

# **GLENORCHY PLANNING AUTHORITY MEETING**

## **AGENDA**

### **MONDAY, 15 JUNE 2020**



### **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.

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| <b>1. PLANNING AUTHORITY DECLARATION</b> |
|------------------------------------------|

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

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| <b>2. APOLOGIES/LEAVE OF ABSENCE</b> |
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| <b>3. PECUNIARY INTERESTS</b> |
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| <b>4. CONFIRMATION OF MINUTES</b> |
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That the minutes of the Glenorchy Planning Authority Meeting held on 18 May 2020 be confirmed.

**5. PROPOSED USE AND DEVELOPMENT - CHANGE OF USE TO STORAGE, DEMOLITION OF OUTBUILDINGS, CAR PARK, BOUNDARY WALL AND FENCING - 6 KNOLL STREET GLENORCHY**

Author: Planning Officer (Sylvia Jeffreys)  
Qualified Person: Planning Officer (Sylvia Jeffreys)  
Property ID: 5379320

**REPORT SUMMARY**

|                            |                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application No.:</b>    | <b>PLN-20-002</b>                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Applicant:</b>          | <b>OnRoad OffRoad Pty Ltd</b>                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Owner:</b>              | <b>J D Radcliffe</b>                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Zone:</b>               | <b>Light Industrial</b>                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Use Class</b>           | <b>Storage</b>                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Application Status:</b> | <b>Discretionary</b>                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Discretions:</b>        | <b>E5.6.1 P1 Development adjacent to roads and railways</b><br><b>E6.7.3 P1 Vehicular Passing Areas Along an Access</b><br><b>E6.7.7 P1 Lighting of Parking Areas</b><br><b>E15.7.5 P1 Riverine, Coastal Investigation Area, Low, Medium, High Inundation Hazard Areas</b><br><b>E15.7.4 P3 Riverine Inundation Hazard Areas</b><br><br>(The proposal meets all other applicable standards as demonstrated in the attached appendices) |
| <b>Level 2 Activity?</b>   | <b>No</b>                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>42 Days Expires:</b>    | <b>15/06/20</b>                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Existing Land Use:</b>  | <b>Single dwelling</b>                                                                                                                                                                                                                                                                                                                                                                                                                 |

|                         |                                        |
|-------------------------|----------------------------------------|
| <b>Representations:</b> | <b>3</b>                               |
| <b>Recommendation:</b>  | <b>Approval, subject to conditions</b> |

## **REPORT IN DETAIL**

### **PROPOSAL**

The application proposes a storage yard at the back of a non-conforming dwelling within the Light Industrial Zone. The area of the single dwelling is fenced off and there is a separate access to the rear, adjacent to the access for the dwelling. The rear area comprises a large gravelled, weedy yard. It is proposed to utilise the area to store cars impounded by the police, as well as for three shipping containers that would store police training equipment. It is envisaged that there would be, on average two tow trucks a day to the site after an initial higher rate, until the storage area is filled. Cars are usually stored for three to nine months.

The application includes the demolition of an existing garage and shed, as well as new 4m-high boundary wall on the rear boundary and a new 3-4m high Colourbond™ fence along the north-west boundary. There would be a loading and unloading area at the rear of the existing dwelling. The use would operate within standard operating hours near residential areas and would operate at the latest until 7pm. There would be a parking area at the rear for thirty cars. The driveway would have a width of 5m.

The use is classed Storage, which is a permitted use within the Light Industrial Zone. However, the proposal is discretionary for a boundary wall next to the rail corridor, passing bays, car park lighting and flood prone area. The proposal is shown in Figure 1.

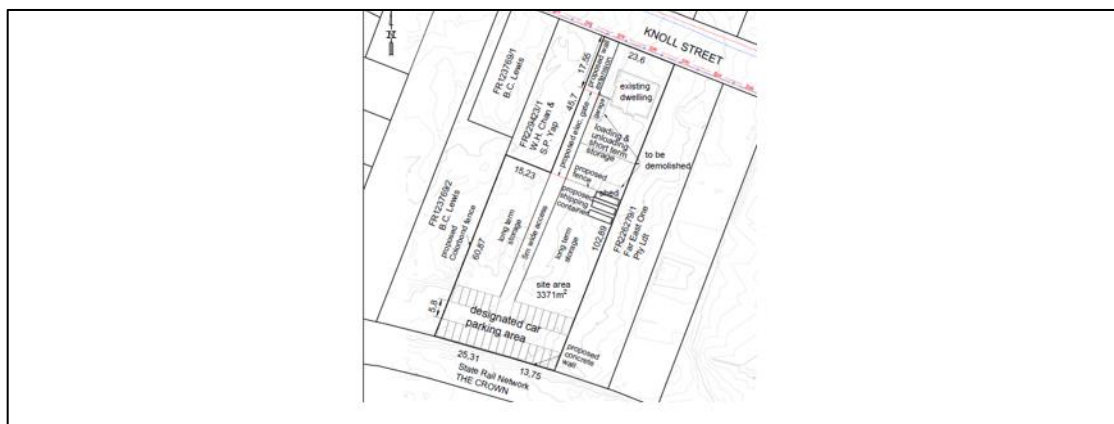


Figure 1: Proposal Plan - Veris

### **SITE and LOCALITY**

The subject site is known as 6 Knoll Street described, in title reference CT208558/1. The land is near level with an area of 3364m<sup>2</sup> and contains a single dwelling, a garage and a shed. The property has a double-width access, that provides access to the garage of the dwelling and a separate driveway to the rear of the property. There is a large gravelled area at the rear of the property. There is a warehouse directly adjoining

to the west of the driveway. There are also large industrial buildings along the common side boundaries toward the rear of the property. The railway reserve adjoins the common boundary at the rear. The property is opposite a row of single dwellings to the north, on the opposite side of the street. There is also an access lane opposite for a unit development of seven dwellings on a internal lot. The subject property is shown in Figure 2.



Figure 2: Subject Property - Council Database 2019

The dwelling of the subject property is shown in Figure 3.

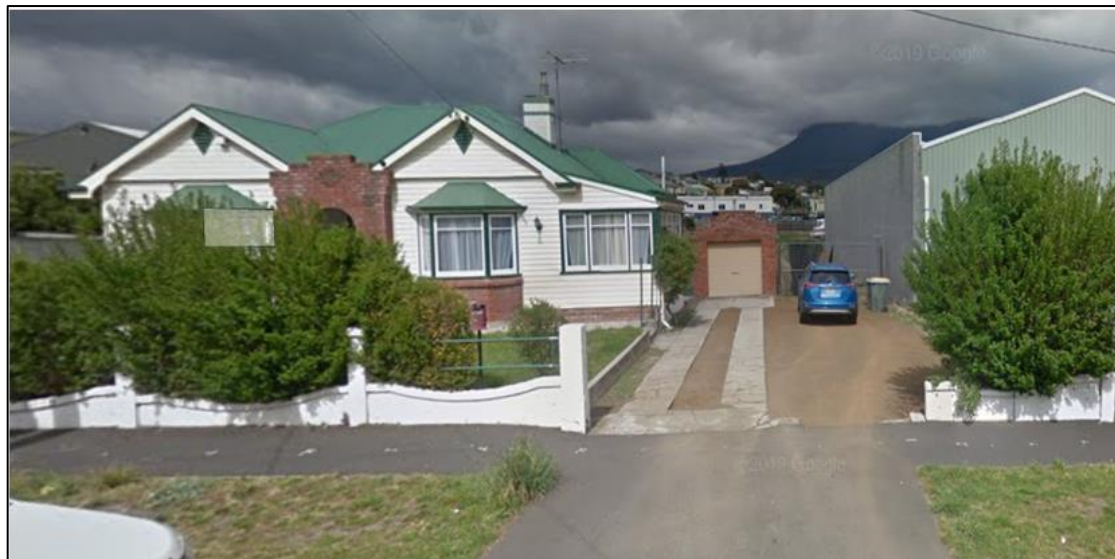


Figure 3: Existing Dwelling at 6 Knoll St

## ZONE

The subject land is situated within the Light Industrial Zone, which also applies to the neighbouring properties on either side. The lot adjoins the Utilities Zone in yellow at the rear that contains the railway reserve. The zoning on the opposite side of the street is Inner Residential in Maroon.



Figure 4: Zoning Map - GIPS 2015

## BACKGROUND

The application was re-advertised on 07/05/20 to 20/05/20 because the first advertising occurred whilst the application was not valid. Representatives had the option of upholding previous representations or submitting a new one.

### *Background*

The property report (theList) shows improvements for the property as a three-bedroom dwelling, constructed in 1952. There are no planning permits listed for the property in council's electronic database. Council's mapping system has an aerial photo of the property showing the gravelled backyard in 2005, as shown in Figure 4.



Figure 5: Aerial Photo of 6 Knoll St - Council Database 2005

## **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.

Urban

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

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

The application is for vehicle storage and other outdoor storage which fits the use class Storage. The use is defined in Table 8.2 Use Classes as follows:

Storage

use of land for storage or wholesale of goods and may incorporate distribution. Examples include boat and caravan storage, contractors' yard, freezing and cool storage, liquid fuel depot, solid fuel depot, vehicle storage, warehouse and wood yard.

The use of Storage is in addition to the existing use of Residential (Single Dwelling).

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

There are no definitions of special relevance to this application in 4.1 Planning Terms and Definitions.

##### **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:

- *E5.6.1 P1 Development adjacent to roads and railways*
- *E6.7.3 P1 Vehicular Passing Areas Along an Access*
- *E6.7.7 P1 Lighting of Parking Areas*
- *E15.7.5 P1 Riverine, Coastal Investigation Area, Low, Medium, High Inundation Hazard Areas*
- *E15.7.4 P3 Riverine Inundation Hazard Areas*

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

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

#### **Changes to an Existing Non-Conforming Use**

There is an existing single dwelling with non-conforming use rights. There would be no change to the single dwelling use, other than the demolition of a garage and a shed. The dwelling would retain two parking spaces. The use for Storage would be an additional and separate use.

#### **Demolition**

The application includes the demolition of a shed and garage, which may be approved as part of this application, pursuant to Clause 9.4.1 Demolition. The proposed demolition does not raise any issues.

### **Part D: Zones**

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

#### **Zone Purpose Statements**

The purpose of the Light Industrial Zone in 24.1.1 is as follows:

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

- To provide industrial activity with good access to strategic transport networks.

#### *Comment*

The proposed use of storage satisfies the above objectives. The intent of the zone is to provide for storage amongst other industrial uses and would utilise existing industrial land. There would be no land use conflict with neighbouring industrial uses. In terms of the amenity of sensitive uses, there is a residential zone opposite the site; however, the operations would be within permissible operating hours and noise limits. As such, it is not considered that there would be any unreasonable amenity impacts. The site has good access to major roads, as Knoll Street branches off Elwick Road that connects to the Brooker Highway. Overall, it is assessed that the proposal satisfies the above zone purpose.

#### **Use Table**

The use class Storage is *permitted* within the Light Industrial Zone in 24. 2 Use Table.

#### **Use Standards**

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

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

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

#### **Part E: Codes**

The following codes of the Scheme apply to this proposal:

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

The Environmental Health Officer advised that an exemption applies in E2.4.3.

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

###### *E5.6.1 Development adjacent to roads and railways*

The proposal does not accord with the Acceptable Solution in E5.6.1 A1.1 with respect to earthworks within 50m of the railway corridor.

