown in the following figures.

The figure above shows the entire development with the descriptions for the buildings and works in a broad site plan view. The works are proposed to be constructed in stages as follow.

- Stage 1A – works include demolitions and refurbishment of the Community facilities Building C.
- Stage 1B – works involve the apartment and local shop - buildings A, B, C, D and E on western edge of the site. The works also include new vehicle crossing, on-street parking area for 7 car spaces northern of the proposed access and 2 on-street parking spaces locating on the southern side of the proposed access and associated stormwater works.
- Stage 2 – works consist of townhouses F, G, H, I on the southern perimeter, gym (Building J), a childcare centre (Building K) and apartments identified as Buildings L, M and N located at the southern end and the centre of the subject site.
- Stage 3 – proposes apartment building O, P, Q and townhouses R, S and U located at the north eastern of the subject site.

The proposal includes service upgrades on Council land for works such as stormwater diversion over the foreshore reserve, upgrading the existing stormwater over 55 Cadbury Road and Cadbury reserve, new pedestrian bridge connecting with the bike track and upgrades within the Cadbury Road reserve. There are 426 on-site car parking spaces which are to be primarily concealed under the proposed buildings, 23 motorcycle parking spaces, roadworks on road reservation to create six (6) indented on-street parking spaces along the Northern boundary and nine (9) indented on-street parking spaces along the western boundary, the pedestrian path along the Cadbury Road, new accesses via Cadbury Road, new traffic median islands and converting Metro bus stops into indented bus bay to 18m long bus (14.5m long bus currently).

There are Engineering references documents submitted as part of the development application as following:

a. Traffic impact assessment (TIA) by Midson Traffic dated September 2020

b. Civil drawings Windermere Bay Development 19E19-3 C0.01 to C0.31 – Rev C dated 26 October 2020 by Aldenmark.

c. Flood Impact Report by pitt&sherry dated 04 September 2020

d. Planning Report by All Urban Planning dated 4 September 2020

e. Engineering report by Aldenmark Pty. Ltd. Dated 4 September 2020

E5.0 Road and Railway Assets Code

The development is considered satisfy the Code requirements.

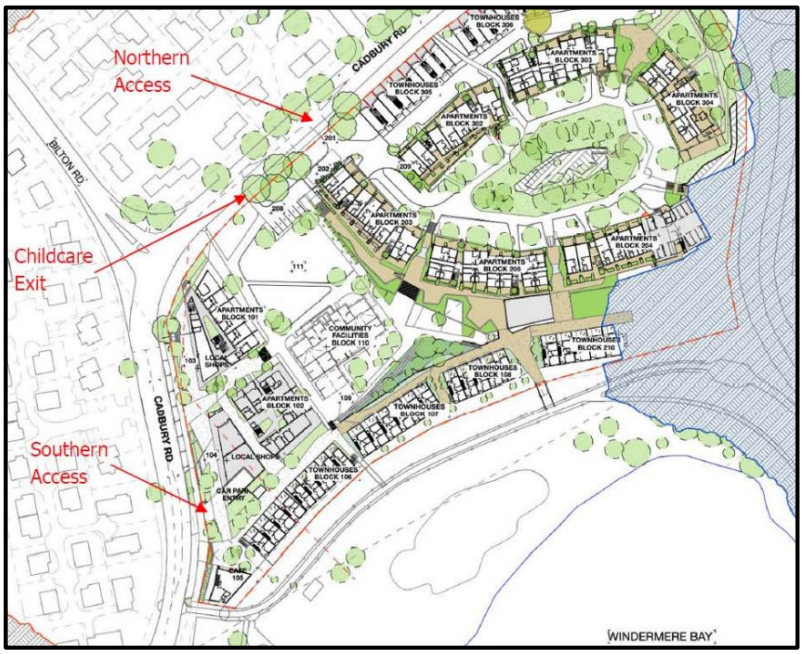
The Traffic Impact Assessment (TIA) by Midson Traffic dated September 2020 is submitted as part of the application to address traffic generations and parking issues.

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

The proposed development is expected to increase vehicle movements, to and from the site; and according to the TIA traffic generation is expected to be around 1,514 vehicle movements per day and therefore the development application is unable to comply with the Acceptable solution A3 of E5.5.1. The TIA addressed the Performance criteria and traffic impact on the road network caused by the development. The TIA considers that due to the nature and category of the road, the nature of traffic and the efficiency of access, the development application satisfies the Performance Criteria.

Council's transport engineer advises that in general the collector roads can carry from 3,000 up to 10,000 vehicles per day; and the traffic data suggested that there has been significant decreasing in traffic since the closure of the Claremont Primary School and changes in operation to the Cadbury factory including the cessation of the factory tour. The data on Cadbury collected in April 2012 was approximately 2,300 vehicles per day which was decreasing from the data collected in March 2005 of 4,250 vehicles per day. It is therefore noted that prior to the closure of the school and the Cadbury factory tours, the surrounding road network carried similar volumes of traffic to what the proposed development is expected to generate. Therefore, it is considered the findings and conclusion in the TIA are able to satisfy the Performance Criteria, P1, E5.5.1.

The development proposes to have three vehicle crossings via Cadbury Road at the locations as notated in the figure below.



Therefore, the proposal is unable to comply with the acceptable solution and hence triggered an assessment against Performance Criteria, P2 under clause E5.6.2. It is

considered that the locations of the proposed vehicle accesses are suitable for the proposed uses and safe for all road users including pedestrians. The two main driveways to the site are with sufficient widths and located at the locations to best cater for the entire complex. The minor driveway access to the site is to access the childcare centre.

The TIA assessed the lines of sights at the driveways accesses and concluded that all new driveway accesses have adequate sight distance which exceed the requirements under the scheme and hence the application is able to comply with the acceptable solution for sight distance, E5.6.4.

E6.0 Parking and Access Code

The development is considered satisfy the Code requirements.

Under the planning scheme, the total of 628 car parking spaces for residential dwellings, 25 car parking spaces for café, 13 car parking spaces for commercial (shops), 8 car parking spaces for childcare centre and 33 car parking spaces for a function centre are required to comply with the acceptable solution, A1 E6.6.1. A total of 426 car parking spaces is proposed; hence the application is unable to meet with the acceptable solution and the assessment to satisfy the performance criteria is triggered. The TIA therefore addressed the performance criteria in section 5.3, considering the empirical parking demand for the development with shared parking reduction to range between 407 to 467 vehicles per day depending on the size of the event/function. The TIA also states that a Council car park is located opposite the roundabout at the end of Box Hill Road, on-street parking spaces can service the needs of the various components of the site when required. Considerations also go to the availability and frequency of public transport along the boundary of the subject site, as there are bus stops along the Cadbury Road which are able to service the development. Metro is also aware of the development and they are able to consider the supply and frequency to suit the demand. The TIA also states that the site is well positioned to facilitate bicycle transport being located close to proximity to the InterCity Cycleway and also close to Claremont Shopping Centre; therefore riding and/or walking trips are likely to be high for modes of transport. Council's Transport Engineer has reviewed the TIA and agrees that it is accepted that there is adequate parking for the development and the performance criteria under E6.6.1 is met.

The accessible parking spaces are required for the entire development; the TIA assesses that under the BCA for the proposed uses the total of two (2) accessible car parking spaces is required. The developer proposes to comply with the requirement providing two accessible parking spaces located under the building N. This complies with the acceptable solution under E6.6.2.

Under the planning scheme code E6.6.3, twenty-one (21) motorcycle parking spaces are required to comply with the acceptable solution. The development proposes to

provide twenty-three (23) motorcycle parking spaces incorporated with the parking areas located at various locations; and the provision for parking spaces comply with the requirement under section 2.4.7, AS2890.1. Therefore, the acceptable solution is met.

TIA states that the requirement under the scheme requires the total of 18 bicycle spaces to be provided for the development to comply with the acceptable solution. The proposal complies with the requirement and this will be conditioned in the permit.

There are three access points proposed to service the development therefore the acceptable solution, A1, E6.7.1 has not met; however the access points matter has been addressed in the TIA and under Code E5.0 satisfying the performance criteria in that the access points are safe and be positioned to suit the use, minimise loss of on-street parking and not compromising traffic safety. The design of vehicular access, the passing bay area, the on-site turning area and the layout of parking areas provided have been reviewed and it is confirmed that they can comply with the acceptable solutions; these will be part of the engineering drawing and will be conditioned to be complied with in the Permit. Similar to the surface treatment, lighting and landscaping for parking areas; they are deemed to comply and will be conditioned in the Permit.

Facilities for commercial vehicles clause has been addressed by the TIA as compling with the acceptable solution as the development proposes an on-street indented loading zone and the manoeuvring paths are provided to satisfactory.

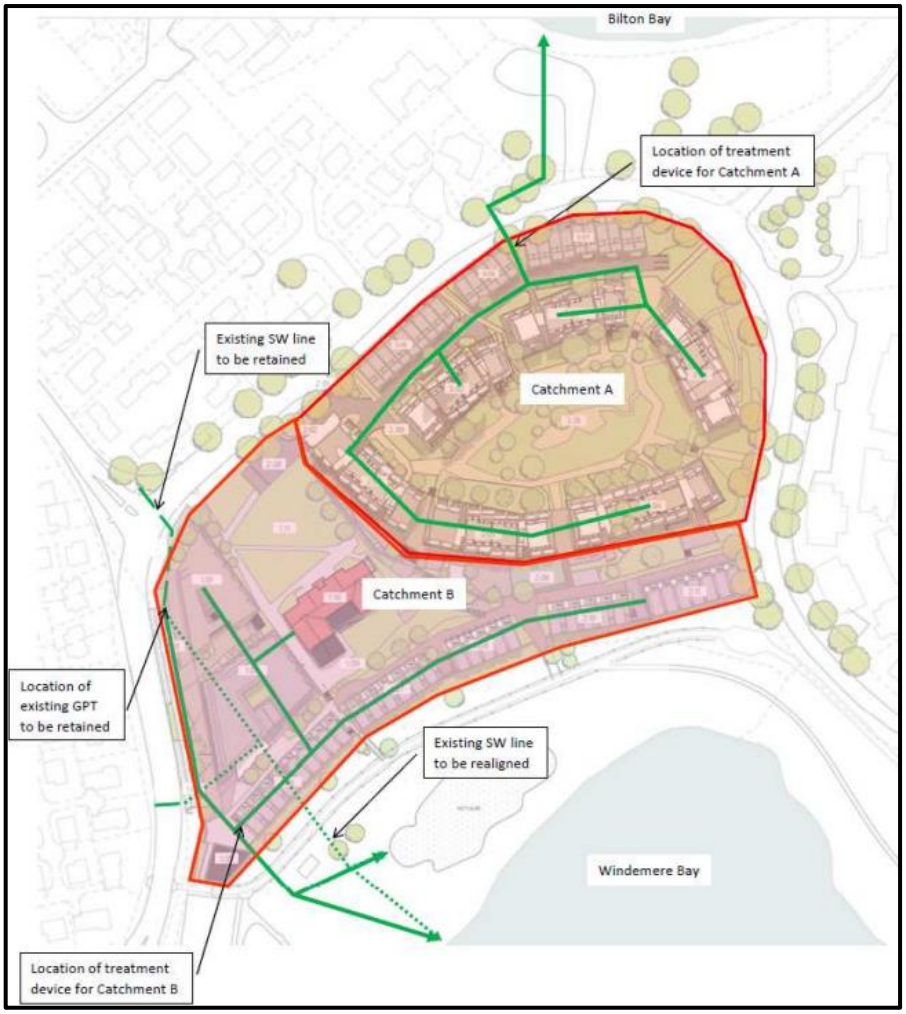
The TIA also addresses the impact to the road network, the new bus parking bay and the on-street parking provision. The proposal satisfies Council Engineers and there is no objection to the development on parking grounds. Therefore, it is considered the proposed application satisfies the requirements under the parking code.

E7.0 Stormwater Management Code

The development is considered satisfy the Code requirements.

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

The engineering report states that there are two existing stormwater networks servicing the site; one on the western side discharges to the Windemere Bay serving the existing school building and another located on the norther side of the site servicing Cadbury Road and grassed area of the school ground discharges into the Bilton Bay. It is therefore proposed the development be split into two catchments with two stormwater networks and catchments as seen in the figure below.



There are two stormwater outfalls proposed to be upgraded, one to Bilton Bay to the north and one to Windermere Bay to the South. The majority of the runoff from the impervious area including underground car parks will be discharged by gravity, however there will be a basement pump station for the south western underground car park. Therefore, this application is unable to comply with the acceptable solution, A1 and the assessment to satisfy the performance criteria, P1 is triggered. The pump proposed must be designed, maintained and managed to minimise risk of failure to the satisfaction of Council engineers. A risk management plan is required, and the proposed pump will be conditioned to meet the plumbing requirements. Therefore, it is considered the proposal satisfies the performance criteria.

The stormwater treatment elements are required to meet the quality and quantity targets as set out in the table E7.1 in the Scheme. The treatment element includes an existing Gross Pollutant Trap (GPT) – Humegard HG22L – is located opposite property at 23B Cadbury Road and at the end of treatment line, there is an existing bioretention basin to treat low-flow/first flush before discharging into Windemere Bay. Another stormwater network located on the northern side is proposed as the treatment train for each of the outlets as follows:

1 x SPEL Ecoceptor (1500 Series) – Primary Treatment.

1 x SPEL Hydrosystem (SHS.1000/3) – Tertiary Treatment.

A Stormwater Management Plan proposes to comply with the acceptable solution and the MUSIC results achieve the target set out is as see in the figure below.

Table 7.6: Treatment Train Effectiveness

Pollutant	Inflows (kg/yr)	Outflows (kg/yr)	Reduction Achieved (%)	Reduction Target (%)
Flow (ML/yr)	5.47	5.47	**0**	0
Total Suspended Solids	1110	165	**85.1**	80
Total Phosphorus	2.27	0.641	**71.8**	45
Total Nitrogen	15.7	8.26	**47.5**	45
Gross Pollutants	188	3.23	**98.3**	70

Therefore, the development application complies with the acceptable solution, A2.

The minor stormwater drainage system is considered satisfactory given the proximity the Derwent River and that the stormwater detention will not be required. Therefore, A3 is also met.

The Flood Impact report addresses the flood issue and the major stormwater drainage system demonstrating the pre and post development peak depths, hazard and Afflux. Council's senior engineer has reviewed the report and is satisfied that the proposed development site with all flow through the site will not adversely affect adjacent properties. The proposed building floor levels are proposed to be above the 1% AEP flood level with 300mm freeboard. Therefore, A4 is met.

Other

E15.0 Inundation Prone Areas Code

Part of the site is within Inundation prone areas therefore the code is applicable. The plans submitted indicate that all new habitable buildings have a floor level at least 300 mm above the 1% AEP storm event. Therefore, A1 is met.

Transport Engineer

Introduction

The developer proposes to construct 315 residential apartments, a childcare centre for 30 children, a café with 50 seats, commercial tenancies totally 378m^2 and a function centre with a capacity for 180 people in the old school building. There are 426 on-site car parking spaces proposed.

The assessment below is based on the Traffic Impact Assessment (TIA) undertaken by Midson Traffic Pty Ltd dated September 2020, along with a TIA response letter by Midson Traffic Pty Ltd dated 27 August 2020, response by Circa Morris-Nunn Architects dated 27 October 2020 regarding impact of footpath on trees and Civil Engineering Plan 19E19-3C showing driveways, on-street parking and pedestrian/cycling connections within Cadbury Road.

The traffic and parking generated by the development means that the following performance criteria under the Glenorchy Interim Planning Scheme needs to be addressed being clauses E5.5.1 P3 existing road access and junctions, E5.6.2 P2 road accesses and junctions and E6.6.1 P1 number of car parking spaces.

Representations

The main traffic and parking concerns raised by representations are summarised below and addressed in the report being:

1. Increase in traffic on Cadbury Road adjacent to children's park, shopping centre, older residents and will diminish amenity of area

2. How the road network is intended to cope with increase in traffic and congestion, including access at existing driveways and local streets

3. State of Cadbury Road and footpath which is currently under constant repair and will not cope with increase in traffic and pedestrians

4. Large trucks on Cadbury Road due to vehicles accessing site, parking, lack of sight lines around bend coupled with hill

5. There is not enough parking both for customers and residents, so they will park on-street or within Council's car park

6. Currently hard to find parks at Claremont Village as already full most of the time and people park in playground car park to access Claremont Village

7. Emergency services ability to get in and out of the development in an emergency

8. Construction traffic and parking concerns including suburb's infrastructure will not cope with increase in traffic during construction

Road Network

Cadbury Road is a minor collector road which function is to distribute traffic from the main arterial roads such as Main Road and the Brooker Highway, to the local residential streets or businesses in the area. Collector roads generally carry between 3,000 to 10,000 vehicles per day.

Traffic data on Cadbury Road outside the development shows that in April 2012 there was approximately 2,300 vehicles per day and in March 2005 there was approximately 4,250 vehicles per day. The decrease in traffic is likely due to the closure of the Claremont Primary School and changes in operation to the Cadbury site including public tours no longer being offered.

Cadbury Road extends along the foreshore from Main Road to the Cadbury estate. Cadbury Road connects onto Box Hill Road at a roundabout just to the south of the

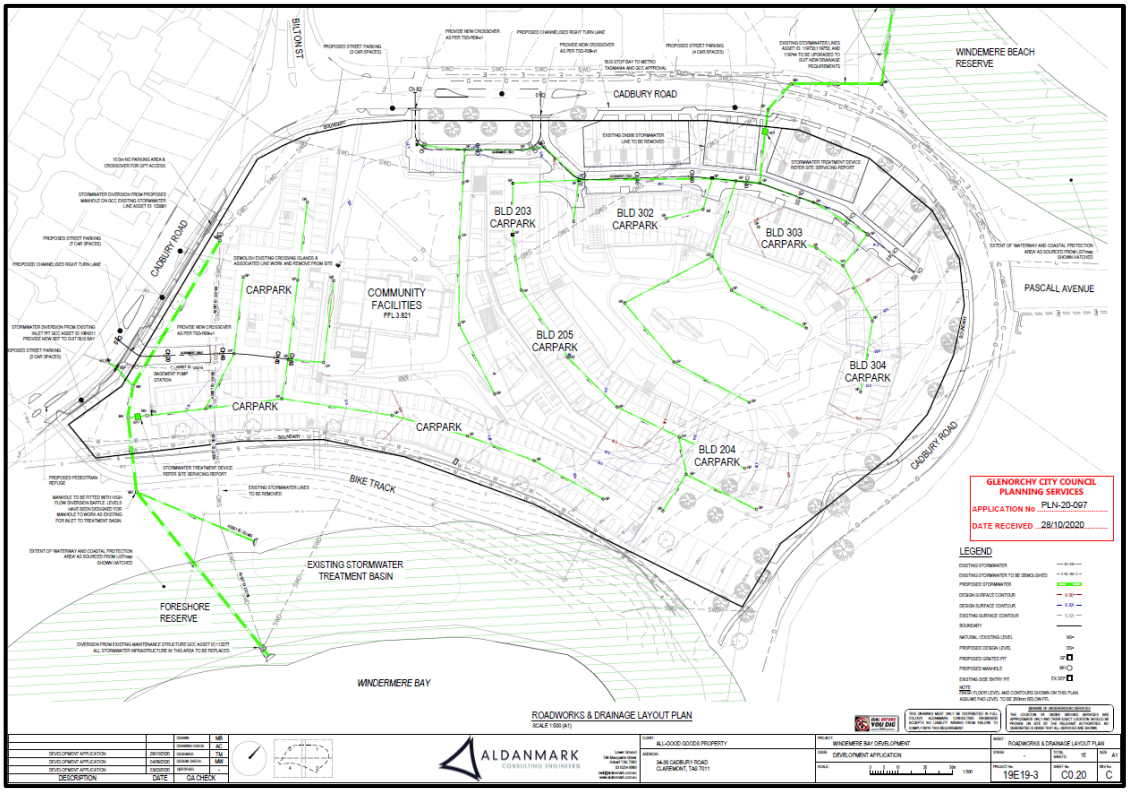
development site which then leads onto the traffic lights at the intersection of Box Hill Road and Main Road.

Bilton Street is a local residential street opposite the development site that connects between Main Road and Cadbury Road. There are also two minor roads that provide access to properties off Cadbury Road to the east of Bilton Street and driveway accesses off Cadbury Road opposite the development site to residential care facilities and residential living.

Crash Data for the last 5 years was assessed in the TIA for Cadbury Road between Box Hill Road and Pascall Avenue which is to the north-east of the site. The data showed that there have been two crashes in the last five years, one being first aid due to a rear end crash in 2017 and a property damage 'cross traffic' crash in 2018. This crash history does not provide an indication of pre-existing road safety deficiencies in the road network.

Proposed Road Changes and Driveway Accesses

The developer is proposing to undertake substantial works within Cadbury Road outside the development site to enable access to driveways, on-street parking, and pedestrian/cycling connections as shown in the imagine below.



Proposed Works on Cadbury Road - Plan 19E19-3C

The development is proposing two main driveways to the site and one minor one to the childcare centre. The main driveways are to the north of the roundabout with Box

Hill Road and to the east of Bilton Street. Both main driveways have a dedicated turn lane on Cadbury Road with median islands either side of the turn lanes to delineate them. The driveway to the childcare centre is exit only and is between Bilton Street and the eastern driveway. The existing driveway access to the old school will be removed along with the old school crossing.

The TIA assessed sight lines at the driveways and concluded that all new driveway accesses have adequate sight distance and exceed that required under the Glenorchy Interim Planning Scheme of 80m in both directions under the acceptable solution of Code E5.6.4.

The proposed works within the road reservation include seven indented on-street parking spaces outside the commercial tenancies to the north of Box Hill Road along with a loading zone which after business hours becomes two car parking spaces. There is also the possibility of up to four indented on-street parking spaces on the development side to the north-east of the site. There is currently no on-street parking along Cadbury Road.

The TIA details that service vehicles will not be required to enter the basement car park and garbage collection will occur by a centralised facility within the site. Service vehicles will be able to use the on-street indented loading zone near the commercial tenancies.

Access to site by emergency services is unable to be assessed as it does not form part of the Glenorchy Interim Planning Scheme. However, each business and residential complex will be required to have a fire evacuation plan and the fire service along with emergency services will no doubt determine the most appropriate means to access each site.

The two Metro bus stops on the development site will be consolidated into one indented bus bay to the north east of the site, being to the east of Bilton Street. This bus stop will need to cater for 18m long buses however only a 14.5m bus has currently been catered for. There are two bus stops on the opposite side of Cadbury Road to the development which can likely be consolidated too. Metro have and will continue to be consulted with the bus stop changes.

There is a pedestrian and cyclist road crossing linking the shared use path along Windemere Bay to the intercity cycleway on Cadbury Road, just to the north of the roundabout with Box Hill Road. The developer is proposing to place a median island at this crossing to assist pedestrians and cyclists cross over Cadbury Road.

A pedestrian footpath is proposed on Cadbury Road alongside the frontage of the development from the start of the shared use path near Box Hill Road to the eastern side of the shared use path alongside Windermere Bay. Currently there is no footpath on the development side of Cadbury Road to the east of Bilton Street. The footpath will be sealed from Box Hill Road to 43 Cadbury Road which is to the north east of the

site just prior to Windermere Beach Reserve. From 43 Cadbury Road the path will be a landscape footpath where required so as not to damage the existing pine trees. Most of the footpath will be within the road reservation but where required will be within the development site to avoid impact on the trees.

Conditions on the planning permit are proposed to cover the detailed design of the works within the road reservation, including street lighting assessment due to the new infrastructure being installed and further consultation with affected parties such as Metro. The detailed design will also ensure that large trucks such as B Doubles are designed for along Cadbury Road to ensure a safe environment for all.

The developer is proposing to undertake works on Cadbury Road outsider the development site, as above. The remaining maintenance of the infrastructure in the area is outside the planning scheme and is Council's responsibility.

Traffic Generation

The traffic generated by the development was determined in the TIA to be about 1,514 vehicles per day which includes 198 vehicles to the function centre at maximum capacity. The morning peak hour is estimated to be 167 vehicles per hour and the afternoon peak being 243 vehicles per hour. A breakdown of the traffic generated is shown in the table below.

Table 1 - Traffic Generation

Component	Daily Traffic	Morning Peak Hour	Afternoon Peak Hour
Residential	1,142	125	89
Cafe	81	8	8
Commercial	38	8	8
Child Care	55	24	21
Function Centre	198	2	117
TOTAL	1,514	167	243

The traffic numbers in the TIA were based on the Roads and Maritime Services Road (RMS) Traffic Authority NSW Guide to Traffic Generation Development or by first principals for the function centre as detailed below and are accepted.

Traffic generated by the development during construction is unable to be assessed under the Glenorchy Interim Planning Scheme, however a condition is suggested to be placed on the permit for parking during construction to be within the site where possible. Traffic generated by the construction should be able to be safety assess the site as Cadbury Road has been designed for large vehicles and likely to be less than the actual development.