###### *E5.6.1 P1 Development adjacent to roads and railways*

*The location of development, 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, must be safe and not unreasonably impact on the efficiency of the road or amenity of sensitive uses, having regard to:*

- (a) the proposed setback;*
- (b) the existing setback of buildings on the site;*
- (c) the frequency of use of the rail network;*
- (d) the speed limit and traffic volume of the road;*
- (e) any noise, vibration, light and air emissions from the rail network or road;*
- (f) the nature of the road;*

- (g) the nature of the development;*
- (h) the need for the development;*
- (i) any traffic impact assessment;*
- (j) any recommendations from a suitably qualified person for mitigation of noise, if for a habitable building for a sensitive use; and*
- (k) any written advice received from the rail or road authority.*

#### *Comment*

The proposal requires earthworks for surfacing and drainage, as well as for footings of the retaining wall on the rear boundary. Nevertheless, it is not expected that there would be any adverse effects to the rail corridor or the amenity of sensitive uses. The works are contained within private property and would not extend into the railway corridor. A condition is recommended to ensure all works are within the property boundary. In terms of the boundary wall, which is considered a building, it would be situated within a row of other buildings extending to the rear boundary adjacent to the rail corridor, which would comply with the acceptable solution.

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

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

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

The proposal plan shows thirty parking spaces in a carpark along the rear boundary. The area utilised for storage is 2888m<sup>2</sup> according to the application, which requires twenty-nine car parking spaces. The surplus space is to be used for two motorcycle spaces. Two additional spaces will need to be retained for the existing residence. Therefore, the proposal complies with the parking requirements.

#### *E6.7.3 Vehicular Passing Areas Along an Access*

The proposal does not accord with the Acceptable Solution with respect to passing bays. Therefore, the proposal relies on the Performance Criteria as follows:

##### *E6.7.3 P1 Vehicular Passing Areas Along an Access*

*Vehicular passing areas must be provided in sufficient number, dimension and siting so that the access is safe, efficient and convenient, having regard to all of the following:*

- (a) avoidance of conflicts between users including vehicles, cyclists and pedestrians;*
- (b) avoidance of unreasonable interference with the flow of traffic on adjoining roads;*
- (c) suitability for the type and volume of traffic likely to be generated by the use or development;*
- (d) ease of accessibility and recognition for users.*

*Comment*

The Engineering Assessment states that the proposed driveway would be suitable for the type and volume of traffic likely to be generated without a passing bay.

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

*E6.7.7 Lighting of Parking Areas*

The proposal does not accord with the Acceptable Solution in E6.7.7 A1 with respect to car park lighting. Therefore, the proposal relies on the Performance Criteria as follows:

*E6.7.7 P1 Lighting of Parking Areas*

*Parking and vehicle circulation roadways and pedestrian paths used outside daylight hours must be provided with lighting to a standard which satisfies all of the following:*

- (a) enables easy and efficient use of the area;*
- (b) minimises potential for conflicts involving pedestrians, cyclists and vehicles;*
- (c) reduces opportunities for crime or anti-social behaviour by supporting passive surveillance and clear sight lines and treating the risk from concealment or entrapment points;*
- (d) prevents unreasonable impact on the amenity of adjoining users through light overspill;*
- (e) is appropriate to the hours of operation of the use.*

*Comment*

The proposal plan does not show lighting for the parking area, although there will be security lighting. The parking area associated with the storage use would not be used by the wider public and visits to the site after dark will mainly involve dropping off a vehicle by a single tow truck. As such, it is considered that the proposal satisfies the Performance Criteria above.

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

**E7.0 Stormwater Management Code**

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

**E15.0 Inundation Prone Areas Code**

The property is affected by flood prone areas, as shown in Figure 5.

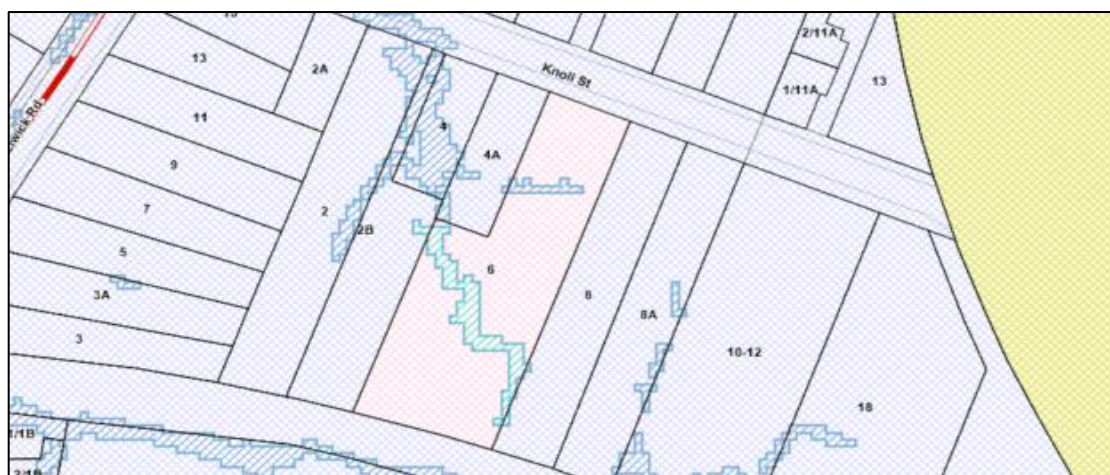


Figure 6: Flood Prone Area - Council Database Reference Layer

#### *E15.7.5 A1 Riverine, Coastal Investigation Area, Low, Medium, High Inundation Hazard Areas*

The proposal does not accord with the Acceptable Solution in E15.7.5 A1 as it includes a wall greater than 5m in length. Therefore, the proposal relies on the related Performance Criteria as follows:

##### *E15.7.5 P1 Riverine, Coastal Investigation Area, Low, Medium, High Inundation Hazard Areas*

*Landfill, or solid walls greater than 5 m in length and 0.5 m in height, must satisfy all of the following:*

- (a) no adverse effect on flood flow over other property through displacement of overland flows;*
- (b) the rate of stormwater discharge from the property must not increase;*
- (c) stormwater quality must not be reduced from pre-development levels.*

#### *Comment*

The engineering assessment states that the proposal would not create any increased risk.

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

#### **E15.7.4 A3 Riverine Inundation Hazard Areas**

The proposal does not accord with the Acceptable Solution in E15.7.4 A3 As the shipping containers exceed 60m<sup>2</sup> in area. Therefore, the proposal relies on the related Performance Criteria as follows:

##### *E15.7.4 P3 Riverine Inundation Hazard Areas*

*A non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, must satisfy all of the following:*

- (a) risk to users of the site, adjoining or nearby land is acceptable;*
- (b) risk to adjoining or nearby property or public infrastructure is acceptable;*
- (c) need for future remediation works is minimised;*

- (d) *provision of any developer contribution required pursuant to policy adopted by Council for riverine flooding protection works;*

*Comment*

The Acceptable Solution requires that the area of outbuildings be no more than 60m<sup>2</sup>. The combined area of the three shipping containers would be 89m<sup>2</sup>. Nevertheless, there would be no increased risk to the users of the site or the adjoining sites, according to the engineering assessment.

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

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

No Specific Area Plan applies.

## **INTERNAL REFERRALS**

### **Development Engineer**

*Comments*

The application proposes a storage yard at the back of a non-conforming dwelling within the Light Industrial Zone. The allotment is fully serviced and will utilise the existing access and driveway to the property.

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

The development complies with E5 Road and Railway Assets Code in terms of engineering; 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 can be accessed off the existing vehicle crossing, and no new access is proposed; this complies with A1 and A2 under the Clause E5.6.2.

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

The area proposed to be utilised for storage on the site has an area of 2,888m<sup>2</sup> and will require the provision of 29 carparking spaces (30 detailed on the submitted drawings) to be compliant with Table E6.1 “*Number of Car Parking Spaces Required*”.

If the existing house is to be retained for residential purposes two (2) parking spaces will need to be provided within the area designated for short term loading and unloading and kept clear for that specific purpose.

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

This code applies to development requiring management of stormwater. A condition is recommended to manage stormwater run-off.

### ***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*

The area proposed for the storage is prone to inundation.

The proposal and intended operation on the site will not be impacted or create or cause any increased risk.

**Environmental Health Officer**

This site adjoins potentially contaminated land; under the Planning Scheme this is turn means that this site is also treated as potentially contaminated land. As such, the applicant engaged Geo-Environmental Solutions (GES) to undertake an environmental site assessment (ESA) to determine the level of contamination, if any.

GES concluded in the ESA that there were no NEPM exceedances for health or the environment; therefore, this satisfies the requirements of E2.0 Potentially Contaminated Land Code.

Noise for this development has been considered. The site is only proposed to be accessed during times within those specified in 23.3.2 Noise Acceptable Solution A1. With the nature of this development being primarily for storage, this development is not expected to exceed 24.3.2 A1. To help ensure that noise does not present an issue, it is recommended that 24.3.2 A1 be applied to the permit as a condition of approval.

**EXTERNAL REFERRALS**

**TasWater**

The application was not referred to TasWater as there are no mains over the property and the use would not be connected to any services.

**TasRail**

TasRail responded to a referral and wanted to make sure that there is no discharge of stormwater into the rail corridor or any wall-footings outside the common boundary. Conditions are recommended accordingly.

**REPRESENTATIONS**

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

**Operating hours and noise**

The representor states that there is a concern about trucks carrying vehicles to the property 24/7 and associated night-time noise. Another representation raised concerns of amenity impacts due to increase traffic and noise from the operations.

*Planner's Comment:*

This issue has been addressed in the attached Appendix under Use Standards. The proposal is not for round the clock operations. Both, loading and unloading and the operations of the business would cease at the latest by 7pm. Conditions are recommended accordingly. Therefore, there would be no unreasonable night-time

noise from the proposed use. In addition, a condition for noise restrictions is also recommended.

**Road obstruction, road safety and increased traffic**

The representor states that the street is too narrow for large vehicles so that the vehicles would cause an obstruction. In addition, that there would be safety concerns with large vehicles in a residential street, in particular in relation to children. Another representation states that the access would not be adequate for the proposed use, in particular as it is situated opposite another driveway that serves seven dwellings.

*Engineering Comment:*

Knoll Street has sufficient carriage width to accommodate the traffic generated (AADT 4) by the proposed development and is assessed as not unreasonably impacting on the safety and efficiency of the road.

The existing access has good sight lines that will ensure safe movement of vehicles and pedestrians within the area.

**Security**

The representation states that there would be increased security concerns because there would be repossessed vehicles stored on the property.

*Comment*

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

**Dust**

The representation states that there would be an increase in dust if the surface is not ameliorated.

*Comment*

There is an engineering condition recommended for paving with an all-weather water bound macadam pavement, which would ensure dust would be minimised.

**CONCLUSION**

The application proposes a storage yard at the back of a non-conforming dwelling within the Light Industrial Zone. The use class storage is permitted within the Light Industrial Zone. The application is discretionary for a boundary wall next to the rail corridor, passing bays, car park lighting and flood prone area. These discretions all satisfy the relevant Performance Criteria.

There were three representations received during the advertising period. Concerns were raised about operating hours, noise, traffic issues, security and dust. The use would only operate during standard hours and a condition for noise restrictions is recommended. Engineering assessment comments were received that confirm that the road has enough carriage width and that there were good sightlines so not to compromise road safety. In terms of dust, the areas would have to be paved with an all-weather surface treatment.

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 Change of use to Storage, demolition of outbuildings, car park, boundary wall and fencing at 6 Knoll Street Glenorchy subject to the following conditions:

### **Planning**

1. Use and development must be substantially in accordance with planning permit application No. PLN-20-002 and Drawing No. P2 submitted on 16/03/20 (1 page), except as otherwise required by this permit.
2. Hours of operation of the use must be within:  
7.00 am to 7.00 pm Mondays to Fridays inclusive;  
9.00 am to 5.00 pm Saturdays;  
nil Sundays and Public Holidays.  
except for office and administrative tasks.
3. Commercial vehicle movements, (including loading and unloading and garbage removal) to or from the site must be within the hours of:  
7.00 am to 7.00 pm Mondays to Saturdays inclusive;  
9 am to 5.00 pm Sundays and public holidays.
4. External lighting must comply with all of the following:
  - (a) be turned off between 10:00 pm and 6:00 am, except for security lighting;
  - (b) security lighting must be baffled to ensure this lighting does not cause emission of light outside the zone.
5. All works, including foundations for the rear boundary wall, must be contained within the property boundaries and must not encroach on the railway reserve. Plans submitted in association with a Building Permit application must show this requirement to the satisfaction of Council's Senior Statutory Planner.

### **Engineering**

6. 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](http://www.derwentestuary.org.au).

7. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
8. The areas designated as access way and car parking area, including the two (2) parking spaces to be provided for the residence, must be paved with an all-weather water bound macadam pavement with minimum crossfalls of 2%.
9. The stormwater run-off from the paved areas must be collected by a series of unlined swale drainage channels discharging into the existing stormwater connection provided for the allotment. The drainage system design must be submitted for the approval by Council's Development Engineer and satisfactorily constructed prior to the commencement of any commercial operation on the site.

### **Environmental Health**

10. Noise emissions measured at the boundary of a residential zone must not exceed the following:
  - (a) 55dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm;
  - (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm to 7.00 am;
  - (c) 65dB(A) (LAmax) at any time.

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

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

### **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.

### **Underground Services**

The designer must ensure that the needs of all providers including TasWater, TasGas, TasNetworks, and Telstra are catered for both in the design and construction of the works. Underground service providers should be contacted for line marking of their

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

**Attachments/Annexures**

- 1** Attachment - 6 Knoll Street Glenorchy



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

| Standard                                   | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Proposed                                                                                                                                     | Complies? |
|--------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| <b>24.3 Use of Standards</b>               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                              |           |
| <b>24.3.1</b><br><b>Hours of Operation</b> | <b>A1</b><br>Hours of operation of a use within 100 m of a residential zone must be within:<br>(a) 7.00 am to 7.00 pm Mondays to Fridays inclusive;<br>(b) 9.00 am to 5.00 pm Saturdays;<br>(c) nil Sundays and Public Holidays.<br>except for office and administrative tasks.                                                                                                                                                                                                            | Mon to Fri 7am to 7pm<br>Sat 9am to 5pm                                                                                                      | Yes       |
| <b>24.3.2</b><br><b>Noise</b>              | <b>A1</b><br>Noise emissions measured at the boundary of a residential zone must not exceed the following:<br>(a) 55dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm;<br>(b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm to 7.00 am;<br>(c) 65dB(A) (LAmx) at any time.<br>Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the | There would be approximately four vehicular movements so that noise generation is considered low.<br>A condition is recommended accordingly. | Yes       |

| Standard                                                        | Acceptable Solution                                                                                                                                                                                                                                                                                                                                               | Proposed                                                                                                                                                                                | Complies? |
|-----------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
|                                                                 | <p>Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness.</p> <p>Noise levels are to be averaged over a 15 minute time interval.</p>                                                                                                                                                                          |                                                                                                                                                                                         |           |
|                                                                 | <p><b>A2</b></p> <p>External amplified loud speakers or music must not be used within 50 m of a residential zone.</p>                                                                                                                                                                                                                                             | Not proposed                                                                                                                                                                            | NA        |
| <p><b>24.3.3</b></p> <p><b>External Lighting</b></p>            | <p><b>A1</b></p> <p>External lighting within 50 m of a residential zone must comply with all of the following:</p> <ul style="list-style-type: none"> <li>(a) be turned off between 10:00 pm and 6:00 am, except for security lighting;</li> <li>(b) security lighting must be baffled to ensure they do not cause emission of light outside the zone.</li> </ul> | There will be security lighting within 50m of residential properties. A condition is recommended to ensure compliance.                                                                  | Yes       |
| <p><b>24.3.4</b></p> <p><b>Commercial Vehicle Movements</b></p> | <p><b>A1</b></p> <p>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:</p> <ul style="list-style-type: none"> <li>(a) 7.00 am to 7.00 pm Mondays to Saturdays inclusive;</li> <li>(b) 9 am to 5.00 pm Sundays and public holidays.</li> </ul>   | <p>Proposed commercial movements would be as follows:</p> <ul style="list-style-type: none"> <li>a. Mon to Fri 7am to 7pm</li> <li>b. Saturday and public holiday 9am to 5pm</li> </ul> | Yes       |

| Standard                                                  | Acceptable Solution                                                                                                                                                                                | Proposed                                                                                                                                      | Complies? |
|-----------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| <b>24.3.5</b><br><b>Outdoor Work Areas</b>                | <b>A1</b><br>Outdoor work areas and noise-emitting services such as air conditioning equipment, pumps and ventilations fans must not be located within 50 m of a residential zone.                 | The storage area is located behind the fence aligned with the rear boundary of 5A Knoll street, which is 55m from the Inner Residential Zone. | Yes       |
| <b>24.4 Development Standards for Buildings and Works</b> |                                                                                                                                                                                                    |                                                                                                                                               |           |
| <b>24.4.1</b><br><b>Building Height</b>                   | <b>A1</b><br>Building height must be no more than:<br>9m.                                                                                                                                          | A standard shipping container is 2.59m in height                                                                                              | Yes       |
|                                                           | <b>A2</b><br>Building height within 10 m of a residential zone must be no more than 8.5 m.                                                                                                         | There is no residential zone adjacent                                                                                                         | NA        |
| <b>24.4.2</b><br><b>Setback</b>                           | <b>A1</b><br>Building setback from frontage must be parallel to the frontage and must be no more than:<br>(a) 10 m; or<br>(b) the alignment of the adjoining buildings<br>whichever is the lesser. | 40+m                                                                                                                                          | Yes       |
|                                                           | <b>A2</b><br>Building setback from a residential zone must be no less than:                                                                                                                        |                                                                                                                                               | NA        |

| Standard                       | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Proposed                                                                   | Complies? |
|--------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|-----------|
|                                | (a) 10m; or<br>(b) half the height of the wall,<br>whichever is the greater.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                            |           |
| <b>24.4.3</b><br><b>Design</b> | <b>A1</b><br>Building design must comply with all of the following:<br>(a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site;<br>(b) for new building or alterations to an existing facade provide windows and door openings at ground floor level in the front façade no less than 40% of the surface area of the ground floor level façade;<br>(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;<br>(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;<br>(e) incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof;<br>(f) provide awnings over the public footpath if existing on the site or on adjoining lots; | It is considered that these standards do not apply to shipping containers. | NA        |

| Standard                                     | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Proposed                                                                   | Complies? |
|----------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|-----------|
|                                              | (g) not include security shutters over windows or doors with a frontage to a street or public place.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                            |           |
|                                              | <b>A2</b><br>Walls of a building facing a residential zone must comply with all of the following: <ul style="list-style-type: none"> <li>(a) be coloured using colours with a light reflectance value not greater than 40 percent;</li> <li>(b) if within 50m of a residential zone, must not have openings in walls facing the residential zone, unless the line of sight to the building is blocked by another building.</li> </ul>                                                                                                                                                                                                                                                                                       | It is considered that these standards do not apply to shipping containers. | NA        |
| <b>24.4.4</b><br><b>Passive Surveillance</b> | <b>A1</b><br>Building design must comply with all of the following: <ul style="list-style-type: none"> <li>(a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site;</li> <li>(b) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the front façade which amount to no less than 20 % of the surface area of the ground floor level facade;</li> <li>(c) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the façade of any wall which faces a public space or a car park which amount to</li> </ul> | It is considered that these standards do not apply to shipping containers  | NA        |

| Standard                                      | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                  | Proposed                                                                                                                                                                                                                    | Complies? |
|-----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
|                                               | <p>no less than 10% of the surface area of the ground floor level facade;</p> <p>(d) avoid creating entrapment spaces around the building site, such as concealed alcoves near public spaces;</p> <p>(e) provide external lighting to illuminate car parking areas and pathways;</p> <p>(f) provide well-lit public access at the ground floor level from any external car park.</p> |                                                                                                                                                                                                                             |           |
| <b>24.4.5</b><br><b>Landscaping</b>           | <b>A1</b><br>Landscaping must be provided along the frontage of a site (except where access is provided) unless the building has a nil setback to frontage.                                                                                                                                                                                                                          | Existing                                                                                                                                                                                                                    | NA        |
|                                               | <b>A2</b><br>Along a boundary with a residential zone landscaping must be provided for a depth no less than:<br>10m.                                                                                                                                                                                                                                                                 | Not adjoining residential zoning                                                                                                                                                                                            | NA        |
| <b>24.4.6</b><br><b>Outdoor Storage Areas</b> | <b>A1</b><br>Outdoor storage areas for non-residential uses must comply with all of the following: <p>(a) be located behind the building line;</p> <p>(b) all goods and materials stored must be screened from public view;</p>                                                                                                                                                      | <p>a. The outdoor storage area would be located behind the existing dwelling, which complies.</p> <p>b. The storage area would not be visible from the street.</p> <p>c. The storage area would be outside the carpark.</p> | Yes       |

| Standard                        | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                            | Proposed                                                                                                                                                                                                                                                                      | Complies? |
|---------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
|                                 | (c) not encroach upon car parking areas, driveways or landscaped areas.                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                               |           |
| <b>24.4.7</b><br><b>Fencing</b> | <b>A1</b><br>Fencing must comply with all of the following:<br>(a) fences, walls and gates of greater height than 2.1 m must not be erected within 10 m of the frontage;<br>(b) fences along a frontage must be at least 50% transparent above a height of 1.2 m;<br>(c) height of fences along a common boundary with land in a residential zone must be no more than 2.1 m and must not contain barbed wire. | The proposed fencing would be at least 17.5m from the frontage and would not adjoin any residential boundary on the side and rear boundaries. There will be a 4m high concrete block wall on the rear boundary and a 3-4m high Colourbond fence along the northwest boundary. | Yes       |

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

| Standard                                                     | Acceptable Solution                                                                                                                                                                                                                                                                          | Proposed               | Complies? |
|--------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|-----------|
| <b>5.5 Use Standards</b>                                     |                                                                                                                                                                                                                                                                                              |                        |           |
| <b>E5.5.1</b><br><b>Existing road accesses and junctions</b> | <b>A1</b><br>The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater. |                        | NA        |
|                                                              | <b>A2</b><br>The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater. |                        | NA        |
|                                                              | <b>A3</b><br>The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.    | The estimate AADT is 4 | YES       |

| Standard                                                               | Acceptable Solution                                                                                                                                                                                                                                                                                                                   | Proposed | Complies?       |
|------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------------|
| <b>E5.5.2</b><br><br><b>Exiting Level Crossings</b>                    | <b>A1</b><br><br>Where use has access across part of a rail network, the annual average daily traffic (AADT) at an existing level crossing must not be increased by greater than 10% or 10 vehicle movements per day, whichever is the greater.                                                                                       |          | NA              |
| <b>5.6 Development Standards</b>                                       |                                                                                                                                                                                                                                                                                                                                       |          |                 |
| <b>E5.6.1</b><br><br><b>Development adjacent to roads and railways</b> | <b>A1.1</b><br><br>Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h:<br><br>(a) new buildings;<br>(b) other road or earth works; and<br>(c) building envelopes on new lots. |          | NO - Discretion |