RESIDENTIAL

The traffic numbers for the residential dwellings was based RMS guide. The development consists of 315 apartments / townhouses in which the TIA response details that the development is classed as high density dwellings for regional centre as *"The RMS Guide defines 'high density' as follows: "A high density residential flat building refers to a building containing 20 or more dwellings. This does not include aged or disabled persons' housing. High density residential flat buildings are usually more than five levels, have basement level car parking and are located in close proximity to public transport services. The building may contain a component of commercial use". In this case, the development consists of significantly more than 20 dwellings, has basement level car parking, is located in close proximity to public transport services, and contains a component of commercial use. On this basis the traffic generation referenced in the TIA is considered appropriate."*

Based on the RMS Guide for high density dwellings there is a rate of 1.93 trips per day per bedroom, a peak of 0.21 trips per bedroom per hour in the morning and 0.15 trips per bedroom per hour ion the afternoon. The trip generation is summarised below:

Table 2 – Residential Traffic Generation

Bedrooms	Quantity	Daily Traffic (vpd)	AM Peak (vph)	PM Peak (vph)
1 Bedroom	81	156	17	12
2 Bedroom	192	741	81	58
3 Bedroom	41	237	26	18
4 Bedroom	1	8	1	1
TOTAL	315	1,142	125	89

CAFÉ, COMMERCIAL TENANCIES AND CHILD CARE CENTRE

The traffic generated by these facilities was based on the RMS Guide with a 20% discount rate applied to the café to account for shared use such as residents using the café.

FUNCTION CENTRE

The function centre can cater for up to 180 people. The traffic generated from this component was based on first principals of 180 guests in which it was assumed in the TIA that 70% will arrive by car in which there is an average occupancy of 2 people per car, 20% of arrivals will be taxi/uber/drop off and 10% will arrive as a pedestrian from the nearby area. The total traffic generated for an event of 180 guests is 198 vehicles movements (in and out) noting cars dropping off will not park on site and therefore arrive and leave twice.

IMPACT ON NETWORK

The TIA undertook an analysis of the driveway accesses performances which showed that the they all operated at a level of service with either ideal flow conditions or good operation with acceptable delays and spare capacity. Based on the TIA it is accepted that the proposed driveway accesses are safe and will not unreasonably impact on the efficiency of the road, thus the performance criteria for code E5.6.2 P2 Road Access and Junctions is met.

Regarding road safety impacts the TIA notes the following that *"No significant adverse road safety impacts are foreseen for the proposed development. This is based on the following:*

- *There is sufficient spare capacity in the surrounding road network to absorb the traffic generated from the proposed development (noting that SIDRA Intersection analysis indicates that the access junctions will operate at a relatively high level of service).*
- *The existing road safety performance of the transport network near the subject site does not indicate that there are any specific road safety deficiencies that might be exaggerated by traffic generated by the proposed development.*
- *The accesses are located in a commercial and residential area and therefore vehicle movements into and out of the site will not be seen as 'unusual' for motorists on Cadbury Road.*
- *There is adequate sight distance from the access for the prevailing vehicle speeds on Cadbury Road in accordance with Planning Scheme requirements."*

Assessment of existing road junctions was not undertaken in the TIA as the application of the relevant code E5 applies to a development that will require a new vehicle crossing or junction and that intensifies the use of an existing driveway access. The development is not proposing a new junction. The TIA response did detail that for the junctions of Cadbury Road with Main Road, Box Hill Road and Bilton Street that "*The actual distribution of traffic in the surrounding network will vary by time of day (ie. will consist of different proportions of inward and outward movements, and different origin destination patterns). The peak generation of the development is estimated to be 167 and 246 vehicles per hour during the morning and afternoon peak periods respectively. Once this peak traffic is distributed in the surrounding network it diminishes to levels that can be absorbed at the various intersections noted by Council above. It is unlikely that any of these intersections are nearing capacity and therefore the additional traffic generated by the development will not cause any significant adverse impacts."*

It is noted that prior to the closure of the school and the Cadbury factory tours, Cadbury Road and the surrounding road network carried similar volumes of traffic to

what is expected with the development. The increase in traffic from the development is therefore not considered to have a significate impact on the road network.

As stated in the TIA the assessment of the driveway accesses is only assessed under code E, in which the performance criteria for E5.5.1 P3 Existing Road Access and Junction is met.

Parking Supply

The development is proposing 426 on-site car parking spaces. The planning scheme requires a total of 707 spaces, thus a shortfall of 281. The parking numbers were based on the RMS Guide, first principals and shared parking (i.e. patrons visit more than one destination within the area whist only using one parking space). The parking numbers are summarised below in the table.

Table 3 - Parking Spaces

Component	Empirical Parking Demand	Shared Parking Reduction	Planning Scheme
Residential	344	344	628
Cafe	25	20	25
Commercial	10	8	13
Child Care	8	8	8
Function Centre	Large events – 80 Small events - 20	20	33
TOTAL	467 – large event 407 – small event	400	707

The proposed parking required was determined in the TIA to be 400 spaces with shared parking. Without shared parking there is between 467 parks for large events and 407 parks for small events, thus a shortfall of 41 car parking spaces for a large even. The TIA also notes that the peaks for one component of the development will likely differ to the peaks for other components.

There are two accessible parking spaces proposed for the site to cater for the non-residential components of the development which is in accordance with BDA requirements and thus meets the acceptable solution the Interim Glenorchy Planning Scheme Clause E6.6.2. Accessible parking spaces are not required for residential developments.

There are 23 motorcycle spaces proposed which is above the 21 required to meet the acceptable solution of the Glenorchy Planning Scheme Clause E6.6.3. The motorcycle parking is additional parking to the 426 on-site car parking spaces proposed.

The development proposes 18 bicycle spaces for the non-residential component of the development which meets the acceptable solution of the Glenorchy Planning Scheme Clause E6.6.4. Bicycle parking is not required for the residential component of the development.

RESIDENTIAL

The parking spaces required for the residential dwellings was based on the RMS Guide for high density dwellings for regional centres (details in traffic section regarding use of high density). Based on the RMS Guide for high density dwellings the following rates and parking spaces apply.

Table 4 – Residential Parking

Bedrooms	Quantity	RM Guide	Total Spaces
1 Bedroom	81	0.6 spaces per unit	49
2 Bedroom	192	0.9 spaces per unit	173
3 Bedroom	41	1.4 spaces per unit	58
4 Bedroom	1	1.4 spaces per unit	1
Visitor	315	1 space per 5 units	63
TOTAL	315		344

CAFÉ, COMMERCIAL TENANCIES AND CHILD CARE CENTRE

The parking spaces required for these facilities was based on the RMS Guide with a 20% discount rate applied to the café to account for shared use and a 25% discount rate applied to the commercial tenancies to account for shared use.

FUNCTION CENTRE

Based on the traffic generation assumptions, it is assumed in the TIA that about 80 parks might be required for a function of 180 people where 70% will arrive by car in which there is an average occupancy of 2 people per car and some parks for drop off and pick up. Small functions of say 50 people, may require about 20 parks.

The TIA details that modern function centres do not rely on the provision of excessive parking but a combination of drop off provisions, bus transport, public transport, and nearby accommodation. It is suggested in the TIA that the use of an event traffic management plan specific to an event such as organising a coach, can reduce parking

demand. It is also noted in the TIA that peaks for each land use are unlikely to coincide for each component of the development.

IMPACT ON NETWORK

A total of 426 on-site parking spaces are proposed. The 315 residential apartments will have 344 parking spaces of which 63 are for visitors. The café, commercial tenancies and childcare centre have a total of 36 parks which rely on shared parking principals. The function centre will have 20 car parking spaces in which 80 may be required for large events.

The developer is undertaking works on Cadbury Road outside the frontage of the development in which an extra seven to nine indented parking spaces will be provided fronting the commercial tenancies and possible up to four to the north east of the development.

The main parking impact will likely come from the residential apartments if the residents have more vehicles than they are allocated and possible from the function centre when large events are on. When large events are on, it is suggested in the TIA that the event organiser can cater for this by such things as using a coach service and that there is car parking available in the Council owned car park to the south of the site opposite Box Hill Road that was previously used by the school that can cater for approximately 80 car parking spaces.

The TIA response mentioned that site observations over many months have indicated that the parking demands for this car park are very low. The car park was never observed with more than 10 cars parked during site investigations associated with the development.

Any overflow of car parking from the residential apartments could possibly also use this car park. If parking is required for access to the playground or other facilities, then Council could install time limited parking in the car park to ensure turnover of parking for all users. The time limited parking could be used by those wishing to use the playground, shared use path or shops in the area including the Claremont Village when this car park is full.

Parking in the surrounding streets may become an issue where again, time limited parking could be installed to provide turnover of parking. The current parking controls in the surrounding street network are shown below excluding Cadbury Road which currently has no on street parking.

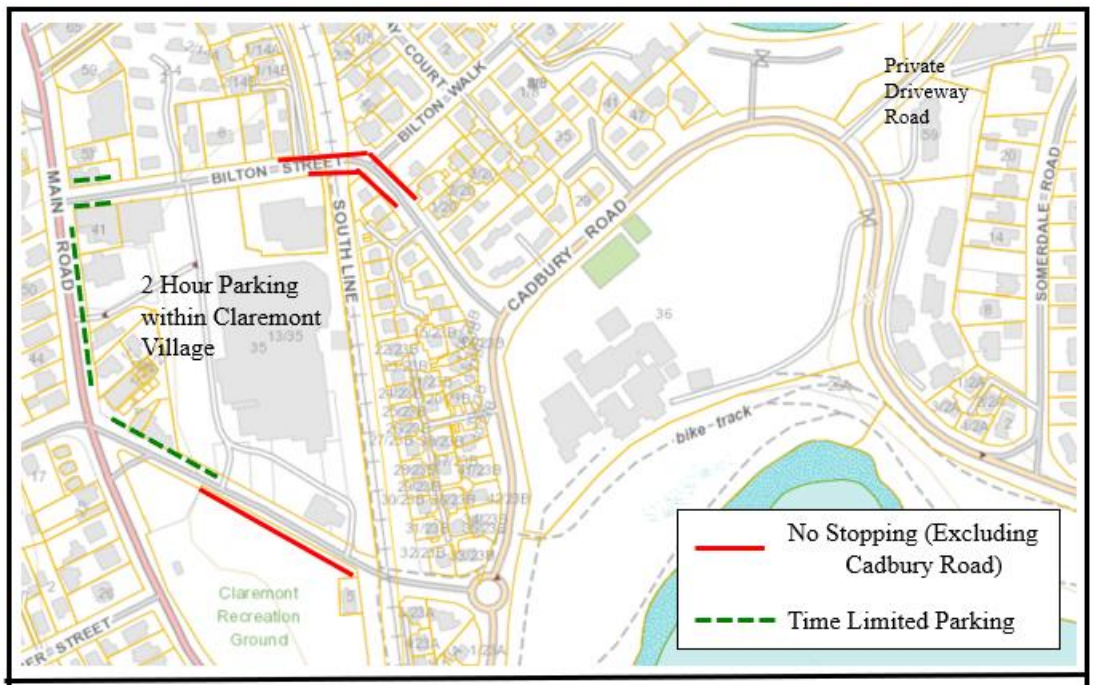


Figure 1 - Currently Parking Controls

On-street parking and Council owned car parks can be used in the Glenorchy Interim Planning Scheme under the performance criteria of Clause E6.6.1, to determine the number of car parking spaces required onsite having regard to availability of on-street and public car parking in the locality.

It should be noted though that any car parking shortfall provided on-street or in other Council car parks, is not guaranteed in perpetuity or for the exclusive use by this development. This parking can be used by any public member and maybe removed in the future due to other requirements. Private car parks are for private use.

The TIA concludes that the actual parking demand for the site will be 400 parking spaces in which the developer is proposing 426 on-site car parking spaces. There is also a large Council car park adjacent to the site that can be used if there is overflow parking such as for events, along with current bus services that operates along Cadbury Road and Main Road and good access to the Intercity Cycleway.

Based on the TIA, it is accepted that there is adequate parking for the development and the performance criteria for E6.6.1 is met. It is also hoped that the development will encourage people to walk, cycle or catch public transport due to the good connections to the Intercity Cycleway and bus services.

CONCLUSION

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

the permit the standard damage to Council infrastructure condition, and standard parking on-site during construction activities condition along with other recommended conditions.

Hydraulic Engineer

E7.7.1 Stormwater Drainage and Disposal

A1/P1

There are two stormwater outfalls proposed, one to Bilton Bay to the north and one to Windermere Bay to the South.

The majority of the impervious area including underground car parks discharge by gravity, however there will be a basement pump station for the south western underground car park. Therefore this application relies on the performance criteria P1.

A2/P2

There is an existing stormwater network on the western side of the site that discharges into Windemere Bay servicing the existing school buildings. An existing Gross Pollutant Trap (GPT) – Humegard HG22L – is located opposite property 23B Cadbury Road. At the end of treatment line, there is an existing bioretention basin as to treat low-flow/first flush before discharging into Windemere Bay.

Another existing stormwater network is located on the northern side of the site servicing Cadbury Road and the grassed area of the school ground that discharges into Bilton Bay.

It is proposed that the development will be split into two catchments and serviced with two stormwater networks, as follows:

· Catchment A (2.11ha) – connects to existing northern stormwater network, discharges into Bilton Bay;

· Catchment B (1.57ha) – connects to existing western stormwater network, discharges into Windemere Bay.

The proposed treatment train for each of the outlets consists of the below:

· 1 x SPEL Ecoceptor (1500 Series) – Primary Treatment;

· 1 x SPEL Hydrosystem (SHS.1000/3) – Tertiary Treatment.

A Stormwater Management Plan, including MUSIC analysis model is provided in Appendix C of the Engineering Report showing compliance with Table E7.1 Acceptable Stormwater Quality and Quantity Targets. Therefore, A2 is met.

A3

Given the proximity the Derwent River it has been determined that stormwater detention will not be required.

Assessment undertaken has determined that the 5% AEP peak discharge and required pipe size for the end of line outfall pipes is:

- 900mm diameter pipe to convey 1.3m3/s for the 13.74-hectare catchment; and
- Twin 525mm diameter pipe to convey 0.65m3/s for the 8.82-hectare catchment.

The Council stormwater lines to be upgraded have been designed to accommodate a storm with an ARI of 20 years. Therefore, A3 is met.

A4

The Flood Impact Report shows both pre and post development peak depths, hazard and Afflux.

This assessment demonstrates that the 1% AEP overland flows with 2100 climate change and fully developed catchment are:

- Safely conveyed through the proposed development site with all flow through the site low hazard (ARR19 Hazard Categories)
- Will not adversely affect adjacent properties; and
- Proposed building floor levels are elevated above the 1% AEP flood level

Therefore, A4 is met.

E15.7.4 Riverine Inundation Hazard Areas

The earthworks and stormwater layout drawings demonstrate that all new habitable buildings have a floor level at least 300 mm above the 1% AEP storm event. Therefore, A1 is met. It is noted that this code does not apply, but if it did, the proposal would met the applicable acceptable solution.

E15.7.3 Coastal Inundation Low Hazard Areas

The earthworks and stormwater layout drawings demonstrate that all new habitable buildings have a minimum floor level no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1. Therefore, A1 is met. It is noted that this code does not apply, but if it did, the proposal would met the applicable acceptable solution.

Response to Representations:

The following representations associated with stormwater and flooding have been received and are addressed below:

a. The existing conservation area will undoubtedly suffer from stormwater effluent or discharge into the bay

Council response:

As required under A2 of the stormwater code, the development incorporates Water Sensitive Urban Design (WSUD) to treat pollutants from the surface runoff generated by the development. The proposed treatment devices have been designed to meet the quality and quantity targets in accordance with the State Stormwater Strategy 2010.

b. At the Entrance of the cul de sac for 47, 49, 51 Cadbury road, this area is prone to flooding on the road and on the schools oval. With houses in this area this water will be diverted to storm water drains which will put more pressure on the current infrastructure.

Council response:

A flood impact report has been prepared for the development which show the post development peak flood depths, increase in flood depth and hazards. The report demonstrates that the 1% AEP flood (ARI of 100 years) is safely conveyed through the site, hazard category is low hazard and will not adversely affect adjacent properties.

c. Parts of the site itself contain a very low water table which have been prone to flooding during bull tide events or extreme rainfall events which have occurred during the lifetime of the school raising concerns that parts of this site are unsuitable for this type of development.

Council response:

A flood impact report has been prepared for the development which show the post development peak flood depths, increase in flood depth and hazards. The report demonstrates that the 1% AEP flood (ARI of 100 years) is safely conveyed through the site, hazard category is low hazard and will not adversely affect adjacent properties.

The earthworks and stormwater layout drawings demonstrate that all new habitable buildings have a minimum floor level no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1.

d. It is noted that apartments are proposed to be built on the old sports ground opposite Bilton Bay. The water table in this location is already near the surface and with the predicated rise in sea level it is inevitable that this area will be flood.

Council response:

The earthworks and stormwater layout drawings demonstrate that all new habitable buildings have a minimum floor level no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1.

Conclusion

Council's Hydraulics Engineer has no objections with the proposal from a hydraulics perspective, provided the recommended conditions are met.

Environmental Health Officer

This application is for the redevelopment of 36 Cadbury Road Claremont. It is for residential units as well as non-residential tenancies. The site is zone Inner Residential.

A noise report was requested as part of the further information request sent to the applicant. The request included providing an acoustic report by a suitable qualified person to demonstrate the non-residential uses does not unreasonably impact residential amenity.

The applicant provided an Updated Planning Report dated 4 September 2020. Within the report it was stated:

> *The proposed activities will not involve significant noise emissions that would exceed these limits. The previous proposal for a market has been removed from this application and will be the subject of a further application.*
>
> *On the basis that the uses do not have characteristics that would generate significant noise emissions a Noise report is not considered necessary. It is recommended that a condition be imposed on the permit requiring that uses do not exceed the noise limits listed under A2.*

The non-residential hours of operation for this proposal are outside of the acceptable solution of the Scheme. The performance standard for the hours of operation state the hours of operation must not have an unreasonable impact upon the residential amenity, through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration, or extent. It is expected the extended hours will not have unreasonable impact with commercial vehicle movements and noise conditions for the non-residential uses on the site being recommended. The report dated 4 September states:

> *The proposed nonresidential uses are located at the periphery of this large site and around the school house. It is considered that the nature of the activities is likely to provide a net amenity benefit to the residential area without undue noise or other emissions.*

The proposed uses identified in this application are not considered to have an unreasonable impact are not considered unreasonable in their timing, duration, or extent.

Use	Hours
Medical suite	Monday to Friday 8am - 6pm Saturday 9am - 12pm Sunday & Public Hols 9:30am -12pm
Local shop (Grocer/butcher)	Monday to Friday 8am - 7.30pm Saturday Sunday 8am - 7pm
Community Hall and Exhibition Centre	Monday to Friday 8am – 9pm Saturday Sunday 8am - 11pm
Cafe	Monday to Friday 7am - 9pm Saturday 7am - 9pm
Childcare	Monday to Friday 8.30am – 5.30pm
*Hours of Operation table – page 8 - Updated Planning Report Windermere Bay Precinct 4/09/2020	

The applicant has stated compliance with the acceptable solution (A4 – section 11.3.1) of the Scheme in relation to commercial vehicle movements on the site. The report states *'commercial vehicle movements will comply with these hours. A condition to this effect should be included on the permit'* with reference to A4 – section 11.3.1.

It is therefore recommended the Acceptable Solution A2 (non-residential noise) and A4 (commercial vehicle movements) of section 11.3.1 of the Glenorchy Interim Planning Scheme 2015 be applied as a condition of the permit for the non-residential use.

It is recommended advice is added to the permit in relation to the fit-out of the food premises included within the application.

Initially the application included a proposed market, further information provided (04/09/2021) advised this aspect of the proposal has been pulled from the application.

Comments:

Representation:

Noise created as a result of residential habitation is not a consideration of the Scheme as this type of noise is inherent with a residential zone. However, where noise related issues do arise post development, Council has the capacity to investigate these matters under the *Environmental Management and Pollution Control Act 1994*.

Environmental Health considered noise related to the nominated non-residential development. While they are non-residential, their capacity for creating noise it not at a level that is likely to cause environmental harm and is expected to comply with the acceptable solution. Furthermore, commercial vehicle that will service the non-residential aspect of this development will comply with the applicable acceptable solution.

Waste Management Officer

The application was referred to Council's Waste Management Officer for consideration. An additional information response provided details on the waste collection as being a private contractor for both the commercial and residential uses on the site. Waste storage areas have been designed as part of the buildings and is to be collected from central points/areas within the site. No further planning assessment was required from Council's Waste Management Officer.

Property Officer

Property Officers are supportive of the proposed footbridges to connect from the development to the Council owned land at 26 Cadbury Road, Claremont (commonly known at Windermere Community Foreshore Park).

The adjacent open space at Windermere Community Foreshore Park is Claremont's primary social/family recreation space and will provide physical and environmental benefits and opportunities for residents of the development.

A priority project within the Open Space Strategy is to create an off-road trail from Berriedale to Windermere Bay along the foreshore. In addition, connections to the foreshore were identified as a priority in the 2019 Tracks and Trails community survey.

Land Owner Arrangements for Footbridges

In order to facilitate public access between the development and Windermere Community Foreshore Park, Council requires a Part 5 Agreement between the owners of 36 Cadbury Road, Claremont and Council. In addition, Council request that the owners of 36 Cadbury Road, Claremont enter into a license for the ongoing management and maintenance of the proposed footbridges.

While Council Officers are supportive of the proposal, Council will not be the asset owner, as the bridges serve the development. In addition, Council do not intend on maintaining assets privately owned on Council land.

EXTERNAL REFERRALS

Heritage Tasmania

Heritage Tasmania are in support of the proposal and have recommended conditions and advice.

TasWater

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

Other

The application was referred to Metro Tasmania and Tas Gas. Metro Tasmania and Tas Gas are insupport ofhte proposal.

REPRESENTATIONS

The application was advertised for the statutory 14-day period with 34 (10 joint and one petition) representations were received. The issues raised are as follows:

1. Density

Representors raise concerns about the higher density proposed and how this will have a negative impact on the social dynamics of the locality (potentially displacing the disadvantaged or turn into an enclave of ill-repute); cause increased pressure on services, including increased demand on the nearby shopping precinct and generally being out of character and at odds with the area. Overall concern was about overpopulating the area and destroying the pleasantness of the place and the village feel, while others want assurances that existing service levels (water, sewer, power, NBN and the like) would be maintained with no incurred costs.

Planner's Comment:

Historically the locality was described as a village. Over time the population rose and the density in the area has progressively increased. This was most evident in 2010 when the Claremont Primary School had outgrown its original site and moved to the large site of 2 Cadbury Road, Claremont. The subject site is situated in the Inner Residential zone, which is land recognised to provide a change in character from historical development patterns to alternative forms of housing such as terrace housing and apartments at greater density in locations within walkable distance of services, facilities, and high frequency public transport corridors. The proposal represents an emergent built form of residential development for a higher density, designed to cater for people of varying demographics. The test for density considers development that contributes to a range of dwelling types and sizes applicable to the locality. The planning scheme is 'tenure blind' and whether the density is in harmony with the existing pattern of residential development is not taken into consideration.

It is noted that the provision and adequacy of infrastructure is dealt with under other provision of the scheme. The assessment calls for and recommends conditions requiring the upgrading of infrastructure to accommodate the proposal, if approved.

2. Height, scale, and siting

Representors raise concerns about the scale of the buildings being out of character with the 'village' feel of the area. Representors contend that the proposed 7-8 storeys will dominate the area that is predominantly made up of 1-2 storey buildings and the existing school building will be completely dwarfed. Representors suggest a height reduction where 3 to 6 storey buildings are proposed.

Representors state that the height and siting of the proposal will cause it to overshadow itself and the neighbouring area. Representors contend that the siting of the proposal, with its circular pattern and inward-looking development will foster shunning of the rest of the community, causing a disconnect and a fortress type existence for future residents.

Representors state that this type of development is better suited to inner city redevelopments in a large city, not in a quiet village suburb 12kms from the Hobart CBD.

Planner's Comment:

Various built forms are proposed, ranging from low rise townhouses and apartments, shop top apartments and medium rise apartments. Medium/high rise and high rise housing is not proposed. The different built forms are described in the figure below.