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

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

## APPENDIX

### E6.0 Parking and Access Code

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

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

| Standard                               | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Proposed                        | Complies? |
|----------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|-----------|
|                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                 |           |
| <b>E 6.7 Development Standards</b>     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                 |           |
| E6.7.1<br>Number of Vehicle Accesses   | A1<br>The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Existing access to be utilised. | YES       |
| E6.7.2<br>Design of Vehicular Accesses | A1<br>Design of vehicle access points must comply with all of the following:<br><br>(a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;<br><br>(b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities. |                                 | YES       |

| Standard                                          | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Proposed                                                                                                                                                                         | Complies?      |
|---------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| E6.7.3<br>Vehicular Passing Areas Along an Access | A1<br>Vehicular passing areas must:<br><ul style="list-style-type: none"> <li>(a) be provided if any of the following applies to an access: <ul style="list-style-type: none"> <li>(i) it serves more than 5 car parking spaces;</li> <li>(ii) is more than 30 m long;</li> <li>(iii) it meets a road serving more than 6000 vehicles per day;</li> </ul> </li> <li>(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway;</li> <li>(c) have the first passing area constructed at the kerb;</li> <li>(d) be at intervals of no more than 30 m along the access.</li> </ul> | The provision of passing areas is not required as the driveway as proposed will be suitable for the type and volume of traffic likely to be generated by the use or development. | NO- Discretion |
| E6.7.4<br>On-Site Turning                         | A1<br>On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following:<br><ul style="list-style-type: none"> <li>(a) it serves no more than two dwelling units;</li> <li>(b) it meets a road carrying less than 6000 vehicles per day.</li> </ul>                                                                                                                                                                                                                                                   |                                                                                                                                                                                  | YES            |
| E6.7.5<br>Layout of Parking Areas                 | A1<br>The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 "Design of Parking Modules, Circulation                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                  | YES            |

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

| Standard                                        | Acceptable Solution                                                                                                                                                                                                                                                                                                                       | Proposed        | Complies? |
|-------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------|
| E6.7.9<br>Design of Motorcycle Parking Areas    | A1<br>The design of motorcycle parking areas must comply with all of the following:<br><br>(a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;<br>(b) be located within 30 m of the main entrance to the building. | No requirement. | NA        |
| E6.7.10<br>Design of Bicycle Parking Facilities | A1<br>The design of bicycle parking facilities must comply with all the following;<br><br>(a) be provided in accordance with the requirements of Table E6.2;<br><br>(b) be located within 30 m of the main entrance to the building.                                                                                                      | No requirement. | NA        |
|                                                 | A2<br>The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.                                          | No requirement. | NA        |
| E6.7.11<br>Bicycle End of Trip Facilities       | A1<br>For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table                                                                                                                                                                                                          | No requirement. | NA        |

| Standard                                        | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Proposed | Complies? |
|-------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
|                                                 | E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.                                                                                                                                                                                                                                                                                                                                   |          |           |
| E6.7.12<br>Siting of Car Parking                | A1<br>Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.                                                                                |          | NA        |
| E6.7.1.13<br>Facilities for Commercial Vehicles | A1<br>Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless:<br><br>(a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site;<br><br>(b) the use is not primarily dependent on outward delivery of goods from the site. |          | YES       |
| E6.7.14<br>Access to a Road                     | A1<br>Access to a road must be in accordance with the requirements of the road authority.                                                                                                                                                                                                                                                                                                                                                                                       |          | YES       |

## APPENDIX

### E7.0 Stormwater Management Code

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

| Standard | Acceptable Solution                                                        | Proposed | Complies? |
|----------|----------------------------------------------------------------------------|----------|-----------|
|          | accommodated within existing or upgraded public stormwater infrastructure. |          |           |

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

| Standard                                                   | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                       | Proposed                          | Complies? |
|------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|-----------|
| <b>E15.6 Use Standards</b>                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                   |           |
| <b>E15.6<br/>Use Standards</b>                             | <b>A1</b><br>Change of use of a non-habitable building to a habitable building or a use involving habitable rooms must comply with all of the following:<br><br>(a) floor level of habitable rooms is no less than the AHD level for the Coastal Inundation Low Hazard Area in Table E15.1;<br><br>(b) floor level of habitable rooms is no less than the AHD level for the 1% AEP plus 300mm if in an area subject to riverine flooding. | There would be no habitable rooms | NA        |
| <b>E15.7 Development Standards for Buildings and Works</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                   |           |
| <b>E15.7.1<br/>Coastal Inundation High Hazard Areas</b>    | <b>A1</b><br>For a habitable building, including extensions to existing habitable buildings, there is no Acceptable Solution.                                                                                                                                                                                                                                                                                                             |                                   | NA        |
|                                                            | <b>A2</b><br>For a non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, there is no Acceptable Solution.                                                                                                                                                                                                                                                                                  |                                   | NA        |

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

|                                                                      |                                                                                                                                                                                                                                                                                                                                                        |                                                                       |                 |
|----------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|-----------------|
|                                                                      | <p>An extension to a habitable building must comply with either of the following:</p> <p>(a) floor level of habitable rooms is no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1;</p> <p>(b) floor area is no more than 60 m<sup>2</sup>.</p>                                                                  |                                                                       |                 |
|                                                                      | <p><b>A3</b></p> <p>A non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, must have a floor area no more than 60 m<sup>2</sup>.</p>                                                                                                                                                                   |                                                                       | NA              |
| <p><b>E15.7.4</b></p> <p><b>Riverine Inundation Hazard Areas</b></p> | <p><b>A1</b></p> <p>A new habitable building must have a floor level no lower than the 1% AEP (100 yr ARI) storm event plus 300 mm.</p>                                                                                                                                                                                                                | No habitable building proposed                                        | NA              |
|                                                                      | <p><b>A2</b></p> <p>An extension to an existing habitable building must comply with one of the following:</p> <p>(a) floor level of habitable rooms is no lower than the 1% AEP (100 yr ARI) storm event plus 300 mm;</p> <p>(b) floor area of the extension no more than 60 m<sup>2</sup> as at the date of commencement of this planning scheme.</p> | No habitable building is proposed                                     | \<br>NA         |
|                                                                      | <p><b>A3</b></p> <p>The total floor area of all non-habitable buildings, outbuildings and Class 10b buildings under the Building Code of Australia, on a site must be no more than 60 m<sup>2</sup>.</p>                                                                                                                                               | The total area of the 3 shipping containers would be 89m <sup>2</sup> | No - discretion |

|                                                                                                         |                                                                                                                                                                                                                                                                                                                                           |                                                          |                 |
|---------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|-----------------|
| <b>15.7.5</b><br><b>Riverine, Coastal Investigation Area, Low, Medium, High Inundation Hazard Areas</b> | <b>A1</b><br>For landfill, or solid walls greater than 5 m in length and 0.5 m in height, there is no acceptable solution.                                                                                                                                                                                                                | There would be a boundary wall greater than 5m in length | No – discretion |
|                                                                                                         | <b>A2</b><br>No acceptable solution.                                                                                                                                                                                                                                                                                                      |                                                          | NA              |
|                                                                                                         | <b>A3</b><br>A land application area for onsite wastewater management must comply with all of the following:<br>(a) horizontal separation distance from high water mark or from the top of bank of a watercourse or lake must be no less than 100 m;<br>(b) vertical separation distance from the water table must be no less than 1.5 m. |                                                          |                 |
| <b>E15.7.6</b><br><b>Development Dependent on a Coastal Location</b>                                    | <b>A1</b><br>An extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date.                                                                                                                                |                                                          |                 |
|                                                                                                         | <b>A2</b><br>No acceptable solution                                                                                                                                                                                                                                                                                                       |                                                          |                 |
|                                                                                                         | <b>A3</b><br>No Acceptable Solution for coastal protection works initiated by the private sector.                                                                                                                                                                                                                                         |                                                          |                 |

**6. PROPOSED USE AND DEVELOPMENT - MULTIPLE DWELLINGS  
(ONE EXISTING AND ONE NEW) - 379 BROOKER HIGHWAY  
LUTANA**

Author: Planning Officer (Angela Dionysopoulos)

Qualified Person: Planning Officer (Angela Dionysopoulos)

Property ID: 5412004

**REPORT SUMMARY**

|                            |                                                                                                                                                                                                                                                                                                                             |
|----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application No.:</b>    | <b>PLN-20-094</b>                                                                                                                                                                                                                                                                                                           |
| <b>Applicant:</b>          | <b>Pinnacle Drafting &amp; Design</b>                                                                                                                                                                                                                                                                                       |
| <b>Owner:</b>              | <b>C Vailas</b>                                                                                                                                                                                                                                                                                                             |
| <b>Zone:</b>               | <b>General Residential</b>                                                                                                                                                                                                                                                                                                  |
| <b>Use Class</b>           | <b>Residential</b>                                                                                                                                                                                                                                                                                                          |
| <b>Application Status:</b> | <b>Discretionary</b>                                                                                                                                                                                                                                                                                                        |
| <b>Discretions:</b>        | <b>10.4.2 Setbacks and building envelopes for all dwellings, 10.4.3 Site coverage and private open space for all dwellings, 10.4.7 Frontage Fences for all dwellings, 10.4.8 Waste Storage for multiple dwellings</b><br><br>(The proposal meets all other applicable standards as demonstrated in the attached appendices) |
| <b>Level 2 Activity?</b>   | <b>No</b>                                                                                                                                                                                                                                                                                                                   |
| <b>42 Days Expires:</b>    | <b>3 June 2020</b><br><b>Extension approved until 16 June 2020</b>                                                                                                                                                                                                                                                          |
| <b>Existing Land Use:</b>  | <b>Residential</b>                                                                                                                                                                                                                                                                                                          |
| <b>Representations:</b>    | <b>1</b>                                                                                                                                                                                                                                                                                                                    |
| <b>Recommendation:</b>     | <b>Approval, subject to conditions</b>                                                                                                                                                                                                                                                                                      |

## **REPORT IN DETAIL**

### **PROPOSAL**

The application proposes development of two multiple dwellings – one existing and one new.

The existing dwelling is located at the rear of the site and has frontage to Brooker Highway.

The proposed new, three-bedroom dwelling has minimum setbacks of 1.5m from the side boundary and approximately 8.4m from the frontage. The dwelling has proposed maximum dimensions of 12.71m x 15.93m, including a proposed double carport and deck, with a maximum building height of approximately 4.3m. Privacy screening is specified to enclose the northern, western and southern sides of the proposed deck.

In addition to the carport, two uncovered car parking spaces are proposed to be located between the proposed new dwelling and the primary frontage. The site's existing access is from Blair Street and widening of the access is proposed.

Retaining walls are proposed facilitating the proposed parking areas, including two retaining walls with a nil side boundary setback. The proposed retaining wall on the southern side boundary also has a nil frontage setback.

No staging of the development is proposed.

### **SITE and LOCALITY**

The site is an approximately 739m<sup>2</sup> lot with an average south-westerly gradient of approximately 1 in 7 (Figure 1). The site contains an existing single dwelling and has frontage to Brooker Highway and Blair Street. A public footpath providing connectivity between Brooker Highway and Blair Street is located adjoining the southern side boundary of the site.