Figure 38. A diagram explaining the building types as Single dwelling, Low rise housing (2-4 storeys), Shop top housing (generally 3-5 storeys), Medium rise housing (5-7 storeys), Medium/High rise housing (8 storeys) and High rise housing (divided into three height categories, 9-12 storeys, 13-18 storeys & 19-25 storeys). Source: Sydenham to Bankstown Draft Urban Renewal Corridor Strategy

https://www.planning.nsw.gov.au/Plans-for-your-area/Priority-Growth-Areas-and-Precincts/Sydenham-to-Bankstown-Urban-Renewal-Corridor/~/media/27794C9C3ED6450B94E94EE3C318E9B6.ashx

The impact on residential amenity of the apparent scale, bulk, or proportions of the proposal is assessed under 11.4.2 Setbacks and building envelope P3. Shadow diagrams and a visual impact assessment were submitted as part of the application submission. The assessment of the proposal against this performance criteria scrutinised the impact of overshadowing on adjoining lots, the visual impact of the proposal and the compatibility of the separation between dwellings on adjacent sites to that prevailing in the surrounding area. The full assessment is detailed previously in this report. However, in summary the assessment found no unreasonable loss of amenity by overshadowing adjoining residential sites to the east, north and west of the site; the visual impact assessment of the proposal concluded any residential amenity loss was not unreasonable because of the suitability of the design to the landscape character given the transitioning in height of the buildings to sensitive interfaces providing a more appropriate scale at that interface, and the modulated design and use of facade articulation creates interest and reduces the apparent or perceived scale and bulk of the development; and the separation between dwellings on adjoining lots proposed is compatible with that prevailing in the surrounding area.

Overall, the proposal is assessed as satisfying the performance criteria of this standard and further modification to the height and proportions of the proposal is not encouraged or recommended.

With regard to the circumstance of the heritage listed buildings, Council's Heritage Officer has noted that fundamentally, retention of the main 1924, 1938, 1941 school building, repaired, reconstructed and sympathetically re-purposed for use as a public hall, visible from Cadbury Road, represents an overwhelmingly positive heritage outcome. In considering the scale of the proposed development upon the school building it is important to note the limitations in Council's jurisdiction arising from the exception that exists as a result of Clause E13.2.1 of the Historic Heritage Code (explained in section 7.0 of the Heritage Officer's referral).

The following comments are made with regard to the urban design of the development:

a) The proposed demolition of non-significant structures that intrude upon the view of the school represents an improvement upon the current situation. As a result, the front of the old school building will be entirely visible from Cadbury Road for the first time in decades.

b) Appropriate setbacks have been applied to the proposed new buildings adjacent to the heritage item with due consideration given to height, scale, and style, avoiding mimicry and assigning the old school building primacy as the centrepiece

of the development. General planning conditions relating to the texture and hue of finishes are likely to provide some further relief and softening of building forms.

3. Increased traffic

Representors raise concerns about the general increase in traffic and the capacity of the existing roads to cope with the forecasted traffic increase. Safety issues along Cadbury Road, the proposed access points and the intersection of Cadbury Road with Pascal Avenue was also raised. Safety concerns were not limited to vehicular safety but extended to that of residents using the footpaths and nearby playground.

Concerns were also raised about the current state of the road and affect heavy construction traffic would have on the road network, as well as how emergency vehicles will move through the site.

Representors raised concerns about the apparent lack of customer/visitor parking on the site and the apparent lack of parking at Claremont activity centre.

Planner's Comment:

Traffic and parking are assessed under E5.0 Road and Railway Assets code and E6.0 Parking and Access code. Both Council's Transport Engineer and Council's Development Engineer have assessed the proposal against the applicable standards of these codes. The full assessment of the proposal in this regard is detailed in the Council's Transport and Development Engineer's referral comments.

In summary, Council's Transport Engineer has reviewed the concerns raised in the representations, assessed the Traffic Impact Assessment (TIA) and conducted an on-site investigation. The TIA analysis includes road network, changes to accesses, traffic generation, parking supply and impact to the road network, and concluded that the proposal is not expected to have any significant detrimental impacts on the surrounding road network in terms of traffic efficiency, parking or on road safety subject to recommended conditions.

4. Amenity reduction

The representors state that the proposal would reduce the amenity of those using the public open space and recreation areas adjacent to the site, with vistas through the site lost and recreational activities overlooked by future residents. Conversely the future residents of the proposal would have limited privacy given the opportunity to view the dwellings from the adjacent public open space. Concerns were also raised about the potential loss of the heritage listed tree lined avenue of Cadbury Road through the construction of the proposal and connectivity limitations to public open spaces.

Planner's Comment:

Amenity impacts of the proposal on adjoining lots is assessed under 11.4.2 Setbacks and building envelope P3. Among other things the assessment has concluded that the proposal would not unreasonably impact the amenity of the adjoining reserve because the proposal would not remove or obstruct the visual qualities of the reserve. The proposed buildings are to be contained within the site of 36 Cadbury Road, other than the new path in the road reservation around the perimeter of the site and the link bridges to the multi-use track. These bridges would foster connection with the reserves and the siting of the nearby proposed dwellings would provide opportunities for passive surveillance. The proposed buildings are typical of townhouse architecture in urban areas and are designed to protect the privacy of residents, provide spaces for outdoor relaxation and to take advantage of sunlight.

The significance of the Cadbury-era pine trees is highlighted in Council's Heritage Officer referral, and in the Conservation Management Plan submitted as part of the application. Conditions relating to the trees have been recommended so as to be clear on the extent of tree removal approved as part of any Permit issued by the planning authority and to ensure that there are sufficient control measures in place to provide protection of those trees.

5. Sustainability

Representors raised concerns about the disturbance of birdlife in the area through loss of habitat, threats from domestic animals associated with the proposal, and increases in pollution to the waterways and noise pollution.

Sustainable transport options are limited, and the number of bicycle parking spaces appear inadequate given the scale of the development.

Planner's Comment:

The proposal is not expected to physically encroach on the habitat of birdlife in the locality and no habitat loss is forecast by the proposal. The assessment of the impact on the birdlife and wildlife more generally is outside the scope of the planning scheme, as is domestic animal control.

Council's Senior Civil Engineer has responded to stormwater pollution and notes that as required under A2 of the Stormwater code, the proposal incorporates Water Sensitive Urban Design (WSUD) to treat pollutants from the surface runoff generated by the development. The proposed treatment devices have been designed to meet the quality and quantity targets in accordance with the State Stormwater Strategy 2010.

Council's Environmental Health officer has noted that noise created as a result of residential habitation is not a consideration of the planning scheme, because this type of noise is inherent with a residential zone. However, where noise related issues

do arise post development, Council has the capacity to investigate these matters under the *Environmental Management and Pollution Control Act 1994*.

In relation to sustainable transport options, the proposal is uniquely sited to take advantage of future light rail and is in proximity to high usage transit corridors and the multi-use trail. In addition, new bus stops are proposed.

6. Covid 19

The representors state that high-density high-rise living was problematic during the pandemic, with towers in Melbourne being locked down. It is questioned whether it safe to have so many people in one location.

Planner's Comment:

Low to medium rise housing is what is proposed, together with large areas of outdoor space in the landscape gardens/parkland of the proposal. Building design in line with public health requirements is outside the scope of the planning scheme.

7. Lack of private outdoor space for future occupants

Representors raised concerns about the lack of useable private outdoor space for the future occupants because there is limited secured space to plant gardens and hang out clothes or for children to play. This is particularly important given the range of groups the development is supposed to cater for. Additionally, the shadow studies show areas set aside for gardens and the like are in shadow during winter.

Planner's Comment:

The provision of private outdoor space and communal outdoor space is assessed under 11.4.3 Site coverage and private open space A1/P1 and A2/P2. The assessment of the proposal concluded that the amount of private and communal space proposed for future users meets the threshold requirements of those standards, as detailed in the report.

8. Facade articulation and colour

Representors are concerned that the proposed cladding colours and surface articulation is out of character with the area, considering the advertised drawings show various shades of grey concrete. Most residential buildings in the area are brick, including the existing school building and it is suggested that the material could be warmer in colour and more tactile than concrete.

Planner's Comment:

Through the assessment of the proposal it was concluded that the proposed colour palette requires some variation and further consideration of the context and environmental setting, particularly for the colours and materials proposed for Buildings A and B, and to a lesser extent the townhouses on the northern periphery of

the site. A condition relating to the colour/hue of finishes is recommended and is expected to deliver some relief and softening of the built form.

9. Ongoing management of the site

Concerns were raised about the ongoing maintenance of the proposal, including how the waste will be managed in the long term.

Planner's Comment:

The waste is proposed to be managed on site through the design of the buildings and collected at two central points for the residential and commercial components of the site by a private contractor.

An onsite managers office is proposed to be located in the ground level of Building N. Specific details of how the site will be managed into the future, such as whether the dwellings will be governed by a body corporate, is outside the ambit of the planning scheme.

10. Public consultation

The representors raise concern about the lack of public consultation prior to the development application being submitted to Council. This would have enabled the community to have a greater understanding of the proposal before it went to Council.

A representor queried whether this development should be declared as a Major Project by the State Government and concern was expressed about the apparent hasty approval process.

Planner's Comment:

Council encourages early engagement with the community by the proponent for significant projects. The public exhibition of a planning application is mandated by s57 of the *Land Use Planning and Approvals Act 1993*. The Act directs the Planning Authority to give notice of the application for a permit for 14 days, commencing on the date on which notice of the application is given. The public exhibition (advertising of the application) was extended by one day to compensate for a public holiday.

Major Projects are significant and complex projects that often have impacts across more than one municipal boundary or require permits under more than once piece of legislation. In order for a proposal to be declared a Major Project, the Minister for Planning must be of the opinion that the project has two or more of the following attributes, set out under s60M of the Act:

a) it would have a significant impact on, or make a significant contribution to, a region's economy, environment, or social fabric

b) it is of strategic importance to a region

c) it is of significant scale and complexity.

The proposal does not qualify as a major project.

11. Lack of social/low cost housing

The representors state that the development should include social and low-cost housing, given the demand particularly for those with a disability.

Planner's Comment:

There is a high demand for various dwelling types in the municipality and social/low cost housing forms part of that demand. While the provision of social housing is a mandate supported by Council, the planning scheme provisions are 'tenure blind' in this regard and silent on a requirement to provide a certain number of social/low cost housing for persons with a disability.

12. Potential flooding and the historic waterbody on the site

The representors state that at the entrance of the cul-de-sac for 47, 49, 51 Cadbury road, this area is prone to flooding on the road and on the school's oval. With houses built in this area this water will be diverted to storm water drains which will put more pressure on the current infrastructure.

Parts of the site itself contain a very low water table which have been prone to flooding during bull tide events or extreme rainfall events which have occurred during the lifetime of the school raising concerns that parts of this site are unsuitable for this type of development.

It is noted that apartments are proposed to be built on the old sports ground opposite Bilton Bay. The water table in this location is already near the surface and with the predicated rise in sea level it is inevitable that this area will be flood.

Planner's Comment:

Council's Senior Civil Engineer notes a flood impact report has been prepared for the development which show the post development peak flood depths, increase in flood depth and hazards. The report demonstrates that the 1% AEP flood (ARI of 100 years) is safely conveyed through the site and that the hazard category is low hazard and will not adversely affect adjacent properties.

Council's Senior Civil Engineer notes the earthworks and stormwater layout drawings demonstrate that all new habitable buildings have a minimum floor level no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1.

13. Commercial competition

The representors state that the proposed commercial tenancies won't survive in the locality, especially with no customer parking provided; and the nearby Claremont Village complex is at capacity.

Planner's Comment:

Commercial competition is not within the ambit of the planning scheme. However, higher density residential development has the potential to boost economic and social activity in a local context and foster growth and redevelopment of activity centres to the benefit of the whole community.

14. Project finance and future tenants

The representors are curious about who is financing the project and who will live there.

Planner's Comment:

The planning scheme is 'tenure blind', although the planning scheme does encourage a range of dwelling types and sizes suitable to the location. Project finance details is outside the ambit of the planning assessment.

CONCLUSION

The proposal is relying on the performance criteria to comply with applicable standards. The proposal is assessed as satisfying the performance criteria and complies with those standards. The proposal is assessed as complying with all other use and development standards in the Inner Residental zone, as well as the applicable standards of the relevant codes.

The application was publicly advertised for the statutory 14-day period and 34 representations were received. Several concerns have been raised and were considered as part of the assessment of the application.

It is concluded that the proposal is consistent with the Scheme's zone purpose statements given that the proposal represents an emergent built form of residential development for a higher density, designed to cater for people of varying demographics in an area close to services and an high frequency transit corridor.

Recommendation:

That a permit be granted for the proposed use and development of Staged mixed use and development of the land (Residential, Community Meeting and Entertainment, Educational and Occasional Care, General Retail and Hire and Food Services) at 36 Cadbury Road, Claremont, 26 Cadbury Road, Claremont and 55 Cadbury Road, Claremont subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-20-097 and Drawing submitted on 09/09/2020 and 28/10/2020, except as otherwise required by this permit.

2. Any conditions and/or advice as determined by TasWater and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2020-00413-GCC, dated 10/11/2020, form part of this permit.

3. Any conditions and/or advice as determined by Tasmanian Heritage Council and set out in the attached Notice of Heritage Decision, reference No. 6218, dated 04 March 2021, form part of this permit.

4. The use and development must proceed as shown on the approved plan and in the following order:

   a) Stage 1A – Demolition and refurbishment of the Community facilities Building C and open spaces.

   b) Stage 1B – Buildings A, B, D and E and open spaces. The development must include the new vehicle crossing(s), on-street parking area for seven car spaces north of the proposed access and two on-street parking spaces located on the southern side of the new access and associated stormwater works.

   c) Stage 2 – Townhouses F, G, H, I on the southern perimeter, Building J, Building K and Buildings L, M and N and open spaces.

   d) Stage 3 – Building O, P, Q and townhouses R, S, T and U and open spaces.

5. To discourage the use of single colour finishes and/or materials within areas of non-articulated walls, a secondary (mid-to-dark tone) colour must be introduced to compliment the selected palette of Buildings A and B, and Buildings U, T, S and R (townhouses). White and/or light grey hues must not exceed 60% of the finishes and materials of the wall surfaces. Plans submitted for Building Approval must demonstrate compliance with this condition.

Heritage

6. The conservation, repair and reconstruction of the former Claremont Primary School 1924, 1938, 1941 main building for use as a public hall must be completed as part of the first phase of development (1A).

7. In recognition of the local social significance of the former school use, an illustrated and annotated photographic record of the school complex must be compiled for archival purposes and submitted to the satisfaction of Council's Senior Statutory Planner prior to the commencement of Stage 1A demolition. The illustrated and annotated photographic record must include a plan showing the layout of the buildings cross-referenced to photographs of the school buildings taken prior to the substantial dilapidation that has occurred in recent years as referenced in the John Wadsley Planning and Heritage Consultancy Conservation Management Plan, Former Claremont Primary School Site, 36

Cadbury Road Claremont, prepared for Claremont City Developments, dated 27 February 2020, section 3.4, p35.

8. The extent of Cadbury era Pinus radiata trees to be removed is limited to the trees identified as ET19 and ET20 on Circa Morris-Nunn Demolition Site Plan, Drawing No. 1902-A04, Revision A, dated 09/09/2020.

9. Fenced and signed Tree Protection Zones must be established for each Cadbury-era Pinus radiata tree shown as being retained on Circa Morris-Nunn Proposed Site Plan, Drawing No. 1902-A05, Revision C, dated 14/12/2020 and to the specifications set out in Element Tree Services, Development Impact Assessment report, 36 Cadbury Road, Claremont, dated 3/08/2020 prior to the commencement of any earthworks or construction.

10. Pinus radiata Tree Protection Zones once established, fenced and signed must be maintained in place in good order and be clearly evident until such time as construction and landscaping in the corresponding locations is complete.

11. Any and all incursions into Pinus radiata Tree Protection Zones, including but not limited to encroachment by pathways, must;

    (a) Proceed only on the specific written advice, and wherever recommended in that advice under the supervision of a qualified arborist to ensure adequate control measures are put in place to avoid adverse impacts to tree health prior to any incursion/s,
    and;

    (b) Be fully informed by the guidelines and specifications set out in Element Tree Services, Development Impact Assessment report to the Applicant, 36 Cadbury Road, Claremont, dated 3/08/2020, and, Element Tree Services, Proposed Footpaths – Windermere Bay Development letter report to the Circa Morris-Nunn dated 19th October 2020.

12. When any Cadbury era *Pinus radiata* tree is identified by a qualified arborist as having reached the end of its landscape life or is assessed by a qualified arborist as posing a risk to public safety or property to the extent that removal is required, it must be replaced by a *Pinus mugo* tree within 4 weeks following removal to perpetuate the pine-lined landscape along the margins of Cadbury Road.

13. Controlled archaeological excavations (incorporating test trenching to inform the scope and extent of more detailed investigations required) must be carried out under the direction of a qualified historical archaeologist and in accordance with the methods set out in section 10 of the Praxis Environment, Statement of Archaeological Potential, Archaeological Impact Assessment & Archaeological Method Statement, Former Claremont Primary School/Ashburton/Abbotsfield,

36 Cadbury Road, Claremont, Tasmania prepared for Claremont City Developments, dated August 2020.

14. To provide information on the character of the immediate site environment and any changes in floristic composition and land use over time, the scope of the archaeological investigations must make provision for pollen and diatom analysis of column and/or core samples collected from the sediments of the 'lagoon' shown on p42 of the Praxis Environment, Statement of Archaeological Potential, Archaeological Impact Assessment & Archaeological Method Statement, Former Claremont Primary School/Ashburton/Abbotsfield, 36 Cadbury Road, Claremont, Tasmania prepared for Claremont City Developments, dated August 2020.

15. All aspects of the archaeological investigations (including reporting) must be completed prior to the commencement of any earthworks or Stage 1A, whichever comes first, to:

    (a) Avoid any prospect of critical path complications.

    (b) Enable opportunities for retention and display of any exposed remains in-situ to be considered in 'clear air'.

    (c) Ensure that opportunities for interpretation can be factored into the Stage 1A phase of development.

16. An Interpretation Plan that clearly sets out how the history, heritage and archaeology of the site will be interpreted must be submitted to the satisfaction of Council's Senior Statutory Planner and implemented prior to the completion of Stage 1A of the development.

17. The Interpretation Plan must contain within its scope, measures and means to deliver a community public benefit through explanation and graphic depiction of:

    (a) The Aboriginal landscape.
    (b) The 19th and early 20th century rural land use history of the site, including the 'Abbotsfield' and 'Ashburton' (Claremont Army Camp) phases, taking advantage of any opportunities to incorporate the findings, artefacts, and any in-situ evidence exposed during archaeological investigations.
    (c) The association of the site with Cadbury and the development of the suburb of Claremont.
    (d) The history and evolution of the Claremont Primary School, incorporating oral histories and the annotated photographic record of the school.

Engineering

18. The property owner is to ensure that Council's Road Assets and Infrastructure are protected during the demolition and construction process. The owner must

ensure that damage to road assets, footpaths, kerb and channel, drainage pits, nature strips and other services is kept to a minimum and any damaged assets are reinstated. Should damages occur, the repair costs associated with such damages are the responsibility of the property owner. If reinstatement works are not undertaken promptly within 30 days or to Councils satisfaction, Council may elect to reinstate or rectify any defects and recover the expenses reasonably incurred in doing so from the property owner. Any damage must be immediately reported to Council.

19. The construction details of specific components of the works must comply with LGAT Standard Drawings, the developer must appoint a qualified experienced engineer who will be required to certify design and construction works. The appointed supervising engineer must be the primary contact person on matters concerning the development works.

20. Prior to the issuing of a Council approved engineering drawing, a Building Approval or the commencement of works on site for each stage, 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.

21. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.

22. 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 approved by Council at the developer’s cost.

23. 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. Detailed engineering drawings showing the driveway details must be in accordance with the Australian Standard and submitted prior to the issuing of a Council approved engineering drawing or with a Building Application for approval by Council's Development Engineer prior to the commencement of works on site. The proposed driveway and parking must comply with the following-:

a) Be constructed to a sealed finish

b) A total of 426 clearly marked car parking spaces must be provided in accordance with the approved plan and kept available for these purposes at all times

c) Of the total required number of car parking spaces, two (2) car parking space must be provided for the exclusive use of people with disabilities, clearly marked and kept available for these purposes at all times

d) Of the total required number of car parking spaces, eight (8) car parking space must be provided for the childcare use

e) A total of 23 motorcycle parking spaces must be provided, clearly marked and incorporated to the overall parking plan in accordance with the approved plan

f) A minimum of 18 bicycle parking spaces must be provided in accordance with TableE6.2 in the Planning Scheme

g) All runoff from paved and driveway areas must be discharged into Council's stormwater system

h) Be clearly line-marked or physically separated to each space in accordance with the approved plan

i) Be incorporated the WSUD and landscaping into the parking areas of the development

j) Landscaping of parking and circulation areas must be provided and must be no less than 5 percent of the area of the car park

k) The gradient of any parking areas must not exceed 5%; and

l) Minimum carriageway width is to be no less than 3.0 metres.

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

24. New vehicle crossings with concrete driveway apron and reinstatement to the existing vehicle crossings to kerb, footpath and nature strip must be constructed in accordance with the Tasmanian standard drawing TSD-R09-v3, TSD-R11-v3 and TSD-R14-v3 between the kerb and the property boundary and to the satisfaction of Council's Development Engineer prior to the occupancy. The detailed design must be submitted and approved prior to the issuing of a Council approved engineering drawing or the commencement of works (whichever occurs first).

    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

25. A detailed estimate for the works must be provided and payment of the engineering plan approval and audit inspection fee must be made prior to the issuing of Council's approved engineering drawings for each stage. The engineering assessment fee for civil works of 2% of the value of civil works (GST included) or minimum of $902.00 whichever greater. This amount is subject to annual adjustment in accordance with the Council Fees and Charges Register. Construction must not commence until the approved engineering plans have been issued.

26. Detailed drawings of the proposed works within the road reservation of Cadbury Road and public footpaths within the site which cannot be provided within the road reservation due to the location of trees, must submit to Council to the satisfaction of the Director of Infrastructure and Works prior to construction works occurring within the road reservation and/or the issuing of an approved engineering drawing (whichever occurs first). The works are to be undertaken in accordance with these drawings prior to occupancy.

27. Prior to the drawings for works within the road reservation and public footpaths being approved by Council. Documentation showing consultation with Metro and any other affected parties along with an arborists report detailing strategies to minimise impact on the existing trees and locations where this should occur must be submitted to Council.

28. A line marking and signage plan for Cadbury Road must be submitted to Council to the satisfaction of the Director of Infrastructure and Works prior to construction works within the road reservation occurring and/or the issuing of an approved engineering drawing (whichever occurs first). The works are to be undertaken in accordance with these drawings prior to occupancy.

29. Detailed plans showing existing streetlight levels and an assessment of the street lighting levels required for the works within the road reservation in accordance

with AS1158 must be submit to Council to the satisfaction of the Director of Infrastructure and Works, prior to construction works within the road reservation and/or the issuing of an approved engineering drawing (whichever occurs first). If new lights are required, then this is to be undertaken by the developer prior to occupancy.

30. The basement pump station must be designed, maintained and managed to minimise the risk of failure to the satisfaction of the Council's Plumbing Inspector and design details, including maintenance regime must be submitted in association with the Building Application to the satisfaction of Council.

31. Any creation, diversion and augmentation of Council owned stormwater assets must be designed and constructed to the satisfaction of Council's Development Engineer.

32. A twelve (12) month maintenance period will be applied to any creation, diversion and augmentation of Council owned stormwater assets after the practical completion, during which time the works must be maintained by the developer, prior to being handed over at the completion of the maintenance period, subject to acceptance of the new assets by Council. During this period all defects must be rectified at the developer's cost and to the satisfaction of Council's Development Engineer. A further twelve (12) month maintenance period may be applied to defects after rectification. The Council may, at its discretion, undertake rectification of any defects at the developer's cost.

33. Before the end of the maintenance period, the applicant must arrange CCTV inspections of any stormwater assets subject to this permit, taken no more than one month before the end of the maintenance period, and submit the inspection reports to the requirements of the Councils' Senior Civil Engineer and at full cost to the applicant. Any defect identified in the CCTV inspection must be rectified to the satisfaction of Council's Senior Civil Engineer before the Council takes over the stormwater assets.

34. The proposed dwellings must be constructed with finished floor levels (FFLs) no less than the levels nominated on drawing 19E19-3-C0.11 – Revision C.

35. The development must incorporate the nominated Water Sensitive Urban Design (WSUD) element(s) or equivalent, as presented in the Stormwater Management Plan for 34-36 Cadbury Road Claremont TAS, dated March 17, 2020, and other drawings approved as part of this permit.

36. The WSUD elements must be installed and completed prior to a Certificate of Occupancy being issued for any of the dwellings.

37. In association with a Building Application, a WSUD Maintenance Scheme must be submitted for approval, to the satisfaction of Council's Senior Civil Engineer,

defining the maintenance method and frequency for each WSUD element incorporated in the development. The Owner and all successors in title must ensure ongoing compliance with the approved WSUD Maintenance Scheme for the duration of the approved use. Council must first approve any changes to the approved WSUD Maintenance Scheme.

38. Upon approval of the WSUD Maintenance Scheme, and in association with a Building Application, the applicant must enter into a registered agreement with Council, at the sole expense of the applicant, pursuant to Part 5 of the Land Use Planning and Approvals Act 1993, for the area which is subject to this permit. The Owner and all successors in title must advise any subsequent successor in title of the existence of the Agreement and its terms and conditions. The Part 5 agreement shall require the Owner and all successors in title to covenant and agree with Council the following:

    a) All works outlined in the WSUD Maintenance Scheme submitted by the applicant and approved by Council, including the maintenance method and frequency for individual WSUD elements, must be implemented and managed by the Owner and all successors in title at their sole expense.

    b) The Owner must 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 element has been conducted in accordance with the WSUD Maintenance Scheme;

    c) Repair and replace all the WSUD elements at the sole expense of the Owner and all successors in title so that the WSUD functions (stormwater quality and quantity control) in a safe and efficient manner;

    d) Permit the Council from time to time and upon giving reasonable notice (but in the case of an emergency, at any time and without notice) to enter and inspect the WSUD elements for compliance with the requirements of this agreement; and

    e) Comply with the terms of any written notice issued by the Council in respect of the requirements of this agreement within the time stated in the notice.

39. Prior to the issue of a Building Permit the landowner must enter into a registered agreement with Council pursuant to Part 5 of the *Land Use Planning Approvals Act 1993* to provide for the following:

    a) Validate the developer or future owner(s)/body corporate as the owner of the footbridges connecting 36 Cadbury Road to 26 Cadbury Road, Claremont;

    b) Identify the maintenance and management responsibilities of the owner of the footbridges;

c) Identify that the costs of implementing the management prescriptions under the agreement are the responsibility of the owner. Council requires an annual report verifying the maintenance inspections undertaken and any remedial works undertaken for the bridge and signage by owners annually;

d) Details of the provision and maintenance of public signage required in association to the connection bridges; and

e) Identify that all costs associated with drafting and registering this Part 5 Agreement on the title is to be borne by the land owner.

Advice: This Planning Permit does not become valid until the agreement is executed.

Environmental Health

40. Noise emissions from non-residential use, measured at the boundary of the site, must not exceed the following:

(a) 55 dB(A) (LAeq) between the hours of 8.00 am to 6.00 pm;

(b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 6.00 pm to 8.00 am;

(c) 65dB(A) (LAmax) at any time.

Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness.

Noise levels are to be averaged over a 15 minute time interval

41. Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site must be limited to 20 vehicle movements per day and be within the hours of:

(a) 7.00 am to 5.00 pm Mondays to Fridays inclusive;

(b) 9.00 am to 12 noon Saturdays;

(c) nil on Sundays and Public Holidays.

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.

Succession plantings Heritage trees

Where opportunities exist, consideration should be given to planting *Pinus mugo* trees in gaps between the Pinus radiata trees around the margins of Cadbury Road as that, in time will succeed the existing Monterey/Radiata pines thereby perpetuating the historic cultural landscape links between the subject property and the Cadbury Industrial Estate suggested in Element Tree Services, Development Impact Assessment report, 36 Cadbury Road, Claremont, dated 3/08/2020.

Food Premises

The proponent's Building Surveyor must forward copies of the following documents to Council's Environmental Health department prior to any works being undertaken on site (including the installation of fixtures and fittings) that relate to the proposed food premises:

a) a request in an approved form (Form 42) for an Environmental Health Officer report;

b) any relevant drawings, specifications or other documents submitted with the application; and

c) details provided by the owner of the nature of the foods to be prepared, handled, stored or sold and the types of manufacturing processes to be undertaken on the premise

d) Council's Environmental Health department may require the premises to meet equipment and fit out specifications which exceed those required by the National Construction Code, before the premises can be registered and the food business licensed pursuant to the *Food Act 2003*.

Attachments/Annexures

1 GPA Attachments - 36, 26, 55 Cadbury Road, Claremont
⇨

APPENDIX

11.0 Inner Residential Zone

Standard	Acceptable Solution	Proposed	Complies?
11.3 Use Standards			
11.3.1 Non-Residential Use	**A1** Hours of operation must be within 8.00 am to 6.00 pm, except for office and administrative tasks or visitor accommodation.	The hours of operation proposed are: Local shop – Monday to Friday 8am –7.30pm, Saturday and Sunday 8am –7pm; Community Hall and Exhibition Centre – Monday to Friday 8am-9pm, Sayurday and Sunday 8am-11pm; Café – Monday to Friday 7am-9pm, Saturday 7am-9pm; Childcare centre – Monday to Friday 8.30am-5.30pm; Gym - To be determined by future tenant and approval sought accordingly	No
	A2 Noise emissions measured at the boundary of the site must not exceed the following: (a) 55 dB(A) (LAeq) between the hours of 8.00 am to 6.00 pm;	Council's Environmetnal Health officer has assessed the noise levels for the proposed non-residnietal uses and fouond them to be low noise generating and capable of complying with the	Yes

Standard	Acceptable Solution	Proposed	Complies?
	55 dB(A) (LAeq) between the hours of 8.00 am to 6.00 pm; (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 6.00 pm to 8.00 am; 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 6.00 pm to 8.00 am; (c) 65dB(A) (LAmax) at any time. 65dB(A) (LAmax) at any time. Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness. Noise levels are to be averaged over a 15 minute time interval.	acceptable solution of this standard.	
	A3 External lighting must comply with all of the following: (a) be turned off between 6:00 pm and 8:00 am, except for security lighting;	The external lighting, other than security lighting is to be turned off at the times prescribed in the acceptable solution.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	be turned off between 6:00 pm and 8:00 am, except for security lighting;		
	A4 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site must be limited to 20 vehicle movements per day and be within the hours of: (a) 7.00 am to 5.00 pm Mondays to Fridays inclusive; (b) 9.00 am to 12 noon Saturdays; 9.00 am to 12 noon Saturdays; **(c)** nil on Sundays and Public Holidays. nil on Sundays and Public Holidays.	The commercial vehicle movements are to be less than 20 a day and within the hours prescribed in the acceptable solution.	Yes
11.3.2 **Visitor Accommodation**	**A1** Visitor accommodation must comply with all of the following: (a) is accommodated in existing buildings is accommodated in existing buildings; (b) provides for any parking and manoeuvring spaces required pursuant to the parking and Access Code on-site;	No visitor accommodation proposed.	NA

Standard	Acceptable Solution	Proposed	Complies?
	provides for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site; (c) has a floor area of no more than 160m^2 has a floor area of no more than 160m2.		
11.3.3 Local Shop	**A1** A local shop must comply with both of the following: (a) have a gross floor area no more than 200m^2; (b) not displace an existing residential use.	The local shops are to be 129m^2, 100m^2 and 149m^2, and would not displace an existing residneital use.	Yes
11.4 Development Standards for Buildings and Works			
11.4.1 Residential density for multiple dwellings	**A1** Multiple dwellings must have a site area per dwelling of not less than 200m^2 and not more than 400m^2.	Site area per dwelling means the area of the site (excluding any access strip) divided by the number of dwellings. The site is 3.7ha, 1 dwelling per 200m^2 would be 185 dwellings. However, 315 dwellings are proposed. Therefore, the site are per dwelling is less than 200m^2 and is more likely to be 115.62m^2.	No
11.4.2 Setbacks and building envelope	**A1** Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps,	The proposed frontage setback for the townhouses adjacent to Cadbury Road and the frontage	Yes

Standard	Acceptable Solution	Proposed	Complies?
	porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is: (a) at least 3m, or, if the setback from the frontage is less than 3m, not less than the setback from the frontage of any existing dwelling on the site; (b) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street.	setback of the shop top dwellings varies between 4.05m and 8.62m.	
	A2 A garage or carport must have a setback from a frontage of at least: (a) 4m, or alternatively 1m behind the façade of the dwelling; or (b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.	The proposal complies with the 4m frontage setback for garages or carports in accordance with Clause 11.4.2 A2 because there are no garages or carports proposed within 4m of the frontage.	Yes

Standard	Acceptable Solution	Proposed	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 11.4.2A, 11.4.2B, 11.4.2C and 11.4.2D) determined by: (i) a distance equal to the permitted frontage setback or, for an internal lot, a distance of 3m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 3m from the rear boundary; to a building height of not more than 9.5 m above natural ground level; and (b) only have a setback within 1.5 m of a side boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or	The proposal exceeds the numerical limits of the acceptable solution in relation to height.	No

Standard	Acceptable Solution	Proposed	Complies?
	(ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).		
11.4.3 **Site coverage and private open space**	**A1** Dwellings must have: (a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and (b) for multiple dwellings, a total area of private open space of not less than 50m2 associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and (c) a site area of which at least 25% of the site area is free from impervious surfaces.	Site coverage means the proportion of a site (excluding any access strip) covered by roofed buildings. a) The site is 37470m^2 and the roofed area is 17292m^2. The site coverage is 47%; b) This applies to POS per ground floor dwelling and does not apply to dwellings that have a floor level more than 1.8m above the finished ground level. The private outdoor space for town houses U, T, S & R and buildings E, F, G, H and I is less than 50m^2. c) The site area free of impervious surfaces is 38.9%. Information for compliance with (a) and (c) is taken from Plan	No

Standard	Acceptable Solution	Proposed	Complies?
		Revision ID-A Diagrams dated 09/09/2020, drawing number 1902-HOO revision A.	
	A2 A dwelling must have an area of private open space that: (a) is in one location and is at least: (i) 24 m²; or (ii) 12 m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (b) has a minimum horizontal dimension of: (i) 3 m; or (ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 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	The private outdoor space for the first floor dwellings and above in buildings A & B are a entirely more than 1.8 m above the finished ground level, but provide less than $12m^2$ in one location for some dwellings in those buildings. The private outdoor space for townhouses adjacent to the reserve in buildings E, F, G, H and I is provided on the first level above the carparking podium and with a minimum $23m^2$ in one location (smaller balconies are proosed on other levels of the townhouses). The private outdoor space for the medium rise apartments, buildings L, M, N, O, P & Q is unable to provide a minimum area in one location of $12m^2$ for all dwellings entirely above 1.8m from finished ground level. The private outdoor space for town houses U, T, S & R is located between the dwelings and the	No

Standard	Acceptable Solution	Proposed	Complies?
	to 50% of the area between 9.00am and 3.00pm on the 21st June; and (e) located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and (f) has a gradient not steeper than 1 in 10; and (g) is not used for vehicle access or parking.	frontage at ground level, but is less than 24m^2 in one location.	
11.4.4 Sunlight and overshadowing	**A1** A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west and 30 degrees east of north (see Diagram 11.4.4A).	Not all dwellings are proposed to have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west and 30 degrees east of north.	No
	A2 A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 11.4.4A), must be in accordance with (a) or (b), unless excluded by (c):	The townhouses in Buildings U, T, S & R are to be to the north of the medium rise apartments in Buidlings O & P. This arrangement complies with (b) because the townhouses do not cause the north facing windows in medium rise apartments to receive less	No

Standard	Acceptable Solution	Proposed	Complies?
	(a) The multiple dwelling is contained within a line projecting (see Diagram 11.4.4B): (i) at a distance of 3 m from the window; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.	than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. Medium rise apartments M & L are north of the town houses in buildngs G, H & I. This arranagement is unable to comply with A2 (a) or (b). The shoptop apartments in building B are to be north of the townhouses in building E. This arranagement is unable to comply with A2 (a) or (b).	
	A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 11.4.3, must be in accordance with (a) or (b), unless excluded by (c):	The townhouses in Buildngs U, T, S & R are to be to the north of the medium rise apartments in Buidlings O & P. This arrangement complies with (b) because the twonhouses do not cause the medium rise appartmetns to not receive less than 3 hours of	No

Standard	Acceptable Solution	Proposed	Complies?
	(a) The multiple dwelling is contained within a line projecting (see Diagram 11.4.4C): (i) at a distance of 3 m from the northern edge of the private open space; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.	sunlight between 9.00 am and 3.00 pm on 21st June to the POS. Medium rise apartments M & L are north of the POS of town houses in buidngs G, H & I. This arranagement is unable to comply with A2 (a) or (b). The shoptop apartmetns in building B are to be north of the POS for the townhouses in building E. This arranagement is unable to comply with A2 (a) or (b).	
11.4.5 **Width of openings for garages and carports**	**A1** A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or	No garage within 12m of the primary frontage faces that frontage.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	half the width of the frontage (whichever is the lesser).		
11.4.6 **Privacy for all dwellings**	**A1** A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: (a) side or rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the boundary; and (b) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m: (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.	The balconies and decks proposed to have a floor level more than 1m above natural ground level are to be setback more than 3m from the boundaries. The balconies and decks proposed to have a floor level more than 1m above natural ground level for dwellings on the same site are to be separated by more than 6m from each other. The proposal complies with (a) and (b).	Yes
	A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level	The proposed dwellings with floor levels more than 1m above natural ground level are design with solid	Yes

Standard	Acceptable Solution	Proposed	Complies?
	more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b): (a) the window or glazed door: (i) is to have a setback of at least 3 m from a side or rear boundary; and (ii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iii) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site. (b) the window or glazed door: (i) is to be offset, in the horizontal plane, at least 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a	walls separating the balconies which prevents overlooking from windows and glazed doors of habitable rooms to other dwellings on the site. Windows of opposing building with floor levels more than 1m above natural ground level are separated horizontally by a minimum of 11.5m and the windows are offset in the horizontal plane, at least 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling. The proposal complies with (b)(i).	

Standard	Acceptable Solution	Proposed	Complies?
	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.	Driveway and parking spaces are predominantly situated below the dwellings in the podium for each building. A service road (internal access way/driveway) is to service the parking spaces (ground floor garages) for the townhouses adjacent to Cadbury Road (buildings R, S, T and U) and the same service road provided entry and exit to Building O, P and Q. The proposed townhouses are designed to be setback 1.7m from the shared driveway/service road. The façade of those townhouses facing shared drive have been designed to not have a habitable room on the ground floor level. Therefore, sill heights of habitable rooms are well above 1.7m above the shared driveway. The proposal complies with (b)(ii).	Yes
11.4.7 Frontage Fences	**A1** A fence (including a free-standing wall) within 3 m of a frontage must have a height above natural ground level of not more than:	Town houses R, S, T and U face the frontage to Cadbury Road. The proposed frontage fences are to consist of vertical slats and brick	No

Standard	Acceptable Solution	Proposed	Complies?
	(a) 1.2 m if the fence is solid; or (b) 1.5 m, if any part of the fence that is within 3m of a primary frontage has openings above a height of 1.2m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).	finishes and are to be 1.5m in height above natural ground level. The design of the frontage fences allows for 30% transparency overall for the total length of the fences. However, 'uniform' is taken to mean not discontinuous or unbroken. Accordingly, the proposal relies on the performance criteria.	
11.4.8 **Waste Storage for multiple dwellings**	**A1** A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 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 3 m from a frontage; and (ii) is at least 5.5 m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of	The site is to be serviced by a private contractor to collect waste and recyclables. The proposed methodology is for 660L wheeled skip bins to be located at the bottom of bin chutes throughout the site, which is designed to service each exclusively and is equivalent to an area of at least 1.5m2 per dwelling. The bins are to be regularly managed by the 'onsite manager' and the pick up location is to be central to the site and designed for this purpose. No curb side bin collection nis proposed.	Yes.

Standard	Acceptable Solution	Proposed	Complies?
	at least 1.2m above the finished surface level of the storage area.	Accordinlgy, the proosed waste storage is assessed as meeting the acceptable solution of this standard.	
11.4.9 Non-dwelling development	**A1** Non-dwelling development must comply with all of the following acceptable solutions as if it were a dwelling: (a) 11.4.2 A1 and A3; (b) 11.4.3 A1 (a) and (c); (c) 11.4.7 A1.	The frontage setback is applicable to 11.4.2 A1 and the proposed non-residential development is to have a frontage setbacks from 4.1m to 12.54m. 11.4.2 A3 relates to the building envelope. The proposal extends outside the vertical building envelope.	No
	A2 Non-residential garages and carports must comply with all of the following acceptable solutions as if they were ancillary to a dwelling: (a) 11.4.2 A2; (b) 11.4.5 A1.	The proposal complies with the 4m frontage setback for garages or carports in accordance with Clause 11.4.2 A2 because there are no garages or carports proposed within 4m of the frontage. There are no garage or carport openings facing the frontage. Therefore, the proposal complies with acceptable solution A1 of Clause 11.4.5.	Yes
	A3 Outdoor storage areas must comply with all of the following: (a) be located behind the building line;	All outdoor storage is proosed to be behind the buidng line and out of public view. Specifically designed storage areas are to be located adjacent to parking spaces	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(b) all goods and materials stored must be screened from public view; (c) not encroach upon car parking areas, driveways or landscaped area.	in the carpark facility and the waste is managed via a chute to the designated waste storage areas located in purpose built buldings for both commercial and residnetal uses.	

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

Standard	Acceptable Solution	Proposed	Complies?
	A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.		No – satisfy PC
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		No – satisfy PC
	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.		Yes

APPENDIX

E6.0Parking 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		No – satisfy PC

Standard	Acceptable Solution	Proposed	Complies?
	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.		
E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability	A1 Car parking spaces provided for people with a disability must: (a) satisfy the relevant provisions of the Building Code of Australia; (b) be incorporated into the overall car park design; (c) be located as close as practicable to the building entrance.		Yes
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		Yes

Standard	Acceptable Solution	Proposed	Complies?
	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.		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.		No – satisfy PC
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		Yes

Standard	Acceptable Solution	Proposed	Complies?
	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;		Yes

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

Standard	Acceptable Solution	Proposed	Complies?
E6.7.6 Surface Treatment of Parking Areas	A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following; (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.		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	A1 Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces		Yes

Standard	Acceptable Solution	Proposed	Complies?
Landscaping of Parking Areas	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.		
E6.7.9 Design of Motorcycle Parking Areas	A1 The design of motorcycle parking areas must comply with all of the following: (a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) be located within 30 m of the main entrance to the building.		Yes
E6.7.10 Design of Bicycle Parking Facilities	A1 The design of bicycle parking facilities must comply with all the following; (a) be provided in accordance with the requirements of Table E6.2; (b) be located within 30 m of the main entrance to the building.		Yes
	A2		

Standard	Acceptable Solution	Proposed	Complies?
	The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 “Design of Parking Facilities” and clauses 3.1 “Security” and 3.3 “Ease of Use” of the same Standard.		
E6.7.11 Bicycle End of Trip Facilities	A1 For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.		Yes
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 E7	A1		Yes

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

APPENDIX

E7.0 Stormwater Management Code

Standard	Acceptable Solution	Proposed	Complies?
E7.7 Development Standards			
E7.7.1	A1		No – satisfy PC

Standard	Acceptable Solution	Proposed	Complies?
Stormwater Drainage and Disposal	Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.		
	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 accommodated within existing or		Yes

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

6. PROPOSED USE AND DEVELOPMENT - CONVERSION OF EXISTING GARAGE TO HABITABLE ROOM (RESIDENTIAL) - 2/10 BOWDEN STREET GLENORCHY

Author: Planning Officer (Roy Adam)

Qualified Person: Planning Officer (Roy Adam)

Property ID: 3232050

REPORT SUMMARY

Application No.:	**PLN-20-387**
Applicant:	**G Correa Ruiz and C E Mcalister**
Owner:	**G Correa Ruiz and C E Mcalister**
Zone:	**General Residential**
Use Class	**Residential**
Application Status:	**Discretionary**
Discretions:	**10.4.6 A3 Privacy for all dwellings** **Clause E6.6.1 Number of Car Parking Spaces** (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	**No**
42 Days Expires:	**16 Mar 2021**
Existing Land Use:	**Multiple Dwelling**
Representations:	**1**
Recommendation:	**Approval, subject to conditions**

REPORT IN DETAIL

PROPOSAL

The proposal is for the conversion of a garage (or car parking space) to a habitable room, as part of an existing multiple dwelling.

The car parking space is on the ground floor level. The ground floor in total comprises a store room, amenities, laundry as well as the subject car parking space (Figure 1). The upper level comprises one bedroom, a study, bathroom, open plan lounge/kitchen area, and deck. The lounge/kitchen area is situated above the car parking space.

The enclosing of the car parking space would occur through the construction of one wall measuring 2.5 x 3 m (Figure 2). This would form a room of 23 m^2 in area. No other changes are proposed.

The proposal seeks to rely on performance criteria at Clause 10.4.6 'Privacy for all dwellings' and Clause E6.6.1 'Number of car parking spaces'.

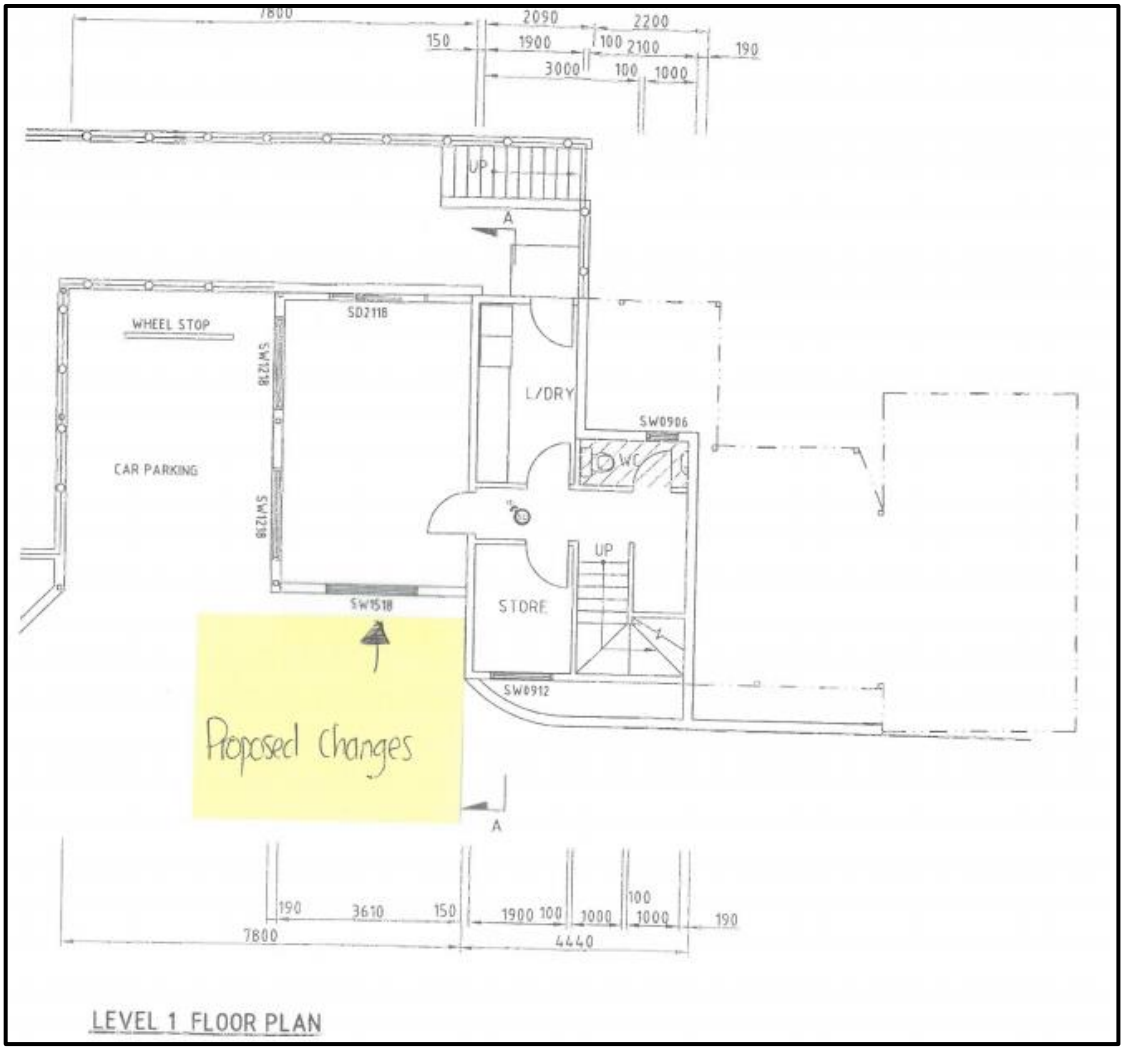


Figure 1: Site Plan for 2/10 Bowden Street, Glenorchy

Figure 2 :Car parking space proposed to be enclosed at 2/10 Bowden St., Glenorchy

SITE and LOCALITY

The subject site is located on the south side of Bowden Street, approximately 60 m to the east of the intersection of Fairfax Road, Glenorchy. The lot itself is strata titled,

and is comprised of 1/10 with a frontage to Bowden Street and 2/10 that faces a service road (unnamed).

The unnamed service road is located approximately 100 m to the south-west of the intersection of Windsor Street and Mavis Court, Glenorchy. A shared, common property driveway services both dwellings from the service road (Figure 3).

Figure 3 :Unnamed service road (2/10 Bowden St. in mid-distance)

As mentioned 2/10 Bowden Street has a frontage to the service road, which is 20.3 m, as well as an east side boundary of 21.4 m, a west side boundary of 37.0 m and a total area (excluding common property) of 237 m^2.

The subject site at 2/10 Bowden Street ranges from 46m AHD to 54m AHD, from the common boundary with 1/10, rising towards the frontage of 2/10. This equates to an average slope gradient of 1 in 4.6.