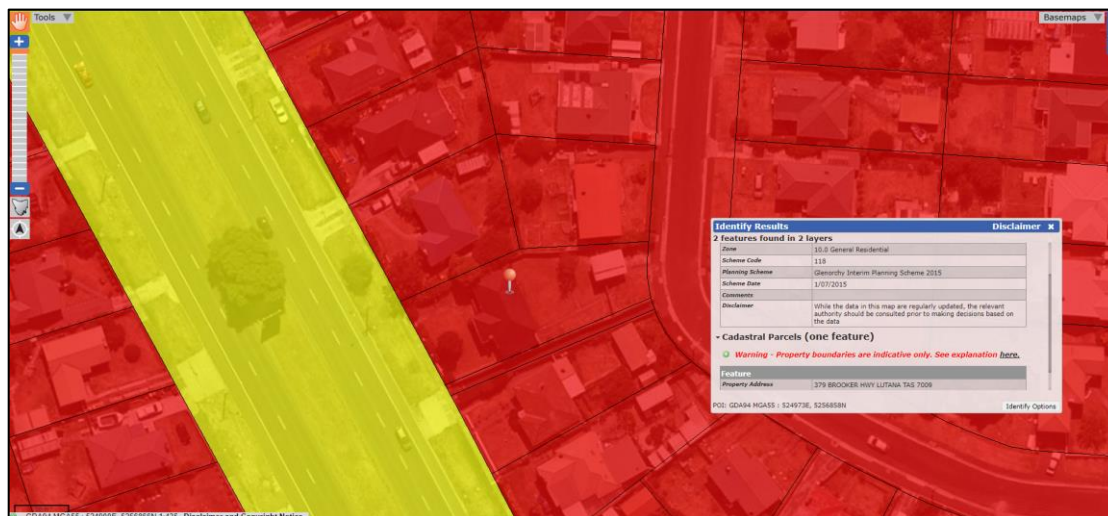


**Figure 1 - Aerial photograph of the site (highlighted) and surrounds - Council database 2015**

The locality is characterised by long-established residential development primarily for single dwellings on modest sized lots. Proximity to Brooker Highway is a dominant feature of the locality.

## ZONE

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



**Figure 2 – The site is in the General Residential Zone (red), adjacent to a Utilities Zone (yellow) – Glenorchy Interim Planning Scheme 2015**

## BACKGROUND

PLN-11-176 Two dwelling units (1 new, 1 existing) with parking within road alignment setback approved 25/08/2011. The permit was not acted on or extended, and has now lapsed.

## 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 Parking and Access Code and Stormwater Management Code apply, and therefore prevail over the zone provisions, where there is any conflict.

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

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

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

**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.

**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*.

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

Recent decisions<sup>1</sup> of the Resource Management and Planning Appeal Tribunal of Tasmania (RMPAT) have defined '**adjoining**' to mean 'next to,' without a requirement for physical connection between structures.

**Part C: Special Provisions**

No special provisions of the Scheme apply to this proposal.

**Part D: Zones**

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

**Zone Purpose Statements**

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

The proposal accords with the zone purpose as the proposed use is for suburban residential use and development, in an area where full infrastructure services are available.

**Use Table**

Residential use for multiple dwellings has 'Permitted' status in the zone. However, the proposal is discretionary owing to reliance on performance criteria for compliance with the standards for 10.4.2 Setbacks and building envelopes for all dwellings, 10.4.3 Site coverage and private open space for all dwellings, 10.4.7 Frontage Fences for all dwellings, and 10.4.8 Waste Storage for multiple dwellings.

**Use Standards**

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

**Development Standards for Residential Buildings & Works**

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<sup>1</sup> See, for example, *Henry Design & Consulting v Clarence City Council* [2017] TASRMPAT 11 and *9 Sandy Bay Road Pty Ltd v Hobart City Council and Ors* [2017] TASRMPAT 19

#### 10.4.2 Setbacks and building envelopes for all dwellings (A3)

Acceptable Solution A3 allows for a maximum height of 3.541m at a side boundary setback of 1.541m. The proposed new dwelling has a height of 4.3m with a side boundary setback of 1.541m. The proposal relies on Performance Criterion P3 for compliance with the standard.

Performance Criterion P3 requires that the siting and scale of a dwelling must:

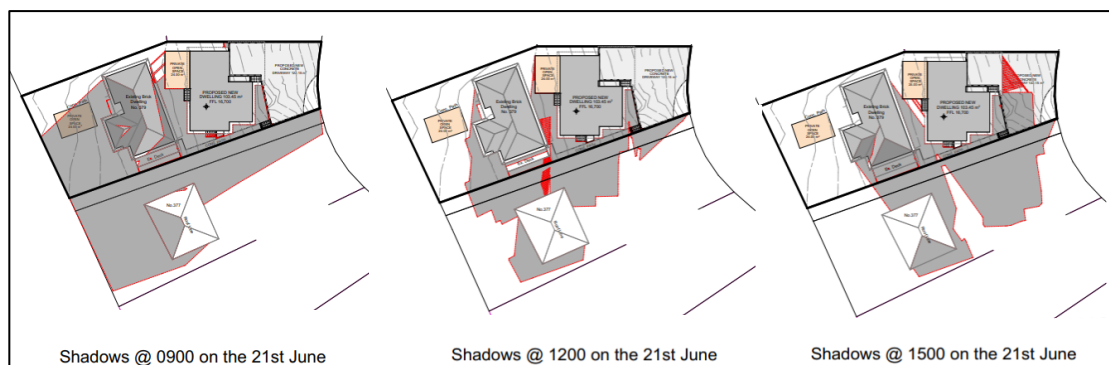
- (a) *not cause unreasonable loss of amenity by:*
  - (i) *reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or*

The proposed development is located to the north/north-east of a dwelling on an adjoining lot at 377 Brooker Highway<sup>2</sup>.

Shadow diagrams provided in support of the application indicate that the proposed new dwelling will not shade the neighbouring dwelling for the majority of the afternoon on the winter solstice.

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

The shadow diagrams for the proposal show additional shading of the private open space of the dwelling at 377 Brooker Highway, from approximately 11am on the winter solstice (Figure 3).



**Figure 3 – Combined snapshots from PLN-20-094 supporting information received 13/05/2020**

The proposed dwelling is on the same contour as the affected open space (Figure 4).



**Figure 4 – The site of the proposed development is on the same contour as the neighbouring private open space – Council database 2015**

<sup>2</sup> Although the two lots are separated by a public walkway, 'adjoining' (as noted in the definitions section of this report) means 'next to', without requiring a physical connection.

The majority of the space would not receive additional shading between 9am and 11am on the winter solstice, although shading from the proposed new development would increase from approximately one-third of the space at 12pm, to two-thirds by 3pm. This is not considered unreasonable in an urban context.

*(iii) overshadowing of an adjoining vacant lot; or*

The site adjoins a public footpath to the south. The adjoining lot does not contain any use or development other than a footpath and may be considered to be vacant.

Although the proposed development will overshadow the adjoining footpath to some extent, the use of the footpath is for a thoroughfare only, and is not a place intended for users to linger. The impact of the overshadowing is therefore very limited in duration and is not considered to be unreasonable in terms of amenity impact.

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

The visual impact of the proposed development is considered to be reasonable, with the proposed low roof pitch of 5% minimising the height of the single-storey dwelling, and a staggered footprint reducing the extent of the dwelling in proximity to each of the side boundaries.

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

The proposal will result in a separation distance of approximately 2.8m between the proposed new dwelling and the nearest dwelling on an adjoining lot, at 10 Blair Street. This is compatible with the existing separation distances prevailing in the area which include approximately 2.8m between 375 and 373 Brooker Highway and between 377 and 375 Brooker Highway.

In summary, the proposed development is considered not to cause an unreasonable loss of amenity, and will result in a compatible separation distance. The proposal is assessed as meeting the performance criteria and complies with the standard.

#### *10.4.3 Site coverage and private open space for all dwellings (A2)*

Acceptable Solution A2 requires an area of private open space that, amongst other requirements, 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. The proposed area of private open space for the existing dwelling is located between the dwelling and the non-primary frontage, which is oriented to the south-west. The proposal relies on Performance Criterion P2 for compliance with the standard.

In accordance with the Henry Designs principle<sup>3</sup>, performance criteria are independent tests and where a performance criterion is relied upon, the entire proposal must be assessed for compliance with that criterion, without reliance on the corresponding acceptable solution. In this case, although the private open space for the proposed new dwelling would, in isolation, comply with the acceptable solution for the standard, the proposed private open space for both dwellings must be considered in relation to the performance criterion.

Performance Criterion P2 requires that a dwelling must have private open space that:

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

The proposed private open spaces for both dwellings provide ample area for outdoor living activities, with a 24m<sup>2</sup> deck proposed for the new dwelling and a contiguous area

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<sup>3</sup> Henry Design and Consulting v Clarence City Council & Ors [2017] TASRMPAT 11 (7 July 2017)

of approximately 200m<sup>2</sup> containing existing lawn and gardens, for the existing dwelling. The space for the existing dwelling is proposed to be made private through construction of a screening fence along the Brooker Highway frontage, while the space for the proposed new dwelling is to have privacy screening to three sides.

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

The proposed deck for the new dwelling is to be accessed directly from the open-plan living and dining area.

The proposed private open space for the existing dwelling is convenient as it is located on the same side as, and has a direct line of sight to, the living room of the dwelling. The area can be accessed via a short flight of stairs from the front porch adjacent to the living area, and from the kitchen/dining area of the dwelling via an existing deck.

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

The proposed area of private open space for the existing dwelling is located to the south-west of the dwelling, with sufficient width along the east-west axis to provide ample exposure to the north.

The area for the proposed new dwelling is located to the western side of that building, with direct northern exposure along the 4m width of the deck.

#### *10.4.7 Frontage Fences for all dwellings (A1)*

Acceptable Solution A1 provides for a fence (including a free-standing wall) within 4.5m of a frontage to have a maximum height above natural ground level of not more than 1.8m, provided any part of the fence that is within 4.5m of a primary frontage has openings above a height of 1.2m which provide a uniform transparency of not less than 30%.

The proposal includes fencing along the Brooker Highway frontage, and a retaining wall and screen forming part of a proposed enclosure for waste and recycling bins, along the southern side boundary. The proposed structure has a maximum height of approximately 2.1m above natural ground level at a setback of 4.5m from the Blair Street frontage, which is the primary frontage. The proposal relies on Performance Criterion P1 for compliance with the standard.

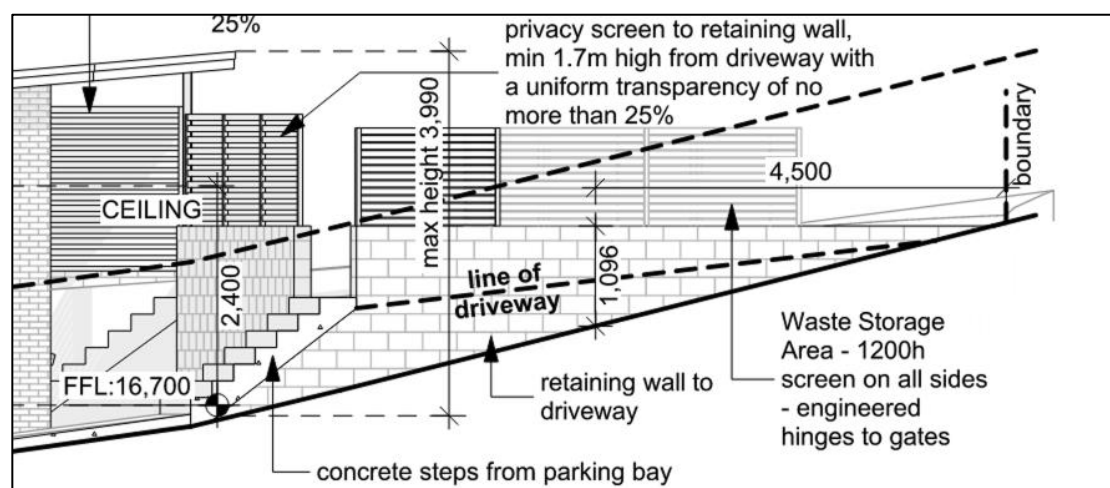
As noted in relation to standard 10.4.3 above, the proposal in its entirety must be assessed against the performance criterion.