Presently, 2/10 contains two car parking spaces associated with the dwelling and 1/10 Bowden Street has one. Thus a total of three car parking spaces presently exist at the subject site.

The subject site is located in the General Residential Zone. It is noted that the Inner Residential Zone exists to the north beyond Bowden Street and to the west. The pattern of development in the vicinity is characteristed by single and multiple dwellings (Figure 4).

Figure 4 : Aerial photo at 2/10 Bowden Street, Glenorchy

ZONE

The subject site is in the General Residential Zone under the Glenorchy Interim Planning Scheme 2015 (the Scheme) (Figure 5). Surrounding lots beyond Bowden Street to the north, as well as lots to the west, are zoned Inner Residential Zone.

Figure 5 : General Residential Zone at 2/10 Bowden Street, Glenorchy

BACKGROUND

- PLN-10-264 was originally refused at the Glenorchy Planning Authority meeting of 18/10/2010 for "Additional dwelling unit and deck addition to existing dwelling, with variation to setback and works within road reserve"
- Consent Decision J004-2011 (19/01/2011) (File No. 250/10P) set aside the decision above, at the Resource Management and Planning Appeal Tribunal
- PLN-10-264 was reissued followed that decision. The permit has since been amended via PLN-10-264.01; PLN-10-264.02, PLN-10-264.03 and PLN-10-264.04
- PLN-10-264.01 Approved 29/09/11 - For staging as follows: Stage 1 existing dwelling and common property; Stage 2 Unit 2
- PLN-10-264.02 Approved 10/12/12 - For relocation of passing bay
- PLN-10-264.03 Approved 30/08/17 - For increase in height of 0.265m and reduced building footprint

- PLN-10-264.04 Approved 22/10/19 - For:

  -Larger middle window on west elevation

  -New garage window

  -Roofline on garage reduced in height

  -Altered step arrangement on east elevation.

Stage 1 of the survey strata plan for 1/10 and 2/10 Bowden Street was originally registered 23/4/2013. Stage 2 of the strata plan was registered 23/10/2019.

It is noted that in accordance with the strata plan, part of Lot 1 (being a car parking space) is located alongside the dwelling at 2/10 Bowden Street (Figure 6). By way of contrast, the driveway and turning area is common property to both strata lots 1 and 2.

It may be further noted that the space of the proposal is within the lot boundaries of Lot 2, and in accordance with the approved strata plan.

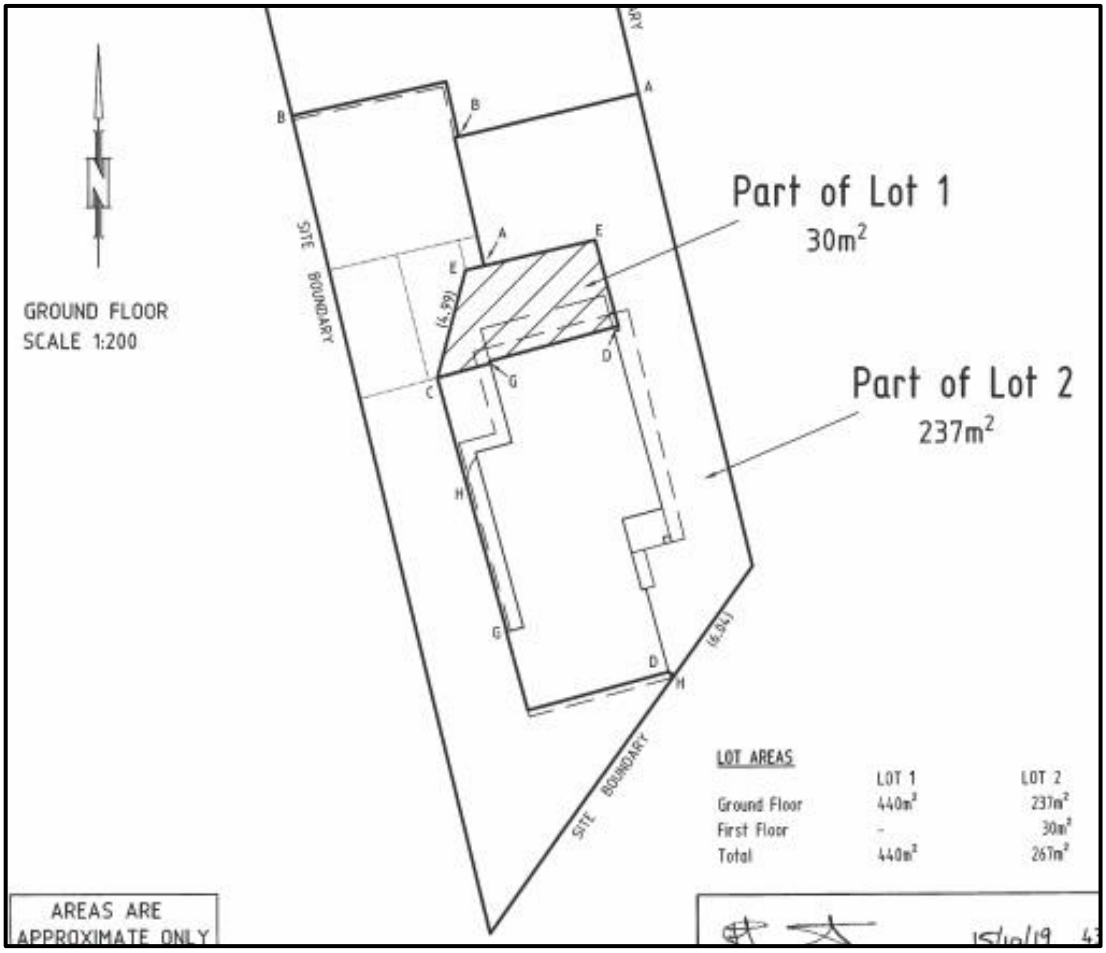


Figure 6: Excerpt of strata plan showing visitor bay as Part of Lot 1

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* (the Act).

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil.

Limited Exemptions

Nil.

Planning Scheme Operation

No SAP or code provisions override the zone provisions in this assessment.

Use Class Description (Table 8.2):

The use of Multiple Dwelling is listed within the Residential use class description of the Scheme.

The definition of Residential use class states:

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

Other relevant definitions (Clause 4.1):

Multiple Dwelling: *means 2 or more dwellings on a site.*

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

It is noted that clause 4.1.1 provides that:

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

Garage: As it is not defined in the Scheme nor the Act, the ordinary meaning applies as taken from the Macquarie Dictionary (Third Edition), definition 1 being: *"A building for sheltering a motor vehicle or vehicles".*

Discretionary Use or Development (Clause 8.8):

The application is discretionary in accordance with Clause 8.8:

> *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 in regards to (b) above, as it seeks to rely upon Performance Criteria, as it does not meet the Acceptable Solution of Clause 10.4.6 A3 'Privacy for all dwellings', nor Clause E6.6.1 A1 'Number of car parking spaces'.

Part C: Special Provisions

No Special Provisions apply.

Part D: Zones

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

Zone Purpose Statements

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

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

Part E: Codes

The following codes of the Scheme apply to this proposal:

E5.0 Road and Railway Assets Code

The proposal is not exempt under Clause E5.4. It is noted that increased vehicle movements are not likely to result from the proposal, and it is considered that the proposal complies with the acceptable solutions of the standards in Section E5.0.

E6.0 Parking and Access Code

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

Acceptable Solution A1 of this standard provides that:

The number of 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.

Accordingly, in refererence to Table 6.1 'Number of Car Parking Spaces Required', it is noted that a:

> *"Multiple dwelling containing 2 or more bedrooms (including all rooms capable of being used as a bedroom) requires 2 spaces for each dwelling and 1 dedicated visitor parking space per 4 dwellings (rounded up to the nearest whole number…)."*

In regards to the above it is therefore calculated that two car parking spaces are required for the multiple dwelling of the proposal. As one of these would be removed as a result of the proposal being carried out, the proposal will not achieve the Acceptable Solution A1.

In reference to Clause 7.5 Compliance with Applicable Standards, it is provided that:

> *"7.5.1 A use or development must comply with each applicable standard in a zone, specific area plan or code."…*

and

> *"7.5.3 Compliance for the purposes of subclause 7.5.1 consists of complying with the acceptable solution or the performance criterion for that standard."*

In regards to the above, as the proposal would not meet the Acceptable Solution, it may be considered against the Performance Criteria, in order to determine compliance with the applicable standard.

In this instance, Clause E6.6.1 Performance Criteria P1 provides:

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.

In having regard to the above points, the comments of Council's Development Engineer and Traffic Engineer have been considered. In addition the Traffic Impact Statement (Midson Traffic, 2021) accompanying the application has been considered. In particular, it is noted that the Conclusion of this Statement provides:

> *"The parking meets the requirements of Performance Criteria P1 of Clause E6.6.1 of the Planning Scheme. This is due to the actual demands being lower than the requirements of Table E6.1 of the Planning Scheme and that visitor parking can be accommodated on-street in the surrounding road network. There is adequate provision of available on-street parking in the surrounding network to cater for occasional visitor car parking demands (noting that Unit 1 fronts onto Bowden Street and Unit 2 fronts onto a service road accessed via Windsor Street thus disbursing the visitor parking demands in the network).* (p11).

In regards to point (a) of the Performance Criteria as outlined above, it is noted that one bedroom is shown in the submitted plans. In addition, it is considered that only a limited amount of car parking demand is likely to increase due to a further 23m2 of habitable space. This matter is also described in the Traffic Impact Statement:

> *"a. Car parking demand. The car parking demand is lower than the Acceptable Solution requirements. Modern residential unit developments typically provide one car parking space per unit. It is further noted that the site has effectively not had the parking space subject of the development available for some time and no issues associated with on-site car parking have been noted for both Units."*

Regarding point (b) of the Performance Criteria, the provision of on-street parking and public parking in the area has been examined. It is noted that on street parking is available approximately 100 m from 2/10 Bowden Street along Windsor Street. This matter is further described in the Traffic Impact Statement:

> *"b. On-street car parking. On street parking is available in the service road near the subject site as well as in Windsor Street and Bowden Road. On-street parking demand is only likely to be required for occasional visitor parking. Residential visitor parking is most commonly provided through the provision of on-street parking in an urban environment. It is also noted that visitor parking locations differ for both units – Unit 1 would rely on Bowden Street and Unit 2 would rely on Windsor Street and the service road.".*

Regarding point (c) of the Performance Criteria, the availability of public transport within 400m is considered satisfactory. A walking distance of 615 m to Main Road has been measured with numerous bus routes on that road. In addition, the walking distance from 10 Bowden Street to the Glenorchy Interchange is 850 m. This matter is further described in the Traffic Impact Statement:

> *"c. Public transport. Metro Tasmania operate regular public bus services along Main Road near the site. The site is also located within a reasonable distance to the Glenorchy bus interchange."*

It is noted that the Traffic Impact Statement also provides:

> *"d. Other modes of transport. The site is located in close proximity to Glenorchy CBD and is therefore likely to generate pedestrian movements to and from the site. Residents may have a propensity for lower car ownership due to the relative ease of accessibility of the site to the CBD for pedestrians."*

Point (d) above is supported.

Overall, the points above are considered to be in favour of the proposal meeting the Performance Criteria P3. The remaining points of the performance criteria do not apply to the proposal, and none are considered to conflict. Therefore it is considered that reliance on the performance criteria would be acceptable in this instance.

E7.0 Stormwater Management Code

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

PART F: Specific Area Plans

No Specific Area Plans apply.

INTERNAL REFERRALS

Development Engineer

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

The proposal is to convert an existing garage into an habitable living space, thereby reducing the available on-site available parking. The site currently has three (3) available spaces servicing the two (2) units, and the approval would reduce the available parking to one (1) space per unit.

E5.0 Road and Railway Assets Code

The complex is currently serviced by an approved access off a narrow Council maintained service road. The development is not expected to increase vehicle movements, to and from the site, over 40 vehicle movements and therefore complies with the Acceptable solution A3 of E5.5.1.

E6.0 Parking and Access Code

The original approval for the unit development (2010) required that three (3) parking spaces be provided. With the reduction in parking proposed the applicant was requested to submit a Traffic Impact Assessment to address the shortfall in parking. The statement submitted addressed the compliance issues in accordance with the current planning scheme (GIPS2015) which revealed a shortfall of two (2) parking spaces.

It also indicated that the Acceptable Solution A1 of clause E6.6.1 of the Planning Scheme was not met. The Performance Criteria P1 of clause E6.6.1was assessed and found that the following was relevant to the proposal:

> *(a) Car parking demand. The car parking demand is lower than the Acceptable Solution requirements. Modern residential unit developments typically provide one car parking space per unit. It is further noted that the site has effectively not had the parking space subject of the development available for some time and no issues associated with on-site car parking have been noted for both Units.*

(b). On-street car parking. On street parking is available in the service road near the subject site as well as in Windsor Street and Bowden Road. On-street parking demand is only likely to be required for occasional visitor parking. Residential visitor parking is most commonly provided through the provision of on-street parking in an urban environment. It is *also noted that visitor parking locations differ for both units – Unit 1 would rely on Bowden Street and Unit 2 would rely on Windsor Street and the service road.*

(c) Public transport. Metro Tasmania operate regular public bus services along Main Road near the site. The site is also located within a reasonable distance to the Glenorchy bus interchange.

(d) Other modes of transport. The site is located in close proximity to Glenorchy CBD and is therefore likely to generate pedestrian movements to and from the site. Residents may have a propensity for lower car ownership due to the relative ease of accessibility of the site to the CBD for pedestrians.

The assessment undertaken did not address the current operation and usage at the site, currently four (4) cars parked (one in the area provided for on-site turning) or the available on-street parking located in Windsor Street approximately 120 metres away, or the 650 metre walk to the Main Road.

Council's Traffic Engineer examined the Traffic Impact Assessment (TIA) submitted and accepted that it was compliant with the relevant regulatory controls in the planning scheme.

E7.0 Stormwater Management Code

This code applies to development requiring management of stormwater. This code does not apply to use. There are no Council mains affected by this proposal.

Other

E3.0 Landslide Code

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

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

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

E15.0 Inundation Prone Areas Code

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

Traffic Engineer

The proposal was referred to Council's Traffic Engineer who provided support to the proposal, noting that there is available parking in the surrounding road network and the site is close to public transport.

EXTERNAL REFERRALS

TasWater

The application was not referred to TasWater as in accordance with s. 12 of the *Water and Sewerage Industry (General) Regulations* as the proposal is exempt.

REPRESENTATIONS

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

1. Car ownership numbers

The representor states that "Both premises have 2 cars each - total of 4 cars needing car spaces within the property."

Planner's Comment:

The matter of car ownership is not a planning matter under the Glenorchy Interim Planning Scheme 2015. However the related topic of car parking demand is discussed in the attached Traffic Impact Statement, and the Part E Codes and Internal Referrals sections the report above. Council's Development Engineer and Traffic Engineer have supported the proposal, and the application has been considered against the relevant Performance Criteria for reducing the number of car parking spaces. It is considered to comply with that criteria overall and in regard to demand in particular, the Traffic Impact Statement accompanying the proposal may be noted:

"Modern residential unit developments typically provide one car parking space per unit. It is further noted that the site has effectively not had the parking space subject of the development available for some time and no issues associated with on-site car parking have been noted for both Units." (p9).

2. Existing garage location, and parking in the no standing passing bay

The representor states that the existing garage and dwelling is illegal, and a "no standard passing bay" is being parked in.

Planner's Comment:

The buildings at 2/10 Bowden Street are approved through the planning and building permit process. This includes the existing garage alongside the service road, and

vehicle access requirements to access and exit. The topic of parking on a public road or in a passing bay on that road may be regulated in other statutes however is not a planning matter under the Glenorchy Interim Planning Scheme 2015.

3. More traffic congestion on Bowden Street, increased deliveries and couriers

The representor states that Bowden Street is a bypass road and is not a standard street, and will become congested with traffic.

Planner's Comment: This is not a planning matter that can be considered as part of this application.

CONCLUSION

The proposal is relying on complying with performance criteria to comply with the applicable standards of the Scheme in regards to privacy for all dwellings and the number of car parking spaces. The proposal is assessed as satisfying the performance criteria and complies with the applicable standards.

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

The application was publicly advertised for the statutory 14-day period and one representation was received.

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

Recommendation:

That a permit be granted for the proposed use and development of Conversion of existing garage to habitable room (Residential) at 2/10 Bowden Street Glenorchy subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-20-387 and drawings submitted on 8/9/2020 except as otherwise required by this permit.
2. The proposed habitable room windows facing the shared driveway and adjoining parking space, are to have fixed obscure screening or glazing to a height of no less than 1.7 m above the finished floor level.

Engineering

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

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

4. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.

5. The remaining allocated parking spaces and manoeuvring area are to remain as designated on the approved plan and kept available for these purposes at all times.

Advice to Applicant

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

Other Permits

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

Attachments/Annexures

1 GPA Attachement - 2/10 Bowden Street Glenorchy

⇨

APPENDIX A

10.0 General Residential Zone

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

	(a) be turned off between 6:00 pm and 8:00 am, except for security lighting; (b) security lighting must be baffled to ensure they do not cause emission of light into adjoining private land.		
	A4 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site must be limited to 20 vehicle movements per day and be within the hours of: (a) 7.00 am to 5.00 pm Mondays to Fridays inclusive; (b) 9.00 am to 12 noon Saturdays; (c) nil on Sundays and Public Holidays.		N/A
10.3.2 **Visitor Accommodation**	**A1** Visitor accommodation must comply with all of the following: (a) is accommodated in existing buildings; (b) provides for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site; (c) has a floor area of no more than 160m^2.		N/A
10.3.3 **Local Shop**	**A1** A local shop must have a gross floor area no more than 200m^2.		N/A
10.4.1 **Residential density for multiple dwellings**	**A1** Multiple dwellings must have a site area per dwelling of not less than: (a) 325m^2; or		N/A

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

	(c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.		
	A3 A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must: (a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by: (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and (b) only have a setback within 1.5 m of a side boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or (ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).		N/A
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		N/A

	the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) a site area of which at least 25% of the site area is free from impervious surfaces.		
	A2 A dwelling must have an area of private open space that: (a) is in one location and is at least: (i) 24 m²; or (ii) 12 m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (b) has a minimum horizontal dimension of: (i) 4 m; or (ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and (d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and (e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and (f) has a gradient not steeper than 1 in 10; and		N/A

	(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).		N/A
	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.		N/A
	A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance		N/A

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

	(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary; and (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4 m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m: (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.		
	A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b): (a) The window or glazed door: (i) is to have a setback of at least 3 m from a side boundary; and (ii) is to have a setback of at least 4 m from a rear boundary; and (iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (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:		N/A

	(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 proposed habitable room has windows that face both the shared driveway as well as the car parking space attributed to Unit 1.	No
10.4.7 **Frontage Fences for all dwellings**	**A1** A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than: (a) 1.2 m if the fence is solid; or		N/A

	(b) 1.8 m, if any part of the fence that is within 4.5 m of a primary frontage has openings above a height of 1.2 m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).		
10.4.8 **Waste Storage for multiple dwellings**	**A1** A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m2 per dwelling and is within one of the following locations: (a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) in a communal storage area with an impervious surface that: (i) has a setback of at least 4.5 m from a frontage; and (ii) is at least 5.5 m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2 m above the finished surface level of the storage area.		N/A

APPENDIX B

E5 Road and Railway Assets Code

Standard	Acceptable Solution	Proposed	Complies?
5.5 Use Standards			
E5.5.1 **Existing road accesses and junctions**	**A1** The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.		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.	No additional traffic will be generated	NA

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
	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

Standard	Acceptable Solution	Proposed	Complies?
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.		NA
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.		NA

APPENDIX C

E6.0Parking 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.	Refer to accepted TIA	NO
E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability	A1 Car parking spaces provided for people with a disability must: (a) satisfy the relevant provisions of the Building Code of Australia; (b) be incorporated into the overall car park design; (c) be located as close as practicable to the building entrance.		NA

Standard	Acceptable Solution	Proposed	Complies?
E6.6.3 Number of Motorcycle Parking Spaces	A1 The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.		NA
E6.6.4 Number of Bicycle Parking Spaces	A1 The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.		NA
E 6.7 Development Standards			
E6.7.1 Number of Vehicle Accesses	A1 The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.		NA
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	Previously approved	NA

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.		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;	Previously approved.	YES

Standard	Acceptable Solution	Proposed	Complies?
	(b) it meets a road carrying less than 6000 vehicles per day.		
E6.7.5 Layout of Parking Areas	A1 The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 "Design of Parking Modules, Circulation Roadways and Ramps" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 "Headroom" of the same Standard.		
E6.7.6 Surface Treatment of Parking Areas	A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following; (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.		NA
E6.7.7 Lighting of Parking Areas	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.		NA

Standard	Acceptable Solution	Proposed	Complies?
E6.7.8 Landscaping of Parking Areas	A1 Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.		NA
E6.7.9 Design of Motorcycle Parking Areas	A1 The design of motorcycle parking areas must comply with all of the following: (a) be located, designed and constructed to comply with section 2.4.7 “Provision for Motorcycles” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) be located within 30 m of the main entrance to the building.		NA
E6.7.10 Design of Bicycle Parking Facilities	A1 The design of bicycle parking facilities must comply with all the following; (a) be provided in accordance with the requirements of Table E6.2; (b) be located within 30 m of the main entrance to the building.		NA
	A2 The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 “Design of Parking Facilities” and clauses 3.1 “Security” and 3.3 “Ease of Use” of the same Standard.		NA

Standard	Acceptable Solution	Proposed	Complies?
E6.7.11 Bicycle End of Trip Facilities	A1 For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.		NA
E6.7.12 Siting of Car Parking	A1 Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.		NA
E6.7.1.13 Facilities for Commercial Vehicles	A1 Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless: (a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site; (b) the use is not primarily dependent on outward delivery of goods from the site.		NA
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements of the road authority.	Previously approved	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.		NA
	A2 A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply: (a) the size of new impervious area is more than 600 m^2; (b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots.		NA
	A3 A minor stormwater drainage system must be designed to comply with all of the following: (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed; (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be		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

7. PROPOSED USE AND DEVELOPMENT - OUTBUILDING ADDITION FOR FIRING RANGE (SPORTS AND RECREATION) - 210 TOLOSA STREET GLENORCHY

Author: Planning Officer (Matthew Abell)

Qualified Person: Planning Officer (Matthew Abell)

Property ID: 3491773

REPORT SUMMARY

Application No.:	**PLN-21-023**
Applicant:	**Sporting Shooters Association of Australia Glenorchy Incorporated SSAA**
Owner:	**Glenorchy City Council**
Zone:	**Recreation**
Use Class	**Sports and Recreation**
Application Status:	**Discretionary**
Discretions:	**E7.7.1 Stormwater Drainage and Disposal, E11.7.1 Buildings and Works** (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	**No**
42 Days Expires:	**23 Mar 2021**
Existing Land Use:	**Sports and Recreation (Firing Range)**
Representations:	**2**
Recommendation:	**Approval, subject to conditions**

REPORT IN DETAIL

PROPOSAL

The application proposes a new shipping container for an existing firing range at 210 Tolosa Street, Glenorchy.

The proposed shipping container would be used for administration and storage and would have a length of 6 m and a width of 2.4 m with an area of 14.4 m^2. The maximum height of the proposed shipping container would be 2.6 m, as shown in Figure 1 below. The proposed shipping container would be parallel to an existing shelter on the site. As indicated in Figure 2 below, the shipping container's proposed location close to the firing Range C will decrease the amount of effort needed to use this range, encourage the less physically fit to participate in the sport, and reduce the risk of injury.

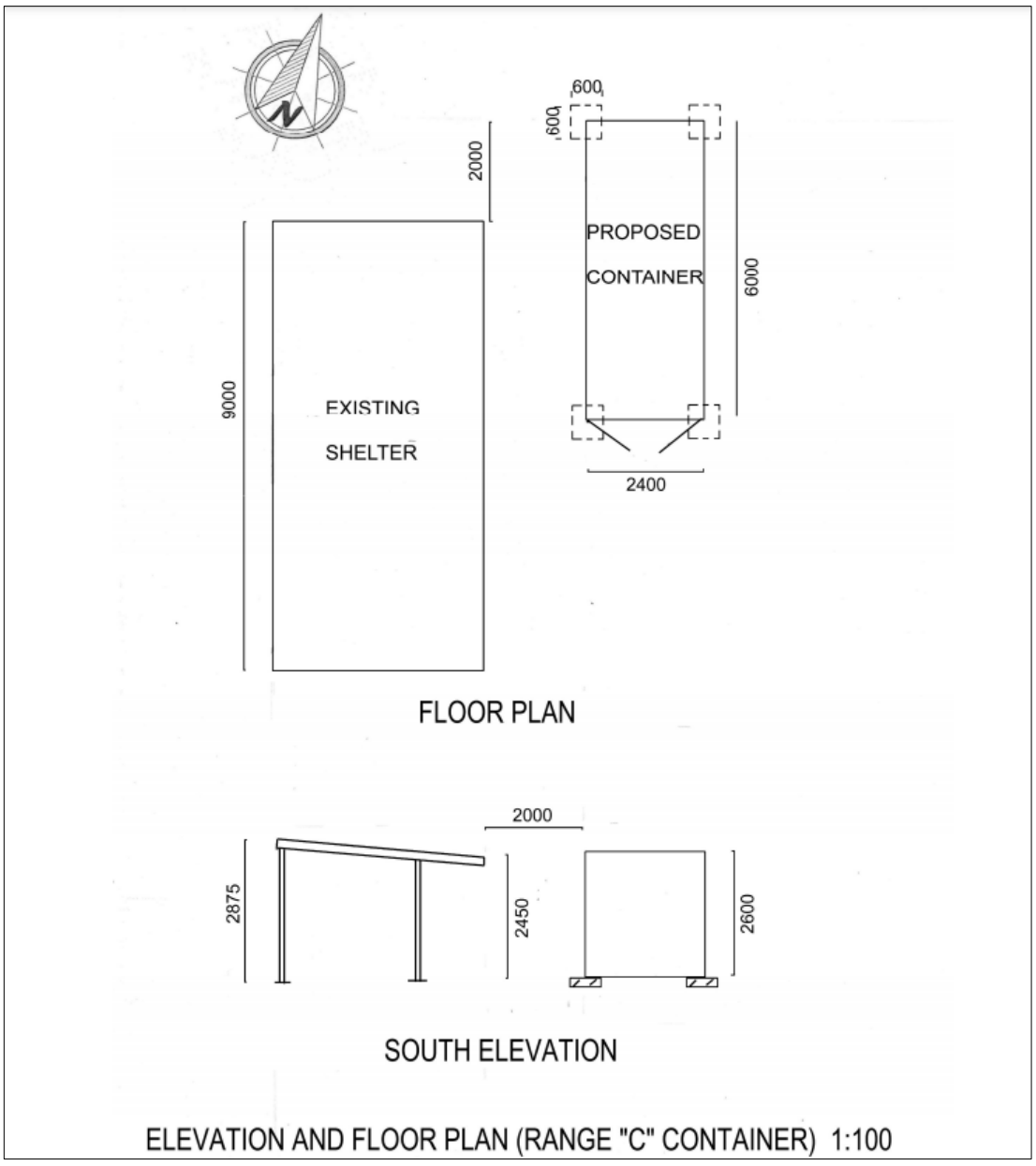


Figure 1: Plans for the proposal.

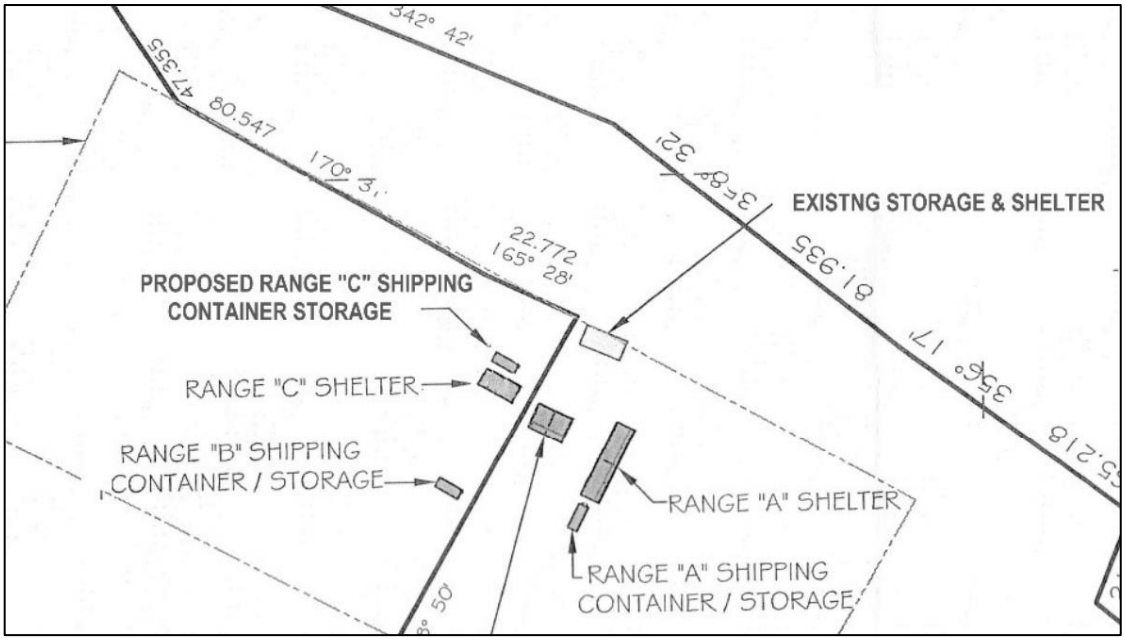


Figure 2: Site plan of the proposal.

SITE and LOCALITY

The subject site is part of the Tolosa Park Reserve at 210 Tolosa Street, Glenorchy. The property contains a firing range with six outbuildings. Within the firing range, Ranges 'A' and 'B' each have their dedicated storage container; however, Range 'C' is serviced from a container 25 m away. There is significant amount of native vegetation surrounding the subject site however no clearing of native vegetation is proposed. The proposed shipping container's location is within a cleared area along the firing range's northern side, as shown in Figure 3 below.

Figure 3: *Aerial view of the subject site and the surrounding area.*

ZONE

The subject site is located within the Recreation Zone. The subject site is surrounding by the Environment Management Zone, as shown in Figure 4 below.

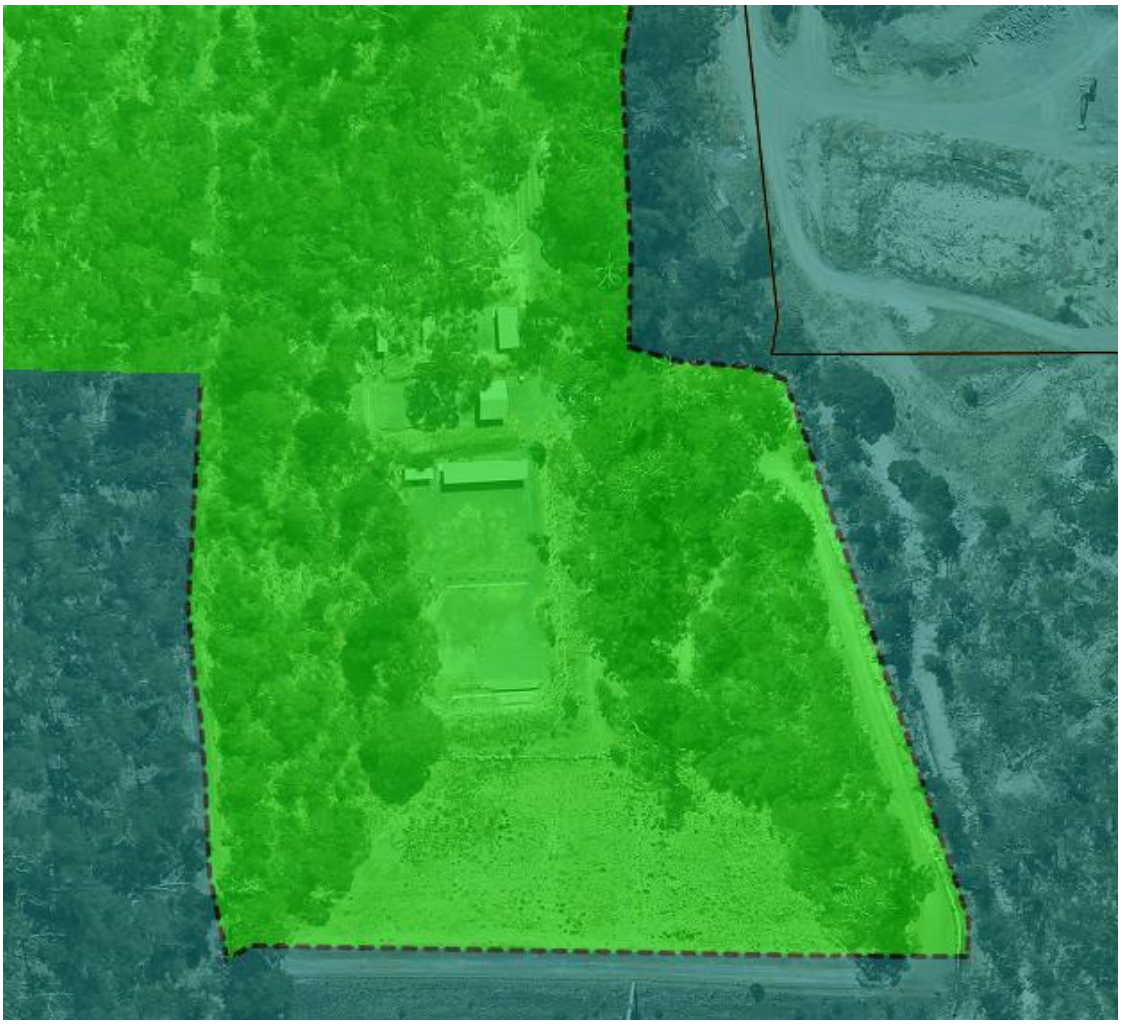


Figure 4: *Zoning map of the subject site and the surrounding area.*

BACKGROUND

The subject site was part of the following development applications for the Firing Range (Sports and Recreation). Refer below.

PLN-19-075 – Addition to Firing Range (Sports and Recreation), approved on 14 May 2019.

PLN-15-183 – 3 Shelter Structure and 2 Shipping Containers for Existing Firing Range, approved on 11 September 2015.

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 Specific Area Plan applies. Any applicable codes override over the relevant zone provisions if there any conflict.

Use Class Description (Table 8.2):

The application is in connection with the existing firing range, which is classed Sports and Recreation. The use is defined in Table 8.2 Use Classes as follows:

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

Other relevant definitions (Clause 4.1):

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

(a) the proposed use or development will be on a site within a zone or the area to which a specific plan relates, or is a use or development to which the code applies; and

(b) the standard deals with a matter that could affect, or could be affected by, the proposed use or development.

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

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

Shipping Container Storage means use of land to store shipping containers and if such use is made of the land, includes the cleaning, repair, servicing, painting, or fumigation of the shipping containers.

Part C: Special Provisions

No Special Provision is applicable to this assessment.

Part D: Zones

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

Zone Purpose Statements

18.1.1 Zone Purpose Statements

18.1.1.1 To provide for a range of active and organised recreational use or development and complementary uses that do 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 use is in association with an existing recreational use of a firing range and would not encroach on any walking tracks or cause any adversely impacts on the recreational use of the land. Therefore, it is considered that the proposal complies with the Recreation zone's purpose.

Use Table

The use class Sports and Recreation is permitted within the Recreation zone in 18.2 Use Table.

Use Standards

There are use standards for Operating Hours, Noise, External Lighting, Commercial and Patron Vehicle Movement and Discretionary Use.

The application complies with all relevant Acceptable Solutions, as demonstrated in the attached Appendix A.

Development Standards for Buildings or Works

The application complies with all relevant Acceptable Solutions, as demonstrated in the attached Appendix A.

Part E: Codes

The following codes of the Scheme apply to this proposal:

E5.0 Road and Rail Asset Code

The proposal would not cause any safety concerns or impact the effectiveness of the road network. As such, the proposal complies with the relevant Acceptable Solutions as demonstrated in the attached Appendix E.

E6.0 Parking and Access Code

There would be no changes to the existing on-site parking or driveway. Therefore, the proposal would comply with the relevant Acceptable Solutions, as demonstrated in the attached Appendix F.

E7.0 Stormwater Management Code

E7.7.1 Stormwater Drainage and Disposal

The acceptable solution (A1) states that *stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.* As there is no public stormwater infrastructure within the area, the proposal is unable to comply with the acceptable solution (A1). Therefore, the proposal will need to rely on the performance criteria (P1), which states below:

Stormwater from new impervious surfaces must be managed by any of the following:

(a) disposed of on-site with soakage devices having regard to the suitability of the site, the system design and water sensitive urban design principles

(b) collected for re-use on the site;

(c) disposed of to public stormwater infrastructure via a pump system which is designed, maintained and managed to minimise the risk of failure to the satisfaction of the Council.

Comment:

There would be no changes to the existing stormwater management on the site which will remain effective to service the additional outbuilding (shipping container). The lot is large enough that stormwater will be able to be adequately disposed of on-site.

The proposal is assessed as complying with the performance criteria (P1) and meeting the standard.

The proposal would comply with the rest of the relevant Acceptable Solutions, as demonstrated in the attached Appendix G.

E10.0 Biodiversity Code

The proposed development is to be located within the Biodiversity Code overlay, as shown in Figure 5 below:

Figure 5: *Overlay mapping of Biodiversity Code.*

The Biodiversity code is not applicable, as demonstrated in Figure 6 below. The proposed development will not involve any clearance and conversion or disturbance of native vegetation within a Biodiversity Protection Area. The application does not include vegetation clearing. Therefore, this code does is not applicable in this assessment.

Figure 6: *Image showing Range "C" and an approximate footprint of the proposed container.*

E11.0 Waterway and Coastal Protection Code

The proposed development is to be located within the Waterway and Coastal Protection Code, as shown in Figure 7 below:

Figure 7: Overlay mapping of the Waterway and Coastal Protection code

E11.7.1 Buildings and Works (A1)

The proposal cannot comply with the Acceptable Solution (A1) as there is no building area on the title. Therefore, the proposal will need to address the Performance Criteria (P1), which states below:

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

(a) avoid or mitigate impact on natural values;

Comment:

The proposal would not have any adverse impacts on the area's natural values as the proposal would not be constructed on or near any natural values.

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

Comment:

The proposal will be constructed on four corner slabs on an existing gravel area. Therefore, the proposal would not disrupt soil, thus avoiding any potential erosion, sedimentation and runoff impact to natural values.

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

Comment:

The proposal would be erected on an area that is already cleared of vegetation.

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

Comment:

There would be no vegetation removal or alteration of the stream bank because the proposal would be erected on an area already cleared of vegetation.

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

Comment:

As indicated above, there would be no alteration of the stream or impact the in-stream natural habitat as the proposal would be erected on an area that is already cleared of vegetation.

(f) avoid significantly impeding natural flow and drainage;

Comment:

The proposal would not disrupt the natural flow and drainage of the area as it will be placed on a site that is already cleared of vegetation and appears to be flat.

(g) maintain fish passage (where applicable);

Comment:

This standard is not applicable as there is no fish passage within the area.

(h) avoid landfilling of wetlands;

Comment:

No landfilling of wetlands proposed.

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

Comment:

The proposal does not involve any unnecessary use of machinery within a watercourse or wetlands. The site already has a planning permit for the use of the firing range.

In summary

The proposed building would be erected on four corners slabs on an existing gravel area. As such, there would be no vegetation removal or alteration of the stream bank. Given that the area is already reasonably graded, it is not expected that there would be any erosion or sediment transfers occurring in the area. Therefore, the proposal would not cause any impact on the natural values of the area.

The proposal is assessed as complying with the performance criteria (P1) and meeting the standard.

E14.0 Scenic Landscapes Code

The proposed development is located outside the Scenic Landscapes Code overlay, as shown in Figure 8 below. Therefore, this code does not apply to the assessment.

Figure 8: *Overlay Mapping of the Scenic Landscapes code*

PART F: Specific Area Plans

There are no Specific Area Plans applicable to his assessment.

INTERNAL REFERRALS

The proposal was referred to the Council's Environmental Health Officer. Refer below for comments.

Environmental Health Officer

This development is for a site that has been identified as potentially contaminated land. Due to the nature of the development, the applicant provided written confirmation that this development would not result in soil disturbance beyond that set out in the Code's exemptions. Council's Environmental Health Officer is satisfied that this development is exempt from the E2.0 Potentially Contaminated Land Code and has no conditions to recommend.

EXTERNAL REFERRALS

No external referrals were deemed necessary.

REPRESENTATIONS

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

1. Noise

The representor has raised concerns about noise impacting their property.

Planner's Comment:

The sport of target shooting is inherently noisy however the firing range has been operational on the subject site since 2015. The firing range is only open for shooting activities on Saturdays and Wednesday mornings and a couple of Sundays per year (for special events). The existing firing range is approximately 600 m away from the representor's property, with a significant amount of native vegetation and a hill between the property and the proposal, that will block most of the noise. The proposed development is for a shipping container to be used as storage for an existing Range and so will not increase the level of noise from the firing range.

2. Disturbance to dogs

The representor has raises concerns that the firing range may disturb dogs in the surrounding area.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application as dogs can bark at many things. There is a significant amount of distance and native vegetation between the representor's property and the proposal. There is no evidence to support a view that the firing range is currently disturbing dogs.

3. Downgrades the area and rental returns

The representor has raised concerns that shooting range downgrades the area and is decreasing rental returns for their property.

Planner's Comment:

The facility is approximately 600 m away from the nearest residential area and hidden by a significant amount of native vegetation and a hill between the representor's property and the proposal. The proposal will not downgrade the area in terms of amenity or character for the surrounding area as it is out of sight. The rental return for the representor property is not a planning issue that can be considered part of the assessment of this application.

4. Potential Anti-social Behaviour.

The representor has raised concerns about the potential anti-social behaviour occurring that may be linked to the shooting range.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application. However, this concern has been referred to the Council's Property team as the land is leased from Council.

5. Potential Gun Violence & Community Safety

The representor has raised concerns about the potential gun violence occurring in the area from the firing range.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application. As the firing range has been operating since 2015, there is no evidence suggesting that an additional shipping container would cause any gun violence around the area.

Summary

In Summary, the proposal is assessed as meeting all the planning scheme's applicable standards, and no alteration to the proposed development is recommended to address the concerns of the representors.

CONCLUSION

The proposal is relying on the performance criteria to comply with applicable standards. The proposal is assessed as satisfying the performance criteria and complies with those standards. The proposal is assessed as complying with use and development standards in the Recreation zone, as well applicable standards of the following Codes; Road and Railway code, Parking and Access, Stormwater Management Code, and Waterway and Coastal Protection Code. The application was publicly advertised for the statutory 14-day period, and two representations were received. It is concluded that the proposal is consistent with the Scheme's zone purpose statements and is satisfactory for approval.

Recommendation:

That a permit be granted for the proposed use and development of Outbuilding addition for a firing range (Sports and Recreation) at 210 Tolosa Street Glenorchy subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with the planning permit application No. PLN-21-023 and Drawing submitted on 04/02/2021, except as otherwise required by this permit.
2. External surfaces must dark grey in Colourbond Gully or similar to blend with the natural landscape.

Advice to Applicant

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

Other Permits

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

Attachments/Annexures

1 GPA Attachment - 210 Tolosa Street
⇨

APPENDIX A
18.0 Recreation Zone

Standard	Acceptable Solution	Proposed	Complies?
18.3 Use Standards			
18.3.1 **Hours of Operation**	**A1** Hours of operation of a use within 50 m of a residential zone must be within: (a) 7.00 am to 8.00 pm Mondays to Fridays inclusive; (b) 8.00 am to 6.00 pm Saturdays; (c) 10.00 am to 5.00 pm Sundays and Public Holidays; except for office and administrative tasks.	Not applicable – No changes proposed Existing hours are as per lease as follows: Weekdays: 9 am to 10 pm Saturdays: 9 am to 10 pm Sundays 10 am to 6 pm (only 2x per year) Public Holidays 9 am to 10 pm (not Good Friday and Christmas Day).	N/A
18.3.2 **Noise**	**A1** Noise emissions measured at the boundary of a residential zone must not exceed the following: (a) 55dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm; (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm and 7.00 am; (c) 65dB(A) (LAmax) at any time. Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness. Noise levels are to be averaged over a 15 minute time interval.	The proposed shipping will be for storage and administrative activities. Therefore, the shipping container will not be expected to generate additional noise.	N/A

	A2 External amplified loud speakers or music must not be used within 50 m of a residential zone, except if a school system used for school announcements.	Not applicable – no loudspeaker or music proposed.	N/A
18.3.3 **External Lighting**	**A1** External lighting, other than flood lighting of sport and recreation facilities, within 50 m of a residential zone must comply with all of the following: (a) be turned off between 9:00 pm and 6:00 am, except for security lighting; (b) security lighting must be baffled to ensure they do not cause emission of light outside the zone.	Not applicable – No external lighting proposed	N/A
	A2 Flood lighting of sport and recreation facilities within 200 m of a residential zone must not subject nearby residential lots to obtrusive light, as defined in AS 4282-1997-1.4.7.	Not applicable – no flooding lighting proposed. The proposal is approximately 600 m from the residential zone.	N/A
18.3.4 **Commercial and Patron Vehicle Movements**	**A1** Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must be within the hours of: (a) 7.00 am to 9.00 pm Mondays to Fridays inclusive; (b) 8.00 am to 7.00 pm Saturdays; (c) 10.00 am to 6.00pm Sundays and Public Holidays.	Not applicable – not within 50m of a residential zone.	N/A
18.3.5 **Discretionary Use**	**A1** No Acceptable Solution	Sports and Recreation is a permitted use within the Recreation Zone.	Yes
18.4 Development Standards for Buildings and Works			
18.4.1 **Building Height**	**A1** Building height must not be more than:	Complies – The maximum height is 2.6 m	Yes

	(a) 10m. (b) 15m if in the KGV Sports and Community Precinct and 10m or more from that Precinct boundary other than a boundary with a residential zone.		
	A2 Building height within 10 m of a residential zone must be no more than 8.5 m.	Not applicable – not near any residential area.	N/A
18.4.2 **Setback**	**A1** Building setback from frontage must be no less than: (a) 5m; (b) the alignment of adjoining buildings; whichever is the lesser.	Complies – setback more than 5 m from the frontage.	Yes
	A2 Building setback from a residential zone must be no less than: (a) 3 m; (b) half the height of the wall, whichever is the greater.	Not applicable – the proposal is not near any residential zone. Over 600 m away from the nearest residential area.	N/A
18.4.3 **Design**	**A1** Building design must comply with all of the following: (a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site; (b) for new building or alterations to an existing facade provide windows and door openings at ground floor level in the front façade no less than 40% of the surface area of the ground floor level facade; (c) for new building or alterations to an existing facade ensure any single expanse of blank wall in the ground level front façade and facades facing other public spaces is not greater than 50% of the length of the facade; (d) screen mechanical plant and miscellaneous equipment such as heat pumps, air conditioning units, switchboards, hot water units or similar from view from the street and other public spaces;	Not applicable - Given that the application is for a shipping container at the site with existing buildings, it is considered that is standard does not apply.	N/A

	(e) incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof; (f) provide awnings over the public footpath if existing on the site or on adjoining lots; (g) not include security shutters over windows or doors with a frontage to a street or public place.		
	A2 Walls of a building facing a residential zone must be coloured using colours with a light reflectance value not greater than 40 percent.	Not applicable – the proposal is not near any residential zone.	N/A
18.4.4 **Passive Surveillance**	**A1** Buildings design must complying with all of the following: (a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site; (b) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the front façade which amount to no less than 40 % of the surface area of the ground floor level facade; (c) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the façade of any wall which faces a public space or a car park which amount to no less than 30% of the surface area of the ground floor level facade; (d) avoid creating entrapment spaces around the building site, such as concealed alcoves near public spaces; (e) provide external lighting to illuminate car parking areas and pathways; (f) provide well-lit public access at the ground floor level from any external car park.	Not applicable - Given that the application is for a shipping container at the site with an established building, it is considered this standard is not applicable.	N/A

18.4.5 **Landscaping**	**A1** Landscaping must be provided along the frontage of a site (except where access is provided) unless the building has nil setback to frontage.	Not applicable – cannot be seen from the frontage.	N/A
	A2 Along a boundary with a residential zone landscaping must be provided for a depth no less than 2 m.	Not applicable – the proposal is not near any residential zone.	N/A
18.4.6 **Outdoor Storage Areas**	**A1** Outdoor storage areas for non-residential uses must comply with all of the following: (a) be located behind the building line; (b) all goods and materials stored must be screened from public view; (c) not encroach upon car parking areas, driveways or landscaped areas.	Complies – there would be an outdoor storage space between the shipping containers that would have a screen on one end so that there would be screening from three sides. The building with the storage area would not impact existing parking.	Yes
18.4.7 **Fencing**	**A1** Fencing must comply with all of the following: (a) fences, walls and gates of greater height than 1.5 m must not be erected within 4.5 m of the frontage; (b) fences along a frontage must be at least 50% transparent above a height of 1.2 m; (c) height of fences along a common boundary with land in a residential zone must be no more than 2.1 m and must not contain barbed wire.	Not applicable – no new fencing proposed.	N/A

APPENDIX B
E10 Biodiversity Code

Standard	Acceptable Solution	Proposed	Complies?
E10.7 Development Standards			
E10.7.1 **Buildings and Works**	**A1** Clearance and conversion or disturbance must be within a Building Area on a plan of subdivision approved under this planning scheme.	Not applicable – there is no clearing or disturbance of vegetation proposed.	N/A