Performance Criterion P1 requires that a fence (including a free-standing wall) within 4.5 m of a frontage must:

- (a) *provide for the security and privacy of residents, while allowing for mutual passive surveillance between the road and the dwelling; and*

The fence on the Brooker Highway frontage has a proposed height of 1.7m with 30% transparency above 1.2m. This will provide privacy and security for the proposed private open space of the existing dwelling, while allowing sufficient visual connection to allow for mutual passive surveillance.

The proposed retaining wall extends from the Blair Street frontage to approximately 9.7m along the southern side boundary. The associated screen commences at a distance of approximately 2.3m from the frontage, extending along the boundary away from the frontage for a length of approximately 4.9m. The combined height of the proposed retaining wall and screen at a 4.5m frontage setback is approximately 2.1m, reducing to approximately 1.6m at a setback of 2.3m, owing to the slope of the land. The wall tapers to ground level at the frontage (Figure 5).



**Figure 5 – Snapshot from PLN-20-094 advertised plans received 13/05/2020**

The proposed screen will enhance privacy and security between the site and the adjacent public footpath, where it extends above the existing 1.8m boundary fence that will be retained. The proposed structure will not impact on the extent of mutual passive surveillance currently existing between the road and the site, considering the existing boundary fence is higher than the proposed retaining wall in proximity to the road.

(b) *be compatible with the height and transparency of fences in the street, taking into account the:*

Existing fences along Brooker Highway generally comprise a low, solid wall, with varied heights and transparency above, ranging from no additional materials, to vegetation, metal railing and solid brick or timber fences. Existing fences along Blair Street also have a variety of heights and transparency (

Figure 6).



**Figure 6 – Photographs of nearby fences – Google Streetview 2019**

The proposed 1.7m high fencing to the Brooker Highway frontage, with transparency above a height of 1.2m, is compatible with the existing range of fence heights and transparency on Brooker Highway. The proposed side boundary fence, with transparent screening and a solid height tapering to ground level within 4.5m of the Blair Street frontage, is similarly compatible with the existing variety of fences on that street.

(i) *topography of the site; and*

The slope of the land results in a tapering of the proposed retaining wall towards the Blair Street frontage.

(ii) *traffic volumes on the adjoining road.*

Traffic volumes on Brooker Highway are substantial, but the proposal does not include any vehicular access to that road. The proposed fencing will assist with the amenity of the subject site by providing a level of baffling of the visual and potentially the sound impacts from the road.

Traffic volumes on Blair Street are low, with an AWDT of 212 indicated in Council's traffic count records. The proposed retaining wall and screen will not impede sight lines or impact on the safety of pedestrians or road users.

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

#### *10.4.8 Waste Storage for multiple dwellings (A1)*

Acceptable Solution A1 requires a communal waste storage area to have a setback of at least 4.5m from a frontage. A communal waste storage area is proposed with a frontage setback of 2.704m. The proposal relies on Performance Criterion P1 for compliance with the standard.

Performance Criterion P1 requires that a multiple dwelling development must provide storage, for waste and recycling bins, that is:

(a) *capable of storing the number of bins required for the site; and*

The proposed waste storage area includes 1.5m<sup>2</sup> space for waste and recycling bins for each dwelling.

(b) *screened from the frontage and dwellings; and*

The proposed storage area is to be screened on all sides.

(c) *if the storage area is a communal storage area, separated from dwellings on the site to minimise impacts caused by odours and noise.*

The proposed communal storage area is separated from the dwellings by a distance of 4.5m and two screens.

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

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

## **Part E: Codes**

The following codes of the Scheme apply to this proposal:

### **E5.0 Road and Rail Asset Code**

The Road and Railway Assets Code applies to use or development that intensifies the use of an existing access; requires a new crossing or junction; or that involves a sensitive use or a building or works within 50m of a Utilities Zone that is part of a Category 1 – Trunk Road that is subject to a speed limit of more than 60km/h.

The site adjoins a Utilities Zone, as shown in Figure 2, containing Brooker Highway, which is a Category 1 – Trunk Road in accordance with the State Road Hierarchy, and has a speed limit of 80km/h in the area. The Code applies.

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

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

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

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

### **Stormwater Management Code**

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

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

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

No Specific Area Plan applies to the site.

## **INTERNAL REFERRALS**

### **Development Engineer**

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

The proposal is to construct an additional dwelling on an allotment with frontages to both Brooker Highway and Blair Street at No. 379 Brooker Highway Lutana.

The allotment is fully serviced; the relocation of Council's 300 dia. stormwater currently located within 10 Blair Street will be required to allow the required off-sets for the new dwelling to be achieved.

### ***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 existing dwelling is accessed off the Blair Street frontage and the access to the new dwelling is proposed to utilise the existing access, this complies with A1 and A2 of the E5.6.2.

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

The submitted plans indicate a total of four (4) parking spaces. The development complies with Code E6 Parking and Access Code.

The proposal is to utilise the existing approved access for the existing dwelling which is compliant with the Acceptable Solution A1 of E6.7.2 Clause (b).

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 with the outfall proposed by this application. All runoff from the new impervious area will be discharged by gravity to the existing connection. The development is considered to comply with the Acceptable Solution E7.7.1 Clause A1. The development also is considered to comply with the acceptable solution A2 and a stormwater system does not require to incorporate water sensitive urban design for treatment, as the size of the new impervious area is less than 600m<sup>2</sup>.

To achieve the required off-sets from existing underground stormwater main the existing 300dia. stormwater line within 10 Blair Street will require relocation. This relocation will achieve the desired outcome as well as alleviating the identified surcharging that occasionally occurs from the low point in Blair Street.

**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.

**Environmental Health Officer**

Council's Environmental Health Officer has reviewed the proposal, owing to the proximity to Brooker Highway, and made the following comment.

Environmental Health has assessed this application and does not have any conditions to recommend.

**EXTERNAL REFERRALS**

**TasWater**

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

**REPRESENTATIONS**

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

**1. Stormwater drainage**

The representor states that the existing stormwater infrastructure is inadequate, and considers that the proposed impervious surfaces may result in additional stormwater flows affecting the neighbouring property at 10 Blair Street. The representor has provided footage showing flooding of the subject site from Blair Street.

The representor relates this concern to standard *10.4.1 Residential density for multiple dwellings*, noting that Performance Criterion P1 for the standard requires that the development not exceed the capacity of infrastructure services.

*Planner's Comment:*

With respect to standard 10.4.1, the proposal complies with Acceptable Solution A1 through having a site area per dwelling greater than 325m<sup>2</sup>. Specifically, two dwellings are proposed on a lot size of 739m<sup>2</sup>, resulting in a site area per dwelling of 369.5m<sup>2</sup>. There is therefore no opportunity to consider the performance criterion for the standard.

However, stormwater impacts from the proposed development are governed through the E7.0 Stormwater Management Code.

Council's Development Engineer has assessed the proposal and determined that the acceptable solutions of the applicable standards of the Stormwater Management Code are met, as detailed at Appendix D. In part, compliance is achieved through on-site detention, and a condition is recommended accordingly.

As the proposal satisfies the acceptable solutions of the applicable stormwater management standards, there are no grounds for refusal on this basis.

The representor's concerns regarding flooding and the capacity of stormwater mains infrastructure have been referred to Council's Hydraulics team for consideration as part of ongoing infrastructure planning.

## **2. Building size**

The representor expresses concerns about the scale and bulk of the proposed development when viewed from adjoining lots, and considers that the proposed height of the development in proximity to the side boundary is uncharacteristic of the surrounding area. The representor identifies this concern with standard *10.4.2 Setbacks and building envelope for all dwellings*, which is the applicable standard.

### *Planner's Comment:*

The proposal is assessed as complying with Performance Criterion P3 for standard 10.4.2, as detailed in the Assessment section of this report.

As the proposal satisfies the standard, there are no grounds for refusal on this basis.

## **3. Shading and privacy**

The representor raises concerns about the extent of shading, taking into account the proposed screening, of the proposed deck, which is nominated as the private outdoor space for the proposed new dwelling. The representor is concerned that proposed privacy screening may be removed in future, due to its shading of the deck.

### *Planner's Comment:*

As identified by the representor, the applicable standard relating to the requirements for private open space is *10.4.3 Site coverage and private open space for all dwellings*; Performance Criterion P2 is relevant. The proposal is assessed as meeting the performance criterion, as detailed in the Assessment section of this report.

The proposed screening is relied on for compliance with the acceptable solution of the applicable privacy standard, *10.4.6 Privacy for all dwellings (A1)*. A condition is recommended to require the retention of the screens for the duration of the use.

As the proposal satisfies the applicable standards, there are no grounds for refusal on this basis.

## **4. Visual impacts of proposed car parking**

The representor raises several concerns relating to the visual impact of the proposed car parking, namely that:

- The width of the carport opening is excessive;
- Four car parking spaces will be visible from the Blair Street frontage;
- No frontage fence is proposed to alleviate the visual impact of the car parking.

The representor suggests that relocation of proposed parking for the existing dwelling to the Brooker Highway frontage would be preferable.

*Planner's Comment:*Width of carport opening

Standard 10.4.5 *Width of openings for garages and carports for all dwellings* is applicable, and allows for a carport within 12m of a primary frontage to have an opening not more than 6m or half the width of the frontage (whichever is the lesser).

The total width of the opening is approximately 6.2m between the supporting posts; however, the roof structure is shared between the entry and the carport. Approximately 900mm of the width of the opening is for a flight of stairs and an associated landing leading to the main entrance, which is not part of the carport. The portion of the opening that corresponds to the proposed carport is approximately 5m.

The Blair Street frontage, which the carport faces, and which is the primary frontage, has a length of approximately 10.99m. The proposed 5m opening for the carport is less than 6m and less than half the width of the frontage, and therefore complies with the acceptable solution for the standard, as noted at Appendix A.

As the proposal satisfies the acceptable solutions of the applicable standards, there are no grounds for refusal on this basis.

Visibility of carparking from the street

There is no standard in the zone governing the visibility of carparking spaces from the street, or mandating screening or fencing of car parking spaces between the frontage and the dwelling.

The E6.7.12 *Siting of Car Parking* standard of the E6.0 Parking and Access Code requires parking spaces in specified zones to be located behind the building line; however, the standard does not apply to the General Residential Zone.

As there is no applicable standard, there are no grounds for refusal on this basis.

Potential relocation of car parking to the Brooker Highway frontage

There is no standard through which the parking is required to be relocated. Therefore, this is not a planning matter and there are no grounds for refusal on this basis.

**5. Car parking and driveway compliance**

The representor is concerned that:

- Four spaces are proposed; the representor considers that five spaces are required, whereas if the proposed dwelling was reduced to two bedrooms, only three spaces would be required.
- The gradient of the proposed vehicle access and car parking spaces may not comply with Australian Standards; and
- The width of the proposed carport is inadequate to cater for the two proposed car parking spaces located within it.