APPENDIX C
E11 Waterway and Coastal Protection Code

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

APPENDIX D
E5 Road and Railway Assets Code

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

Standard	Acceptable Solution	Proposed	Complies?
5.6 Development Standards			
E5.6.1 **Development adjacent to roads and railways**	**A1.1** Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h: (a) new buildings; (b) other road or earth works; and (c) building envelopes on new lots.	Not applicable	N/A
	A1.2 Buildings, may be: (a) located within a row of existing buildings and setback no closer than the immediately adjacent building; or (b) an extension which extends no closer than: (i) the existing building; or (ii) an immediately adjacent building.	Not applicable	N/A
E5.6.2 **Road accesses and junctions**	**A1** No new access or junction to roads in an area subject to a speed limit of more than 60km/h	Not applicable	N/A
	A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.	Not applicable	N/A

Standard	Acceptable Solution	Proposed	Complies?
E5.6.3 **New Level Crossings**	**A1** No Acceptable Solutions.	Not applicable	N/A
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.	Not applicable	N/A

APPENDIX E
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:	Complies – the proposal would not require any changes to the number of on-site car parking spaces currently on the lot.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(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.		
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 required	N/A
E6.6.3 **Number of Motorcycle Parking Spaces**	**A1** The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.	Not required	N/A
E6.6.4 **Number of Bicycle Parking Spaces**	**A1** The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.	Not required	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.	There is one vehicle access point provided.	Yes
E6.7.2	**A1**	Not required	N/A

Standard	Acceptable Solution	Proposed	Complies?
Design of Vehicular Accesses	Design of vehicle access points must comply with all of the following: (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – "Access Facilities to Off-street Parking Areas and Queuing Areas" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 "Access Driveways and Circulation Roadways" of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.		
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 required	N/A
E6.7.4 **On-Site Turning**	**A1** On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following: (a) it serves no more than two dwelling units; (b) it meets a road carrying less than 6000 vehicles per day.	Not required	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	Not required	N/A

Standard	Acceptable Solution	Proposed	Complies?
	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.	Not required	N/A
E6.7.7 **Lighting of Parking Areas**	**A1** Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.	Not required	N/A
E6.7.8 **Landscaping of Parking Areas**	**A1** Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.	Not 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.	Not required	N/A
E6.7.10 **Design of Bicycle Parking Facilities**	**A1** The design of bicycle parking facilities must comply with all the following; (a) be provided in accordance with the requirements of Table E6.2;	Not required	N/A

Standard	Acceptable Solution	Proposed	Complies?
	(b) be located within 30 m of the main entrance to the building.		
	A2 The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.	Not required	N/A
E6.7.11 **Bicycle End of Trip Facilities**	**A1** For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.	Not required	N/A
E6.7.12 **Siting of Car Parking**	**A1** Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.	Not required	N/A
E6.7.1.13 **Facilities for Commercial Vehicles**	**A1** Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless: (a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site; (b) the use is not primarily dependent on outward delivery of goods from the site.	Not required	N/A
E6.7.14 **Access to a Road**	**A1** Access to a road must be in accordance with the requirements of the road authority.	Complies – there is access to a road in accordance with the requirements of the road authority.	Yes

APPENDIX F
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.	There is no public stormwater infrastructure.	No
	A2 A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply: (a) the size of new impervious area is more than 600 m^2; (b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots.	Not applicable – is less than 600 m^2	N/A
	A3 A minor stormwater drainage system must be designed to comply with all of the following: (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed; (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.	Not required	N/A
	A4 A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.	Not required	N/A

8. PROPOSED USE AND DEVELOPMENT - SINGLE DWELLING - 61 SAWYER AVENUE WEST MOONAH

Author: Senior Statutory Planner (Vanessa Tomlin)

Qualified Person: Senior Statutory Planner (Vanessa Tomlin)

Property ID: 3372950

REPORT SUMMARY

Application No.:	**PLN-20-457**
Applicant:	**A J Baines and Linardi Design & Architectural Services**
Owner:	**A C Baines and A J Baines**
Zone:	**General Residential**
Use Class	**Residential**
Application Status:	**Discretionary**
Discretions:	**10.4.2 P3; 10.4.3 P2; and 10.4.5 P1** (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	**No**
42 Days Expires:	**16 March 2021**
Existing Land Use:	**Vacant land**
Representations:	**2**
Recommendation:	**Approval, subject to conditions**

REPORT IN DETAIL

PROPOSAL

The application proposes the construction a single dwelling at 61 Sawyer Avenue, West Moonah. The dwelling is across two levels, with level 1 consisting of a single garage, an open plan kitchen/living/ dining area with direct access to a north-eastern facing deck, a bedroom and bathroom and stairs leading down to the ground floor. The ground floor is to consist of two bedrooms, bathroom, laundry, a south-eastern facing deck and a void leading to a subfloor space.

The dwelling is to be setback 11.9m from the frontage. The north-eastern facing deck is to be setback 3.4m from the eastern side boundary (stairs leading to level 1 are to be setback 1.9m from the eastern side boundary) and the ground floor deck is to be setback 2.9m from the eastern side boundary. The single garage is to be setback 0.15m from the western side boundary and the habitable rooms on this elevation are to be setback 1.83m from that boundary.

The proposal provides two onsite parking spaces with one in the single attached garage and the other on the driveway. Private outdoor spaces are provided on the level 1 and ground floor decks, with more space available to the rear of the dwelling.

The proposal relies on performance criteria to comply with the following standards, 10.4.2 Setbacks and building envelopes for all dwellings P3; 10.4.3 Site coverage and private open space for all dwellings P2; and 10.4.5 Width of openings for garages and carports for all dwellings P1.

SITE and LOCALITY

The site identified by certificate of title 108876/5 is located on the southern end of the cul-de-sac of Sawyer Avenue, West Moonah. The site is 602m^2 and is triangular, with 4.5 m of frontage to Sawyer Avenue and broadens to 28 m to the rear of the lot (Fig. 1).

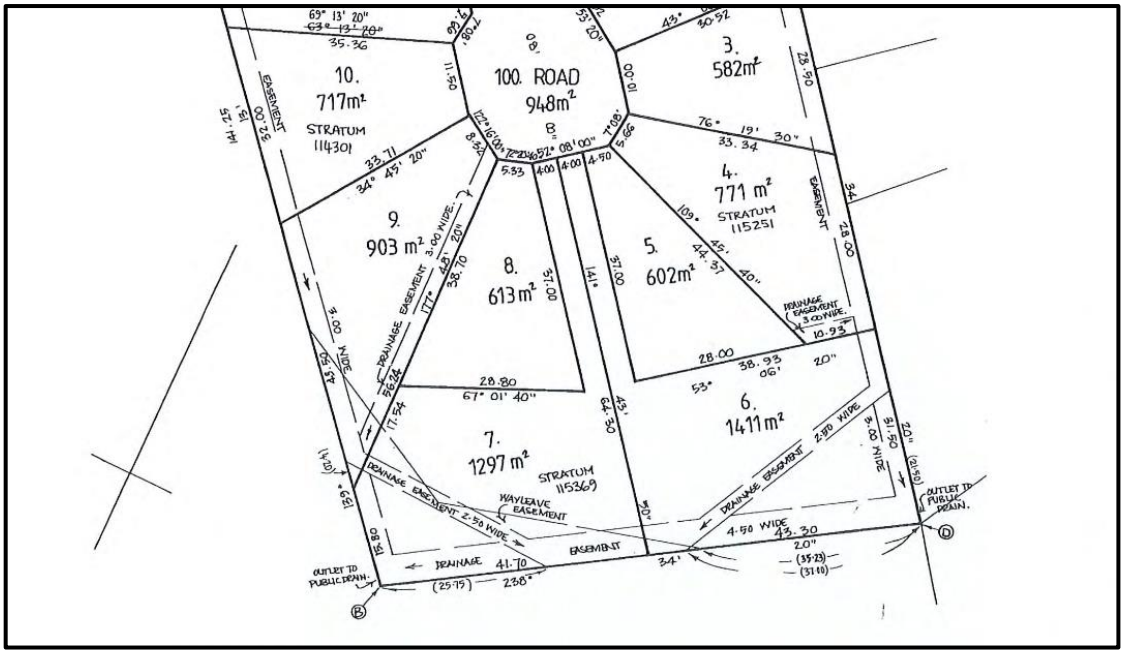


Figure 1. A snapshot of the title showing the subject site as lot 5 on the plan.

The western boundary of the vacant site is shared with an access way to an internal lot to the rear of the site, with a single dwelling further to the west of the access way and the eastern boundary is shared with two multiple dwellings. The site is relatively steep, sloping down from the frontage to the rear of the lot, with a gradient of approximately 1 in 5.

The site is characterised by established single and multiple dwellings, with low density zoned land to the west and south, that is to be subdivided for future residential development (Fig. 2).

Figure 2. An aerial view of the site and surrounds. It is noted that the subject site and the lot to the rear of it are highlighted in this view.

ZONE

The Site is wholly located it the General Residential Zone (Fig. 3).

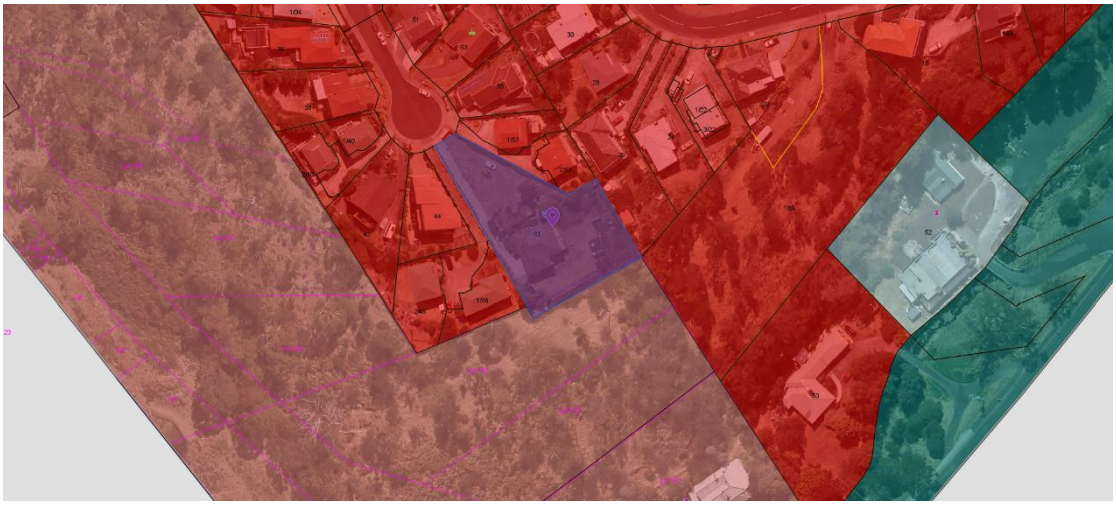


Figure 3. The zoning pattern for the locality, showing the General Residential zone (red), the Environmental Management zone (green) and the Low Density zone (light pink). It is noted that the subject site nd the lot to the rear of it are highlighted in this view.

BACKGROUND

No background on file 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 SAP or code provisions override zone provisions in this assessment.

Use Class Description (Table 8.2):

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

Other relevant definitions (Clause 4.1):

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

(a) the proposed use or development will be on a site within a zone or the area to which a specific plan relates, or is a use or development to which the code applies; and

(b) the standard deals with a matter that could affect, or could be affected by, the proposed use or development.

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

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

Part C: Special Provisions

No special provisions of the Scheme apply to this proposal.

Part D: Zones

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

Zone Purpose Statements

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

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

10.1.1.3 To provide for the efficient utilisation of services.

The proposal is taken to be consistent with the purpose of the zone because it is for a residential use that will utilise existing services.

Use Table

Single dwelling is a no permit required use and development within the General Residential zone. However, the application requires discretionary consideration because the proposal is relying on performance criteria to comply with applicable standards.

Use Standards

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

Development Standards for Residential Buildings & Works

10.4.2 Setbacks and building envelopes for all dwellings P3

The proposed dwelling is to have a maximum height of 7.86m, which is within the height limits of the acceptable solution. However, the proposal protrudes outside the vertical envelope toward the front of the site, where the triangular shape of the site narrows. The proposal relies on performance criteria, as follows.

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.

Shadow diagrams were provided as part of the submission. These diagrams show the existing shadow cast prior to the dwelling being constructed and the shadow cast post construction of the proposed dwelling.

The most sensitive interface in regard to potential overshadowing is the adjoining dwelling to the west of the site, 44 Sawyer Avenue. This site contains a single dwelling with private outdoor space predominantly to the rear of that dwelling. The shadow diagrams show some shadow cast across the immediately adjoining access strip to the rear lot and onto that adjoining dwelling and its private outdoor space at 9am on 21 June. The shadows from the proposed dwelling contract at 12 noon to no longer overshadow that dwelling, but does partially (less than 50% of the space) shadow the private outdoor space. The proposed dwelling does not cast any shadow onto that

adjoining dwelling or its private outdoor space by 3pm. The adjoining dwelling to the south (CT169490/1) receives shadow cast from the proposed dwelling at 3pm and is not unreasonably affected. No shadow is cast from the proposed dwelling onto the dwelling to the east.

The proposed dwelling is to appear as a single storey dwelling when viewed from the street and becomes double storey further down the site in response to the slope. The dwelling is to have a low-profile skillion roof and mixed materials and finishes. The lower level of the dwelling is to be brick and the majority of the first level is to be clad in vertical board. The use of two materials provides interest in the architectural form and softens the expanse of the walls, in effect visually reducing the scale of the walls.

The dwellings in the locality have varying pattern of setbacks to boundaries, ranging from nil side setbacks to approximately 6m. Rear boundary setbacks range from approximately 4.3m to 22m, and frontage setbacks are 3.5m to 14m. The proposal is assessed as maintaining the separation between buildings that is consist with that which prevails in the area.

The proposal is assessed as satisfying the performance criteria by not causing an unreasonable loss of amenity to adjoining lots from overshadowing, visual impact, or separation. The proposal complies with the standard.

10.4.3 Site coverage and private open space for all dwellings P2

The proposal has access to two decks, one on each level. However, the decks do not meet the width requirement of the acceptable solution. The performance criteria are as follows.

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.

The first level living area has direct access to a north-easterly facing deck, that would be able to serve as an extension of the dwelling, particularly for outdoor dining and entertaining. The ground floor deck wraps around the eastern and southern elevations and leads to the rear yard. This area on the lower level would function as a space for outdoor relaxation and children's play area.

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

10.4.5 Width of openings for garages and carports for all dwellings P1

The proposal is unable to meet the acceptable solution, because the garage opening is slightly wider than half the width of the frontage. The proposal relies on performance criteria, which requires a garage or carport to be designed to minimise the width of its openings that are visible from the street, so as to reduce the potential for the openings of a garage or carport to dominate the primary frontage.

The proposed attached single garage is to be 2.7m in width and is to be setback 11.9m from the primary frontage. A 1.8m high frontage fence and landscaping is proposed within the intervening space between the primary frontage and the proposed single garage. The scale and siting of the single garage together with proposed landscape treatments causes reduce the potential for the openings of a garage or carport to dominate the primary frontage.

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 Railway Assets Code
The proposal accords with all the relevant Acceptable Solutions as demonstrated in the attached Appendix. For further comments please refer to the Engineering Assessment under the Referrals section later in this report.
E6.0 Parking and Access Code
The proposal accords with all 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.
E7.0 Stormwater Management Code
The proposal accords with all the relevant Acceptable Solutions as demonstrated in the attached Appendix. For further comments please refer to the Engineering Assessment under the Referrals section later in this report.

PART F: Specific Area Plans

No Specific Area Plan applies

INTERNAL REFERRALS

Development Engineer

The proposal is for a single dwelling on a vacant allotment at 61 Sawyer Avenue West Moonah, all services are available to the site, and it is proposed to utilise the existing approved access.

E5.0 Road and Railway Assets Code

The development complies with Code E5 Road and Railway Assets Code; and the safety and efficiency of the road is not expected to reduce by the proposed development. The development is not expected to increase vehicle movements, to

and from the site, over 40 vehicle movements and therefore complies with the Acceptable solution A3 of E5.5.1. The site will be accessed off the existing vehicle crossing; this complies with A1 and A2 under the Clause E5.6.2.

E6.0 Parking and Access Code

The submitted plans indicate a total of two parking spaces, the second parking space is provided as a jockey park on the proposed driveway abutting the proposed garage. The development complies with Code E6 Parking and Access Code and is considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected

E7.0 Stormwater Management Code

This code applies to development requiring management of stormwater. This code does not apply to use. The stormwater run-off from the impervious surfaces will connect by gravity, via an on-site detention facility to the available stormwater connection.

Other

E3.0 Landslide Code

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

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

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

E15.0 Inundation Prone Areas Code

There are no Inundation issues identified through Council's records that affect the proposed development site.

EXTERNAL REFERRALS

TasWater

TasWater are in support of this proposal and have recommended conditions and advice.

REPRESENTATIONS

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

1. Loss of visual privacy and noise

The representors are concerned about the loss of visual privacy and noise from the proposed dwelling. One representor suggests their living room windows be double glazed and tinted to alleviate this.

Planner's Comment:

The proposal meets the acceptable solution of the privacy standard for decks with floor level more than 1m above natural ground level by being setback from the side and rear boundaries by the required distance, 3m and 4m respectively. The proposal also complies with the privacy standard for windows, by using highlight windows where the windows are not setback the required distances from the boundaries. Accordingly, no discretion is able to be considered for the privacy standard.

Noise generated by residential use is not regulated by the planning scheme. To meet energy ratings, it is anticipated that double glazing will be used for the proposed dwelling. This would assist with mitigating noise, should it be a problem. There is no requirement for the proposal to provide a glazing upgrade for the neighbouring properties.

CONCLUSION

The proposal is relying on the performance criteria to comply with applicable standards. The proposal is assessed as satisfying the performance criteria and complies with those standards. The proposal is assessed as complying with all other use and development standards in the General Residential zone, as well as the applicable standards of the Road and Railway Assets code, Parking and Access code and Stormwater Management code.

The application was publicly advertised for the statutory 14-day period and two representations were received. The concerns raised about potential loss of visual privacy and noise were considered as part of the assessment. The application complies with the acceptable solution of the appliable privacy standard and noise generated form residential use is regulated by other legislation.

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

Recommendation:

That a permit be granted for the proposed use and development of Single Dwelling at 61 Sawyer Avenue West Moonah subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-20-457 and Drawing submitted on 21/02/2021, except as otherwise required by this permit.

2. Any conditions and/or advice as determined by TasWater and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2020 01840-GCC, dated 28/01/2021, form part of this permit.

Engineering

3. Prior to the issuing of a Building Approval or the commencement of works on site, including demolition (whichever occurs first), submit a Soil and Water Management Plan detailing proposed sediment and erosion control measures to the satisfaction of Council's Development Engineer. The approved control measures must be installed prior to any disturbance of soil or construction activity such as concrete cutting, demolition and must be regularly inspected and maintained during the construction and demolition period to prevent soil and other materials entering the local stormwater system, roadways or adjoining properties.

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

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

4. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.

5. The design and construction of the access must generally comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004, to the satisfaction of the Council's Development Engineer. Drawings showing the design of the driveway must be submitted with the Building Application or prior to the commencement of works on site (whichever comes first) for approval by Council's Development Engineer. The proposed driveway and parking area must comply with the following-:

   a) Be constructed to a sealed finish and the finished gradient must not exceed the maximum gradient of 25%;

   b) Vertical alignment must include transition curves (or straight sections) to the Australian Standard, Parking facilities - Part 1: Off-Street Carparking AS 2890.1 - 2004, Clause 2.5.3 (d) at all grade changes greater than 12.5%;

   c) All runoff from paved and driveway areas must be discharged into Council's stormwater system;

d) Minimum carriageway width is to be no less than 3.0 metres.

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

6. Adequate on-site stormwater detention must be provided so that stormwater discharged from the site does not exceed the pre-development stormwater runoff for 1 in 20 ARI (5% AEP) storm event. A detailed design must be submitted with the Building Application prepared by a qualified professional engineer for approval by Council's Development Engineer and completed prior to a Certificate of Occupancy being issued for the dwelling

7. 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.

8. The property owner is to ensure that Council's Road Assets and Infrastructure are protected during the building process. The owner is to ensure that damage to road assets, footpaths, kerb and channel, drainage pits, nature strips and other services is kept to a minimum and any damaged assets are reinstated. Should damages occur, the repair costs associated with such damages are the responsibility of the property owner.

   If reinstatement works are not undertaken promptly or to Councils satisfaction, Council may elect to reinstate or rectify any defects and recover the expenses reasonably incurred in doing so from the property owner.

Advice to Applicant

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

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.

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

for information on the location of underground services and cables in relation to the proposed development prior to commencing any works on site

Attachments/Annexures

1 GPA Attachment - 61 Sawyer Avenue, West Moonah
⇨

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.		NA
10.4.2 Setbacks and building envelopes for all dwellings	**A1** Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or (b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or (c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or (d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.	More than 4.5m	Yes

	A2 A garage or carport must have a setback from a primary frontage of at least: (a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or (b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.	More than 5.5m.	Yes
	A3 A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must: (a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by: (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and (b) only have a setback within 1.5 m of a side boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or (ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).	The proposal extends outside the building envelope relevant to this standard.	No
10.4.3 Site coverage and private open space for all dwellings	**A1** Dwellings must have: (a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and (b) for multiple dwellings, a total area of private open space of not less than 60 m2 associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8	a) Lot is 602m^2, the dwelling is 181.9m^2. The site coverage is less than 50%; b) NA; c) More than 25% is free of impervious surfaces.	Yes

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

	which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B): (i) at a distance of 3 m from the window; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.		
	A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C): (i) at a distance of 3 m from the northern edge of the private open space; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.		NA

10.4.5 Width of openings for garages and carports for all dwellings	**A1** A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).	Garage within 12m. Opening width is 2.7m; Frontage is 4.5m (1/2 = 2.25).	No
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 level 1 deck on the eastern elevation is to be setback 3.4m from the side boundary. The ground floor deck is less than 1m above ground level for the area that is within 3m of the eastern side boundary. As such, screening is not required. Both decks are more than 4m from the rear boundary.	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	Complies with (b).	Yes

	(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.		NA
10.4.7 **Frontage Fences for all dwellings**	**A1** A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than: (a) 1.2 m if the fence is solid; or (b) 1.8 m, if any part of the fence that is within 4.5 m of a primary frontage has openings above a height of 1.2 m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).		Yes

10.4.8 **Waste Storage for multiple dwellings**	**A1** A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m2 per dwelling and is within one of the following locations: (a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) in a communal storage area with an impervious surface that: (i) has a setback of at least 4.5 m from a frontage; and (ii) is at least 5.5 m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2 m above the finished surface level of the storage area.		NA

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

Standard	Acceptable Solution	Proposed	Complies?
	A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.	Estimated AADT = 7.40	YES
E5.5.2 **Exiting Level Crossings**	**A1** Where use has access across part of a rail network, the annual average daily traffic (AADT) at an existing level crossing must not be increased by greater than 10% or 10 vehicle movements per day, whichever is the greater.		NA
5.6 Development Standards			
E5.6.1 **Development adjacent to roads and railways**	**A1.1** Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h: (a) new buildings; (b) other road or earth works; and (c) building envelopes on new lots.		NA

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

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

APPENDIX
E6.0Parking and Access Code

Standard	Acceptable Solution	Proposed	Complies?
E6.6 Use Standards			
E6.6.1 Number of Car Parking Spaces	A1 The number of on-site car parking spaces must be: (a) no less than the number specified in Table E6.1 and no more than 10% greater than that number; except if: (i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (ii) this provision was not used in this planning scheme.	Two (2) spaces proposed	YES
E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability	A1 Car parking spaces provided for people with a disability must: (a) satisfy the relevant provisions of the Building Code of Australia; (b) be incorporated into the overall car park design;	No requirement	NA

Standard	Acceptable Solution	Proposed	Complies?
	(c) be located as close as practicable to the building entrance.		
E6.6.3 Number of Motorcycle Parking Spaces	A1 The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.	No requirement	NA
E6.6.4 Number of Bicycle Parking Spaces	A1 The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.	No requirement	NA
E 6.7 Development Standards			
E6.7.1 Number of Vehicle Accesses	A1 The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.	Existing approved access to be utilised	YES
E6.7.2 Design of Vehicular Accesses	A1 Design of vehicle access points must comply with all of the following: (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – "Access Facilities to Off-street Parking Areas and Queuing Areas" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 "Access Driveways and Circulation Roadways" of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.		YES

Standard	Acceptable Solution	Proposed	Complies?
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.		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.		NA
E6.7.5 Layout of Parking Areas	A1 The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same Standard.		YES
E6.7.6 Surface Treatment of Parking Areas	A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following; (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.	Concrete pavement proposed	YES

Standard	Acceptable Solution	Proposed	Complies?
E6.7.7 Lighting of Parking Areas	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.		NA
E6.7.8 Landscaping of Parking Areas	A1 Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.		NA
E6.7.9 Design of Motorcycle Parking Areas	A1 The design of motorcycle parking areas must comply with all of the following: (a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) be located within 30 m of the main entrance to the building.	No requirement	NA
E6.7.10 Design of Bicycle Parking Facilities	A1 The design of bicycle parking facilities must comply with all the following; (a) be provided in accordance with the requirements of Table E6.2; (b) be located within 30 m of the main entrance to the building.	No requirement	NA
	A2 The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.	No requirement	NA

Standard	Acceptable Solution	Proposed	Complies?
E6.7.11 Bicycle End of Trip Facilities	A1 For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.	No requirement	NA
E6.7.12 Siting of Car Parking	A1 Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.		NA
E6.7.1.13 Facilities for Commercial Vehicles	A1 Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless: (a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site; (b) the use is not primarily dependent on outward delivery of goods from the site.		NA
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements of the road authority.		YES

APPENDIX

E7.0 Stormwater Management Code

Standard	Acceptable Solution	Proposed	Complies?
E7.7 Development Standards			
E7.7.1 Stormwater Drainage and Disposal	A1 Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.		YES
	A2 A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply: (a) the size of new impervious area is more than 600 m^2; (b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots.	New impervious area does not exceed 600m^2	NA
	A3 A minor stormwater drainage system must be designed to comply with all of the following: (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.	On-site detention proposed	YES
	A4 A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.		NA

9. PROPOSED USE AND DEVELOPMENT - MULTIPLE DWELLINGS (THREE ON EACH LOT) - 19 JACKSON STREET GLENORCHY AND 21 JACKSON STREET GLENORCHY

Author: Planning Officer (Sylvia Jeffreys)

Qualified Person: Planning Officer (Sylvia Jeffreys)

Property ID: 5377376

REPORT SUMMARY

Application No.:	**PLN-20-342**
Applicant:	**Prime Design (Invermay)**
Owner:	**Housing Tasmania**
Zone:	**General Residential Zone**
Use Class	**Residential**
Application Status:	**Discretionary**
Discretions:	**10.4.1 P1 Residential density for multiple dwellings** **10.4.2 P3 Setbacks and building envelopes for all dwellings** **10.4.3 P2 Site coverage and private open space for all dwellings** **10.4.6 P3 Privacy for all dwellings** (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	**No**
42 Days Expires:	**15 Mar 2021**

Existing Land Use:	**Vacant**
Representations:	**0**
Recommendation:	**Approval, subject to conditions**

REPORT IN DETAIL

PROPOSAL

The application is for six dwellings on two lots. However, each lot would contain three dwellings, serviced and accessed independently of the other lot. The dwellings would be single storey with skillion roof. Each of the proposed dwellings comprises a single bedroom and open plan living. There would be private outdoor space of 4m x 6m at the rear of each dwelling, with access of the living areas. The dwellings would be conjoined in pairs. Access would be separate for each lot and each lot would have three carparking spaces. The application is discretionary for density, building envelope, sunlight to private outdoor space and window separation from a shared driveway. The proposal is shown in Figure 1.

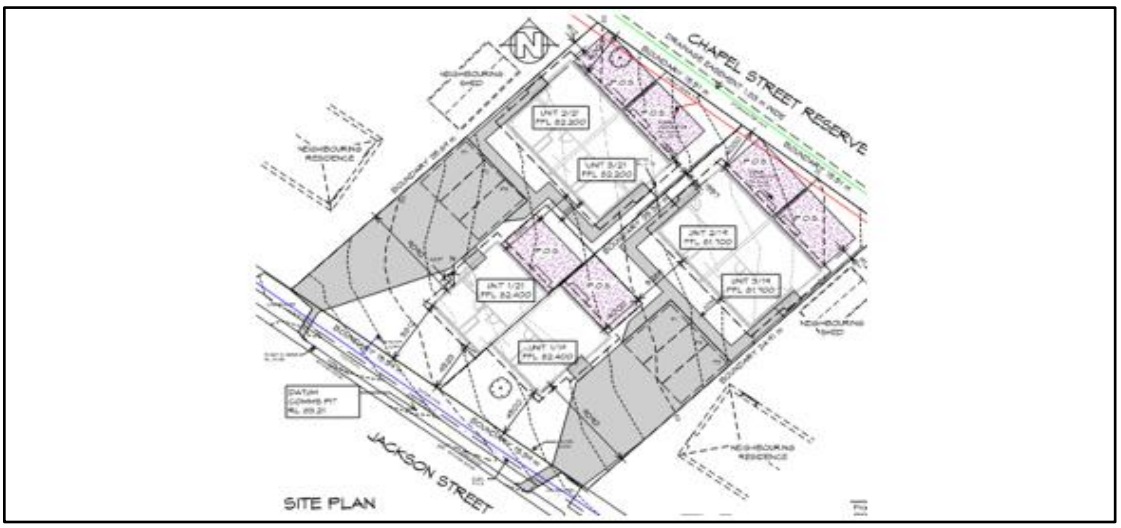


Figure 1: Proposal Plan - Prime Design

SITE and LOCALITY

The site comprises two properties at 19 and 21 Jackson Street, in Glenorchy. The site is shown in Figure 2.

Figure 2: Subject Site - TheList Feb 2021

The site is located on the northern side of the road and backs on to Chapel Street Reserve. There are single dwellings on either side. Both properties are rectangular and near level. The property at 19 Jackson Street has an area of 534m^2 and the property at 21 Jackson street has an area of 541m^2. The site does not contain any standing vegetation.

ZONE

The subject site is located within the General Residential Zone in red, which generally applies to the locality, except for the council owned reserve at the rear that is zoned Open Space in green. The zoning map is shown in Figure 3.

Figure 3: Zoning Map - TheList 2021

BACKGROUND

The proposal is part of the Community Housing Grant Program Extension and aims to provide housing to the 16-24-year-old range. The proposal is contracted to Centacare Evolve Housing on behalf of the State Government (Prime Design 17/08/20).

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil.

Limited Exemptions

Nil.

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

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

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

Use Class Description (Table 8.2):

The application proposes 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.

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:

- 10.4.1 P1 Residential density for multiple dwellings
- 10.4.2 P3 Setbacks and building envelopes for all dwellings
- 10.4.3 P2 Site coverage and private open space for all dwellings
- 10.4.6 P3 Privacy for all dwellings

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 that utilises serviced land. In addition, the proposal would provide for an alternative type of housing to the predominant single dwellings in the area. Therefore, the proposal accords with the zone purpose.

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:

10.4.1 A1 Residential density for multiple dwellings

The proposal does not accord with the acceptable solution in 10.4.1 A1 with respect to density. Therefore, the proposal relies on the related performance criteria as follows:

> *10.4.1 P1 Residential density for multiple dwellings*
>
> *Multiple dwellings must only have a site area per dwelling that is less than 325 m2, or that specified for the applicable density area in Table 10.4.1, if the development will not exceed the capacity of infrastructure services and:*

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

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

(i) the site is wholly or partially within 400 m walking distance of a public transport stop;

(ii) the site is wholly or partially within 400 m walking distance of a business, commercial, urban mixed use, village or inner residential zone.

Comment

The site areas per dwelling are 178m^2 and 180m^2 respectively for 19 and 21 Jackson Street, whereas the acceptable solution requires 325m^2. Nevertheless, the proposal is in accordance with the above performance criteria. The proposal meets the second criteria in (b) as it provides for a significant community housing benefit as part of a social housing program. The location of the dwellings is within approximately 140m of a bus stop, which accords with (b)(i).

Therefore, 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 with respect to the building envelope. Therefore, the proposal relies on the related performance criteria as follows:

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

Units 1 of both properties would be conjoined and would therefore not have a side setback of 1.5m as required by the acceptable solution. The proposal would otherwise accord with all other setback requirements of the acceptable solution. The proposed

dwellings are slightly offset by 1.3m on the alignment from the front to the back. The total wall length of the facing elevations would be 8.470m for each dwelling. The maximum height of the same elevations would be 3.358m and 3.057m respectively. As the dwellings exceed 3m in height at the side boundary, although the walls are less than 9m long, the proposal cannot accord with clause 10.4.2 A3. Nevertheless, it is considered that the proposal accords with the above performance criteria for the following reasons:

- The proposal would not have any adverse impact by way of reduction of sunlight to a habitable room of any dwelling on a neighbouring property outside the site or to the other dwelling that is conjoined. There would be significant side setbacks between the neighbouring dwellings outside the site because a driveway separates the dwellings. There would be no adverse effect on the conjoined dwelling because there would not be any windows.
- The proposal would not cause any unreasonable overshadowing of private outdoor space because the dwellings would be conjoined. In addition, there would be no shadows to the neighbouring property outside the site to the northwest, because of the orientation. The neighbouring property to the southeast would receive some shadowing to the backyard from the rear units of 19 Jackson Street, which would otherwise have the required setback of 1.5m. However, the impact would not be unreasonable because shadows would be relatively short due to the low height of the dwellings and there would be also a shed adjacent on the neighbouring property.
- There would be no unreasonable visual impact given that the proposed dwellings would be relatively small and low in height.
- The proposed setbacks between the dwellings would be compatible with that prevailing in the surrounding area. Whilst there would be no setback between the conjoined dwellings, these dwellings would be viewed as one. All the other setbacks would be at least 1.5m from the side and 4m from the rear boundaries, which is a common setback in the area. It is also noted that there are other conjoined dwellings over two lots in the vicinity on the same side of Chapel Street.

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

10.4.3 A2 Site coverage and private open space for all dwellings

The proposal does not accord with the acceptable solution in 10.4.3 A2 with respect to sunlight to the private outdoor space. Therefore, the proposal relies on the related performance criteria as follows:

10.4.3 P2 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

Units 1 on both properties receive less than three hours of sunlight on June 21 to 50% of the private outdoor space areas. All private outdoor space areas would otherwise comply as the areas would be at least 24m^2, have a minimum width of 4m, would be level and directly accessible from a living area. The percentage of sunlight to private outdoor space is as follows:

Time	Unit 1, 19 Jackson St	Unit 1, 21 Jackson St
12:00pm	46%	43%
12:30pm	48%	> 50%
1:00pm	50%	

The above percentages show that the shortfall is not very significant. The site plan was originally amended to provide a staggered building line of the dwellings (Units 1) in order to improve sunlight to the private outdoor space. Given that the difference is relatively small and that the private outdoor space complies in every other respect, it is considered that the proposal accords with the performance criteria above.

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

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 separation of windows from a shared driveway/parking area. Therefore, the proposal relies on the related performance criteria as follows:

10.4.6 A3 Privacy for all dwellings

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

Comment

The driveways/parking areas at 19 and 21 Jackson Street would be within 0.9m of the NW and SE elevations respectively of Units 1 that have windows, which causes the discretion. Separation of the driveway and parking areas would otherwise comply as

separation would be at least 3m from Units 2 and 3 on each property. The acceptable solution requires 2.5m separation if there is no screen. The dwellings of both Units 1 have reversed floor plans, so that there would be a bedroom window and two vertical slim kitchen windows on both elevations facing the driveway/parking area. The bedroom windows would be 1.6m above finished floor level and the kitchen windows 1.3m. The kitchen windows would be 0.2m wide. There would be landscaping between the windows and the driveway. It is considered that the dwellings are designed prevent vehicle noise and light intrusion for the following reasons:

- The bedroom windows at 1.6m above floor level are considered sufficiently high to prevent adverse impacts, as the ground is level
- The elevations would be on the side of the driveway rather than facing it, so as not to get direct light intrusion from vehicles.
- The kitchen windows are narrow so as to not to receive much light intrusion.
- There would be a small number of vehicles using the area as there are only three parking spaces on each property, reducing the potential for any adverse impacts

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

Part E: Codes

The following codes of the Scheme apply to this proposal:

E5.0 Road and Railway Assets Code

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

E6.0 Access and Parking Code

The proposal is for three one-bedroom dwellings on each lot. The required rate of parking is one parking space for a one-bedroom multiple dwelling in clause E6.6.1 A1.

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.

E7.0 Stormwater Management Code

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

PART F: Specific Area Plans

No specific site plan applies.

INTERNAL REFERRALS

Development Engineer

Comments

The proposal is for a six (6) unit development on two adjacent allotments at 19 and 21 Jackson Street Glenorchy. Each lot will accommodate three one-bedroom units, serviced by an existing driveway crossing and available underground infrastructure.

In assessing compliance against the *Glenorchy Interim Planning Scheme 2015* each lot is assessed individually.

E5.0 Road and Railway Assets Code

The proposed development complies with E5 Road and Railway Assets Code; and the safety and efficiency of the road is not expected to reduce by the proposed development. The development is not expected to increase vehicle movements, to and from each allotment, over 40 vehicle movements and therefore complies with the Acceptable solution A3 of E5.5.1. The properties will be accessed off the existing vehicle crossings; this complies with A1 and A2 under the Clause E5.6.2.

E6.0 Parking and Access Code

The submitted plans indicate a total of six (6) parking spaces (3 per lot). The development complies with 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.

E7.0 Stormwater Management Code

The development meets the requirements in the Stormwater Management Code. There are no GCC stormwater mains affected by this application. All runoff from the new impervious area will be discharged by gravity to existing connections. The development is considered to comply with the Acceptable Solution E7.7.1 A1. The development also is considered to comply with the acceptable solution E7.7.1 A2 and a stormwater system does not require to incorporate water sensitive urban design for treatment, as the size of the new impervious areas for each lot is less than 600m^2.

Other

E3.0 Landslide Code

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

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

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

E15.0 Inundation Prone Areas Code

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

Waste Management Officer

Waste Services to the proposed multiple dwelling development at 19 Jackson Street Glenorchy and 21 Jackson Street Glenorchy would be Council's standard bin service collected fortnightly.

- The Council's Standard Bin Service includes one (1) x 140L wheelie bin for Waste, one (1) x 240L wheelie bin for recycling and (1) x 240L FOGO bin to each of the dwelling, collected fortnightly.
- Please note that each of the properties would have a total of nine (9) bins, three (3) Waste bins and three (3) Recycling Bins, and three (3) FOGO bins.
- This property has an existing kerbside/nature strip area for placement of the bins therefore the dwellings would have their own individual bins.
- All bins are to be placed on the kerbside for collection.
- Council's Waste Management Contractor collection trucks will not enter the property to collect and empty the wheelie bins.

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(s) being received.

CONCLUSION

The application is for six dwellings on two lots, within the General Residential Zone. The application is discretionary for density, building envelope, sunlight to private outdoor space and window separation from a shared driveway. The proposal accords with all relevant performance criteria. With respect to density, the proposal has a significantly lower site area per dwelling than usual. However, there remains sufficient

area around the dwellings for outdoor space and parking, as the dwellings are conjoined and only require one parking space. The performance criteria require that there is a significant community housing benefit and that the site is near either public transport or certain zones that normally have shops and services. The proposal accords as it is for a social housing program and the site is near a bus stop. In terms of private outdoor space, the proposal receives marginally less sunlight on the shortest day of the year than required by the acceptable solution for two private outdoor space areas, which is considered acceptable. In terms of the building envelope, the proposal does not accord with the acceptable solution because the respective Units 1, which would be conjoined would be situated on the side boundary. This does not result in any adverse amenity impacts. The last discretion is in relation to the separation distance of windows from a shared driveway. This is also a minor discretion, which relates to a bedroom and a kitchen window alongside each driveway. The bedroom window is 10cm lower than required by the acceptable solution and the kitchen widow is relatively small so that there would be no adverse amenity impacts. The application was advertised in accordance with statutory requirements and no representations were received. The application does not raise any other issues.

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 (three on each lot) at 19 Jackson Street Glenorchy and 21 Jackson Street Glenorchy, subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-20-342 and Drawing submitted on 28/01/21, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2020/02096-GCC, dated, form part of this permit.
3. Bin storage must not be in front of dwellings.

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 new paved areas must generally comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004, to the satisfaction of the Council's Development Engineer. Drawings showing the design of the driveway must be submitted with the Building Application or prior to the commencement of works on site (whichever comes first) for approval by Council's Development Engineer. The proposed driveway and parking area must comply with the following-:

   (a) Be constructed to a sealed finish and the finished gradient must not exceed the maximum gradient of 25%;

   (b) The six (6) car parking spaces are to be clearly marked and must be provided in accordance with the approved plan and kept available for these purposes at all times;

   (c) Vertical alignment shall include transition curves (or straight sections) to the Australian Standard, Parking facilities - Part 1: Off-Street Carparking AS 2890.1 - 2004, Clause 2.5.3 (d) at all grade changes greater than 12.5%;

   (d) All runoff from paved and driveway areas must be discharged into Council's stormwater system;

(e) Minimum carriageway width is to be no less than 3.0 metres.

7. The proposed new driveway crossings are to be constructed to the Municipal Standard Drawing TSD-R09-v3.

8. Adequate on-site stormwater detention must be provided for each lot so that stormwater discharged from the sites does not exceed the pre-development stormwater runoff for 1 in 20 ARI (5% AEP) storm event. A detailed design must be submitted with the Building Application prepared by a qualified professional engineer for approval by Council's Development Engineer and completed prior to a Certificate of Occupancy being issued for the new dwellings.

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

10. The property owner is to ensure that Council's Road Assets and Infrastructure are protected during the building process. The owner is to ensure that damage to road assets, footpaths, kerb and channel, drainage pits, nature strips and other services is kept to a minimum and any damaged assets are reinstated. Should damages occur, the repair costs associated with such damages are the responsibility of the property owner.

11. If reinstatement works are not undertaken promptly or to Councils satisfaction, Council may elect to reinstate or rectify any defects and recover the expenses reasonably incurred in doing so from the property owner.

12. No civil works related to or associated with the use or development approved by this permit are to occur on or external to the site unless these works are in accordance with engineering drawings that have been approved by Council's Development Engineer. Changes to the design and/or location of civil works will require the submission of amended engineering drawings prepared by a licensed civil engineer for approval by Council's 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 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.

Waste Management

Waste Services to the proposed multiple dwelling development at 19 Jackson Street Glenorchy and 21 Jackson Street Glenorchy would be Council's standard bin service collected fortnightly.

- The Council's Standard Bin Service includes one (1) x 140L wheelie bin for Waste, one (1) x 240L wheelie bin for recycling and (1) x 240L FOGO bin to each of the dwelling, collected fortnightly.
- Please note that each of the properties would have a total of nine (9) bins, three (3) Waste bins and three (3) Recycling Bins, and three (3) FOGO bins.
- This property has an existing kerbside/nature strip area for placement of the bins therefore the dwellings would have their own individual bins.
- All bins are to be placed on the kerbside for collection.
- Council's Waste Management Contractor collection trucks will not enter the property to collect and empty the wheelie bins.

Attachments/Annexures

1 GPA Attachment - 19 & 21 Jackson Street, Glenorchy
⇨

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.	*19 Jackson St* Land 534m2/3= 178m2 *21 Jackson St* Land 541m2/3= 180m2	No – discretion
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	*19 Jackson St* Front setback: 4.5m *21 Jackson St* Front setback: 4.523m	Yes

	primary frontage, of any existing dwelling on the site; or (b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or (c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or (d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.		
	A2 A garage or carport must have a setback from a primary frontage of at least: (a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or (b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or	Not proposed	NA

	(c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.		
	A3 A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must: (a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by: (i)a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and (b) only have a setback within 1.5 m of a side boundary if the dwelling:	*19 Jackson St* Front setback: 4.5m Rear setback: 4m Side setback NW: 1.557m (Units 2) Side setback NW: 0m (Unit 1) Side setback SE: 0.912 (Unit 3) *21 Jackson St* Front setback: 4.523m Rear setback: 4m Side setback NW: 0.912m (Unit 2) Side setback SW: 1.558m (Unit3) Side setback SW: 0m (Unit 1)	No – discretion

	(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.	*19 Jackson St* (a) Site coverage 28.9% (b) Total POS: Between 67m2 and 76m2 (c) Impervious free surface 57% *21 Jackson St* (a) Site coverage 28.5% (b) Total POS: Between 60m2 and 72m2 (c) Impervious free surface 58.2%	Yes
	A2 A dwelling must have an area of private open space that: (a) is in one location and is at least:	*19 Jackson St and 21 Jackson St* Each of the dwellings would have level private outdoor space (POS) of at least 4m x 6m at the rear that faces northeast and is directly accessible	No – discretion

	(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	from the living areas. However, the private outdoor space areas for Units 1 on both lotas are located to the southeast and south west of the other units and do not receive a minimum 3 hours of sunlight as required by (d). For further details please refer to report.	

	(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).	*19 Jackson St* 40° NW *21 Jackson St* 40° NW	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.	*19 Jackson St* More than 7m separation *21 Jackson St* More than 7m separation	Yes

	(b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i)an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.		
	A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C): (i)at a distance of 3 m from the northern edge of the private open space; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.	*19 Jackson St* Units 2 and 3 are to the north of the POS of Unit 1 but comply with (a). *21 Jackson St* Units 2 and 3 are to the north of the POS of Unit 1 but comply with (a).	Yes

	(b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i)an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.		
10.4.5 **Width of openings for garages and carports for all dwellings**	**A1** A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).	No garages are 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:	*19 Jackson St and 21 Jackson St* Floor levels of both units would be less than m above ground.	Yes

	(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary; and (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4 m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m: (i)from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.		
	A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b): (a) The window or glazed door: (i)is to have a setback of at least 3 m from a side boundary; and	*19 Jackson St and 21 Jackson St* Floor levels of both units would be less than 1m above ground.	Yes

	(ii) is to have a setback of at least 4 m from a rear boundary; and (iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site. (b) The window or glazed door: (i)is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or (c) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.		

	A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least: (a) 2.5 m; or (b) 1 m if: (i)it is separated by a screen of at least 1.7 mm 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.	*19 Jackson St* A bank of three parking spaces would be in front of Units 2 and 3. These spaces would be separated by 3.2m from Units 1 and 3 but would be within 0.9m of the SE elevation of Unit 1. Unit 1 has a bedroom window 1.6m above the floor and two small kitchen windows 1.3m above the floor. *21 Jackson St* A bank of three parking spaces would be in front of Units 2 and 3. These spaces would be separated by 3m from Units 1 and 3 but would be within 0.9m of the NW elevation of Unit 1. Unit 1 has a bedroom window 1.6m above the floor and two small kitchen windows 1.3m above the floor. For more details see report.	No - discretion
10.4.7 **Frontage Fences for all dwellings**	**A1** A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than: (a) 1.2 m if the fence is solid; or	Not proposed	NA

	(b) 1.8 m, if any part of the fence that is within 4.5 m of a primary frontage has openings above a height of 1.2 m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).		
10.4.8 **Waste Storage for multiple dwellings**	**A1** A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m2 per dwelling and is within one of the following locations: (a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) in a communal storage area with an impervious surface that: (i)has a setback of at least 4.5 m from a frontage; and (ii) is at least 5.5 m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2 m above the finished surface level of the storage area.	There would be sufficient space at each dwelling for bins.	Yes

APPENDIX

E5 Road and Railway Assets Code

Standard	Acceptable Solution	Proposed	Complies?
5.5 Use Standards			
E5.5.1 **Existing road accesses and junctions**	**A1** The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.		NA
	A2 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.		NA
	A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.	AADT 19 Jackson Street = 22.20 AADT 21 Jackson Street = 22.20	YES

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

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

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

APPENDIX

E6.0Parking 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.	One (1) space/unit proposed.	Yes

Standard	Acceptable Solution	Proposed	Complies?
E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability	A1 Car parking spaces provided for people with a disability must: (a) satisfy the relevant provisions of the Building Code of Australia; (b) be incorporated into the overall car park design; (c) be located as close as practicable to the building entrance.	No requirement	NA
E6.6.3 Number of Motorcycle Parking Spaces	A1 The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.	No requirement	NA
E6.6.4 Number of Bicycle Parking Spaces	A1 The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.	No requirement	NA
E 6.7 Development Standards			
E6.7.1 Number of Vehicle Accesses	A1 The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.	One/allotment proposed	YES
E6.7.2	A1		Yes

Standard	Acceptable Solution	Proposed	Complies?
Design of Vehicular Accesses	Design of vehicle access points must comply with all of the following: (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – "Access Facilities to Off-street Parking Areas and Queuing Areas" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 "Access Driveways and Circulation Roadways" of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.		
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.		NA

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.		NA
E6.7.5 Layout of Parking Areas	A1 The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same Standard.		Yes
E6.7.6 Surface Treatment of Parking Areas	A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following; (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.	Concrete pavement proposed	YES
E6.7.7 Lighting of Parking Areas	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause		NA

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

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

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

APPENDIX

E7.0 Stormwater Management Code

Standard	Acceptable Solution	Proposed	Complies?
E7.7 Development Standards			
E7.7.1 Stormwater Drainage and Disposal	A1 Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.		YES
	A2 A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply: (a) the size of new impervious area is more than 600 m^2; (b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots.	Area of impervious area on each lot does not exceed 600m2	NA
	A3 A minor stormwater drainage system must be designed to comply with all of the following: (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land,		YES

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