*Planner's Comment:*Number of car parking spaces

Residential use for multiple dwellings requires two car parking spaces per dwelling containing two or more bedrooms, in accordance with standard E6.6.1 *Number of car parking spaces*; therefore, four car parking spaces are required and the proposal meets the acceptable solution for the standard. Reduction of the proposed dwelling from three bedrooms to two bedrooms would not result in a reduced number of car parking spaces required.

In relation to the fifth space mentioned by the representor, the standard requires one dedicated visitor car parking space per four dwellings. As only two dwellings are proposed, a visitor space is not required.

#### Parking and access gradients and widths

Council's Development Engineer has reviewed the proposal and determined that the proposed access and car parking spaces, including those located within the proposed carport, comply with the relevant Australian Standards and meet the acceptable solutions of the applicable standards *E6.7.2 Design of Vehicular Accesses* and *E6.7.5 Layout of Parking Areas*. Associated conditions of permit are recommended.

As the proposal satisfies the acceptable solutions of the applicable standards, there are no grounds for refusal on this basis.

### **CONCLUSION**

The proposal relies on performance criteria for compliance with the standards for Setbacks and building envelopes for all dwellings, Site coverage and private open space for all dwellings, Frontage Fences for all dwellings, and Waste Storage for multiple dwellings. The proposal is assessed as satisfying the performance criteria and complies with the standards. The proposal is assessed as complying with all other use and development standards in the General Residential Zone, as well as the applicable standards of the Road and Railway Assets Code, the Parking and Access Code and the Stormwater Management Code. The application was publicly advertised for the statutory 14-day period and one representation was received. It is concluded that the proposal is consistent with the requirements of the Scheme and is satisfactory.

### **RECOMMENDATION:**

That a permit be granted for the proposed use and development of Multiple dwellings (one existing and one new) at 379 Brooker Highway Lutana subject to the following conditions.

#### **Planning**

1. Use and development must be substantially in accordance with planning permit application No. PLN-20-094 and Plans submitted on 8/05/2020 (7 pages) and 13/05/2020 (1 page), 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 2020/00382-GCC, dated 11/05/2020, form part of this permit.
3. All screening as indicated on the approved plans must be implemented and maintained for the duration of the use.
4. The dining room window on the north elevation, and the bedroom window on the west elevation, of Unit 1 on the approved plans, must have fixed obscure glazing to a height of at least 1.7m above the floor level.

#### **Engineering**

5. 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](http://www.derwentestuary.org.au).*

6. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
7. The design and construction of the parking, access and turning areas must generally comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004, to the satisfaction of the Council's Development Engineer. Drawings showing the design of the driveway, parking, access and turning areas 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 shall not exceed the maximum gradient of 25%;
  - (b) Four (4) clearly marked car parking spaces (two spaces per dwelling) 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) Be clearly line-marked or physically separated to each space in accordance with the approved plan;
  - (f) The gradient of any parking areas must not exceed 5%; and
  - (g) 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 additional dwelling.

8. 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 Average Recurrence Interval (ARI) (5% Annual Exceedance Probability (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 dwelling.
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. Drawings showing the design for the relocation of the Council's 300dia. stormwater main must be submitted with the Building Application or prior to the commencement of works on site (whichever comes first) for approval by Council's Hydraulic Engineer. The design must comply with the Local Government Association Tasmania (LGAT) Tasmanian Standard Drawings.

### **Advice to Applicant**

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

#### *Other Permits*

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

#### *Engineering*

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

### **Attachments/Annexures**

- 1 Attachment - 379 Brooker Highway Lutana



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

| Standard                                                              | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Proposed                                                                                                                                                                 | Complies? |
|-----------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| <b>10.4 Development Standards for Residential Buildings and Works</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                          |           |
| 10.4.1<br>Residential density for multiple dwellings                  | A1<br>Multiple dwellings must have a site area per dwelling of not less than:<br>(a) 325m <sup>2</sup> ; or<br>(b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | A site area per dwelling of 369.5m <sup>2</sup> is proposed.                                                                                                             | Yes       |
| 10.4.2<br>Setbacks and building envelopes for all dwellings           | A1<br>Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is:<br>(a) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or<br>(b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or<br>(c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or<br>(d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road. | The proposed development has a setback of approximately 9m from the primary frontage, and no new development between the existing dwelling and the non-primary frontage. | Yes       |
|                                                                       | A2<br>A garage or carport must have a setback from a primary frontage of at least:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | The proposed carport has a setback of approximately 9m from the primary frontage.                                                                                        | Yes       |

| Standard                                                                    | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Proposed                                                                                                                                                                                                                 | Complies? |
|-----------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
|                                                                             | <ul style="list-style-type: none"> <li>(a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or</li> <li>(b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or</li> <li>(c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                          |           |
|                                                                             | <p>A3</p> <p>A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must:</p> <ul style="list-style-type: none"> <li>(a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by: <ul style="list-style-type: none"> <li>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and</li> <li>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and</li> </ul> </li> <li>(b) only have a setback within 1.5 m of a side boundary if the dwelling: <ul style="list-style-type: none"> <li>(i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or</li> <li>(ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).</li> </ul> </li> </ul> | The proposed new dwelling has a height of 3.99m with a side boundary setback of 1.541m.                                                                                                                                  | No        |
| <p>10.4.3</p> <p>Site coverage and private open space for all dwellings</p> | <p>A1</p> <p>Dwellings must have:</p> <ul style="list-style-type: none"> <li>(a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and</li> <li>(b) for multiple dwellings, a total area of private open space of not less than 60 m<sup>2</sup> associated with each dwelling, unless</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p>A site coverage of 38.5% is proposed.</p> <p>Each proposed dwelling has more than 60m<sup>2</sup> of private open space allocated.</p> <p>More than 25% of the site remains free of proposed impervious surfaces.</p> | Yes       |

| Standard                                                         | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Proposed                                                                                                                                                                    | Complies? |
|------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
|                                                                  | <p>the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(c) a site area of which at least 25% of the site area is free from impervious surfaces.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                             |           |
|                                                                  | <p>A2</p> <p>A dwelling must have an area of private open space that:</p> <p>(a) is in one location and is at least:</p> <p>(i) 24 m<sup>2</sup>; or</p> <p>(ii) 12 m<sup>2</sup>, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(b) has a minimum horizontal dimension of:</p> <p>(i) 4 m; or</p> <p>(ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and</p> <p>(d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and</p> <p>(e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and</p> <p>(f) has a gradient not steeper than 1 in 10; and</p> <p>(g) is not used for vehicle access or parking.</p> | <p>The proposed area of private open space for the existing dwelling is located between the dwelling and the non-primary frontage, which is oriented to the south-west.</p> | No        |
| <p>10.4.4</p> <p>Sunlight and overshadowing of all dwellings</p> | <p>A1</p> <p>A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <p>The proposed new dwelling includes a living room window with a northerly orientation.</p>                                                                                | Yes       |

| Standard | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Proposed                                                                                            | Complies? |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|-----------|
|          | degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | The proposal does not alter the existing dwelling's existing level of compliance with the standard. |           |
|          | <p>A2</p> <p>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):</p> <p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B):</p> <ul style="list-style-type: none"> <li>(i) at a distance of 3 m from the window; and</li> <li>(ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.</li> </ul> <p>(b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"> <li>(i) an outbuilding with a building height no more than 2.4 m; or</li> <li>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.</li> </ul> | Not applicable. The proposed multiple dwellings are to be located along an east-west axis.          | NA        |
|          | <p>A3</p> <p>A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c):</p> <p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C):</p> <ul style="list-style-type: none"> <li>(i) at a distance of 3 m from the northern edge of the private open space; and</li> <li>(ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Not applicable. The proposed multiple dwellings are to be located along an east-west axis.          | NA        |

| Standard                                                                          | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Proposed                                                                                                                                                                                                                                                                                                                                                                                                                   | Complies? |
|-----------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
|                                                                                   | <p>(b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"> <li>(i) an outbuilding with a building height no more than 2.4 m; or</li> <li>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                            |           |
| <p>10.4.5</p> <p>Width of openings for garages and carports for all dwellings</p> | <p>A1</p> <p>A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p>The proposed carport has an opening of approximately 5m facing the frontage.</p> <p>The total width of the opening is approximately 6.2m between the supporting posts; however, the roof structure is shared between the entry and the carport. Approximately 900mm of the width of the opening is for a flight of stairs and an associated landing leading to the main entrance, which is not part of the carport.</p> | Yes       |
| <p>10.4.6</p> <p>Privacy for all dwellings</p>                                    | <p>A1</p> <p>A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:</p> <ul style="list-style-type: none"> <li>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary; and</li> <li>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4 m from the rear boundary; and</li> <li>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m:</li> </ul> | <p>The proposed new deck and carport are located less than 3m from the northern side boundary, and have a floor level more than 1m above natural ground level. Screening to a height of 1.7m is proposed.</p>                                                                                                                                                                                                              | Yes       |

| Standard | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Proposed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Complies? |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
|          | <ul style="list-style-type: none"> <li>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</li> <li>(ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |
|          | <p>A2</p> <p>A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <p>(a) The window or glazed door:</p> <ul style="list-style-type: none"> <li>(i) is to have a setback of at least 3 m from a side boundary; and</li> <li>(ii) is to have a setback of at least 4 m from a rear boundary; and</li> <li>(iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</li> <li>(iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site.</li> </ul> <p>(b) The window or glazed door:</p> <ul style="list-style-type: none"> <li>(i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or</li> <li>(ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or</li> </ul> <p>(c) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.</p> | <p>A window with a floor level of 1.09m above natural ground level is proposed with a setback of 1.5m from the norther side boundary. The window is proposed to have fixed obscure glazing to a height of 1.7m above the floor level.</p> <p>The proposed dwelling includes a bedroom window with a floor level more than 1m above natural ground level located approximately 4m from a window of the existing dwelling. Obscure glazing to a height of 1.7m above floor level is proposed.</p> | Yes       |
|          | <p>A3</p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <p>A parking space allocated to the existing dwelling is proposed with a separation of approximately 1.7m from</p>                                                                                                                                                                                                                                                                                                                                                                              | Yes       |

| Standard                                                  | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Proposed                                                                                                                                                                                                                                                                                                                                                | Complies? |
|-----------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
|                                                           | <p>window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least:</p> <p>(a) 2.5 m; or</p> <p>(b) 1 m if:</p> <p>(i) it is separated by a screen of at least 1.7m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.</p>                                                                                                                                                                                                     | a bedroom window of the proposed multiple dwelling. Screening to a height of 1.7m is proposed.                                                                                                                                                                                                                                                          |           |
| <p>10.4.7</p> <p>Frontage Fences for all dwellings</p>    | <p>A1</p> <p>A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than:</p> <p>(a) 1.2 m if the fence is solid; or</p> <p>(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).</p>                                                                                                                                                                                                                                                   | <p>A 1.7m high fence with the required transparency above 1.2m is proposed along the Brooker Highway frontage.</p> <p>A retaining wall and screen are proposed along the southern side boundary, within 4.5m of the Blair Street frontage. At a distance of 4.5m of the frontage, the combined height of the wall and screen is approximately 2.1m.</p> | No        |
| <p>10.4.8</p> <p>Waste Storage for multiple dwellings</p> | <p>A1</p> <p>A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m<sup>2</sup> per dwelling and is within one of the following locations:</p> <p>(a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</p> <p>(b) in a communal storage area with an impervious surface that:</p> <p>(i) has a setback of at least 4.5 m from a frontage; and</p> <p>(ii) is at least 5.5 m from any dwelling; and</p> <p>(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.</p> | A screened, communal waste storage area is proposed adjoining the south-eastern side boundary, with a setback of 2.704m from the frontage.                                                                                                                                                                                                              | No        |

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

| Standard                                       | Acceptable Solution                                                                                                                                                                                                                                                                  | Proposed                                                                                                                                                                                                 | Complies? |
|------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| <b>5.5 Use Standards</b>                       |                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                          |           |
| E5.5.1<br>Existing road accesses and junctions | A1<br>The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h, must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater. | Not applicable. The proposed access is not to a category 1 or category 2 road.                                                                                                                           | NA        |
|                                                | A2<br>The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of more than 60km/h, must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater. | Not applicable. The proposed access is not to a road subject to a speed limit of more than 60km/h.                                                                                                       | NA        |
|                                                | A3<br>The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.   | The proposed development will not increase vehicle movements to and from the site by more than 20% or 40 vehicle movements per day.<br>Council's Development Engineer notes the estimated AADT is 14.80. | Yes       |
| E5.5.2<br>Exiting Level Crossings              | A1<br>Where use has access across part of a rail network, the annual average daily traffic (AADT) at an existing level crossing must not be increased by greater than 10% or 10 vehicle movements per day, whichever is the greater.                                                 | Not applicable. The use does not have access across part of a rail network.                                                                                                                              | NA        |

| Standard                                             | Acceptable Solution                                                                                                                                                                                                                                                                                                    | Proposed                                                                                                                                                         | Complies? |
|------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| <b>5.6 Development Standards</b>                     |                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                  |           |
| E5.6.1<br>Development adjacent to roads and railways | A1.1<br>Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h:<br>(a) new buildings;<br>(b) other road or earth works; and<br>(c) building envelopes on new lots. | The proposal relies on Acceptable Solution A1.2 for compliance with the standard.                                                                                | NA        |
|                                                      | A1.2<br>Buildings, may be:<br>(a) located within a row of existing buildings and setback no closer than the immediately adjacent building; or<br>(b) an extension which extends no closer than:<br>(i) the existing building; or<br>(ii) an immediately adjacent building.                                             | The proposed new dwelling is located within an existing row of buildings and is set back further from Brooker Highway than is the existing dwelling on the site. | Yes       |
| E5.6.2<br>Road accesses and junctions                | A1<br>No new access or junction to roads in an area subject to a speed limit of more than 60km/h                                                                                                                                                                                                                       | Not applicable. No new access is proposed.                                                                                                                       | NA        |
|                                                      | A2<br>No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.                                                                                                                                        | One, existing access is proposed.                                                                                                                                | Yes       |
| E5.6.3<br>New Level Crossings                        | A1<br>No Acceptable Solutions.                                                                                                                                                                                                                                                                                         | Not applicable. No new level crossing is proposed.                                                                                                               | NA        |

| Standard                                                            | Acceptable Solution                                                                                                                                                                                                                                                                            | Proposed                                                                                    | Complies? |
|---------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|-----------|
| E5.6.4<br>Sight distance at accesses, junctions and level crossings | A1<br>Sight distances at:<br>(a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and<br>(b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia. | Council's Development Engineer has reviewed the proposal and does not object on this basis. | Yes       |

## APPENDIX C

### E6.0 Parking and Access Code

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

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

| Standard                                          | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                       | Proposed                                                                                                                                          | Complies? |
|---------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
|                                                   | 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<br>Vehicular Passing Areas Along an Access | A1<br>Vehicular passing areas must:<br>(a) be provided if any of the following applies to an access:<br>(i) it serves more than 5 car parking spaces;<br>(ii) is more than 30 m long;<br>(iii) it meets a road serving more than 6000 vehicles per day;<br>(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway;<br>(c) have the first passing area constructed at the kerb;<br>(d) be at intervals of no more than 30 m along the access. | Not applicable. The access is to serve four car parking spaces, is less than 30m long, and meets a road serving fewer than 6000 vehicles per day. | NA        |
| E6.7.4<br>On-Site Turning                         | A1<br>On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following:<br>(a) it serves no more than two dwelling units;<br>(b) it meets a road carrying less than 6000 vehicles per day.                                                                                                                                                                           | The access is to serve two dwelling units and meets a road carrying fewer than 6000 vehicles per day. No onsite turning is required or proposed.  | Yes       |
| E6.7.5<br>Layout of Parking Areas                 | A1<br>The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 "Design of Parking Modules, Circulation Roadways and Ramps" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 "Headroom" of the same Standard.                                                                          | Council's Development Engineer has reviewed the proposal and does not object on this basis.                                                       | Yes       |
| E6.7.6<br>Surface Treatment of Parking Areas      | A1<br>Parking spaces and vehicle circulation roadways must be in accordance with all of the following;                                                                                                                                                                                                                                                                                                                                                    | Council's Development Engineer has reviewed the proposal and does not object on this basis.                                                       | Yes       |

| Standard                                        | Acceptable Solution                                                                                                                                                                                                                                                                                                                                            | Proposed                                              | Complies? |
|-------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|-----------|
|                                                 | (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway;<br>(b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.                                                                                                              |                                                       |           |
| E6.7.7<br>Lighting of Parking Areas             | A1<br>Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting. | Not applicable. Four car parking spaces are proposed. | NA        |
| E6.7.8<br>Landscaping of Parking Areas          | A1<br>Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.                                                                                      | Not applicable. Four car parking spaces are proposed. | NA        |
| E6.7.9<br>Design of Motorcycle Parking Areas    | A1<br>The design of motorcycle parking areas must comply with all of the following:<br>(a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;<br>(b) be located within 30 m of the main entrance to the building.                          | Not applicable.                                       | NA        |
| E6.7.10<br>Design of Bicycle Parking Facilities | A1<br>The design of bicycle parking facilities must comply with all the following:<br>(a) be provided in accordance with the requirements of Table E6.2;<br>(b) be located within 30 m of the main entrance to the building.                                                                                                                                   | Not applicable.                                       | NA        |

| Standard                                        | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Proposed                                                                                    | Complies? |
|-------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|-----------|
|                                                 | A2<br>The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.                                                                                                                                                                       | Not applicable.                                                                             | NA        |
| E6.7.11<br>Bicycle End of Trip Facilities       | A1<br>For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.                                                                                                                                                                                         | Not applicable.                                                                             | NA        |
| E6.7.12<br>Siting of Car Parking                | A1<br>Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.                                                                       | Not applicable. The site is in the General Residential Zone.                                | NA        |
| E6.7.1.13<br>Facilities for Commercial Vehicles | A1<br>Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2: Commercial. Vehicle Facilities AS 2890.2:2002, unless:<br>(a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site;<br>(b) the use is not primarily dependent on outward delivery of goods from the site. | Not applicable. No commercial vehicle facilities are required or proposed.                  | NA        |
| E6.7.14<br>Access to a Road                     | A1<br>Access to a road must be in accordance with the requirements of the road authority.                                                                                                                                                                                                                                                                                                                                                                              | Council's Development Engineer has reviewed the proposal and does not object on this basis. | Yes       |

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

| Standard                                   | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Proposed                                                                                                                                                          | Complies? |
|--------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| <b>E7.7 Development Standards</b>          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                   |           |
| E7.7.1<br>Stormwater Drainage and Disposal | A1<br>Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.                                                                                                                                                                                                                                                                                                                                                                                  | Council's Development Engineer has reviewed the proposal and does not object on this basis.                                                                       | Yes       |
|                                            | A2<br>A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply:<br>(a) the size of new impervious area is more than 600 m <sup>2</sup> ;<br>(b) new car parking is provided for more than 6 cars;<br>(c) a subdivision is for more than 5 lots.                                                                                                                            | Not applicable. The proposed new impervious area is less than 600m <sup>2</sup> , the site includes only four car parking spaces, and no subdivision is proposed. | NA        |
|                                            | A3<br>A minor stormwater drainage system must be designed to comply with all of the following:<br>(a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed;<br>(b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure. | Council's Development Engineer has reviewed the proposal and does not object on this basis. A condition is recommended for clarity.                               | Yes       |
|                                            | A4<br>A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.                                                                                                                                                                                                                                                                                                                                                                                         | Council's Development Engineer has reviewed the proposal and does not object on this basis.                                                                       | Yes       |

**7. PROPOSED USE AND DEVELOPMENT - MULTIPLE DWELLINGS  
(1 EXISTING, 1 PROPOSED) - 7A EMILY ROAD WEST MOONAH**

Author: Planning Officer (Angela Dionysopoulos)

Qualified Person: Planning Officer (Angela Dionysopoulos)

Property ID: 3540408

**REPORT SUMMARY**

|                            |                                                                                                                                                                                                                                 |
|----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application No.:</b>    | <b>PLN-20-099</b>                                                                                                                                                                                                               |
| <b>Applicant:</b>          | <b>Dirt Building Design</b>                                                                                                                                                                                                     |
| <b>Owner:</b>              | <b>G Auken and C E Auken</b>                                                                                                                                                                                                    |
| <b>Zone:</b>               | <b>General Residential</b>                                                                                                                                                                                                      |
| <b>Use Class</b>           | <b>Residential</b>                                                                                                                                                                                                              |
| <b>Application Status:</b> | <b>Discretionary</b>                                                                                                                                                                                                            |
| <b>Discretions:</b>        | <b>E6.7.3 Vehicular Passing Areas Along an Access,<br/>E3.7.1 Buildings and Works, other than Minor<br/>Extensions</b><br><br>(The proposal meets all other applicable standards as<br>demonstrated in the attached appendices) |
| <b>Level 2 Activity?</b>   | <b>No</b>                                                                                                                                                                                                                       |
| <b>42 Days Expires:</b>    | <b>16 June 2020</b>                                                                                                                                                                                                             |
| <b>Existing Land Use:</b>  | <b>Single dwelling</b>                                                                                                                                                                                                          |
| <b>Representations:</b>    | <b>1</b>                                                                                                                                                                                                                        |
| <b>Recommendation:</b>     | <b>Approval, subject to conditions</b>                                                                                                                                                                                          |

## **REPORT IN DETAIL**

### **PROPOSAL**

The application proposes development for two multiple dwellings – one existing, one new – on an internal lot. A minimum separation of 8.339m between the two dwellings is proposed.

The proposed, three-bedroom dwelling is to be located forward of the existing dwelling, with minimum setbacks of 4.5m from the rear boundary of the adjoining lot fronting the same road and approximately 10m from the side boundary. The proposed dwelling has overall dimensions of 28.8m x 20.2m including a carport/garage and wrap-around deck, and a maximum building height of 7.894m. Screening is proposed along the western, eastern and part of the southern sides of the deck, as well as on the southern side of the proposed carport. Excavation is proposed for the carport and garage, while the remainder of the proposed dwelling is to be elevated above natural ground level. An existing shed will be demolished to accommodate the proposed dwelling.

No changes to the existing, two storey, four-bedroom dwelling are proposed. An existing outbuilding located towards the front of the lot is to be demolished.

The proposal includes four car parking spaces – two for each dwelling. Three existing car parking spaces towards the front of the lot will be converted to a passing bay, and other excess spaces adjoining the existing dwelling are to be re-allocated as part of the dwelling's open space. Stormwater connection to existing mains infrastructure is proposed.

### **SITE and LOCALITY**

The site is a 4,796m<sup>2</sup>, internal lot with a steep, northerly aspect of approximately 1 in 4, and contains an existing single dwelling and associated outbuildings (Figure 1).

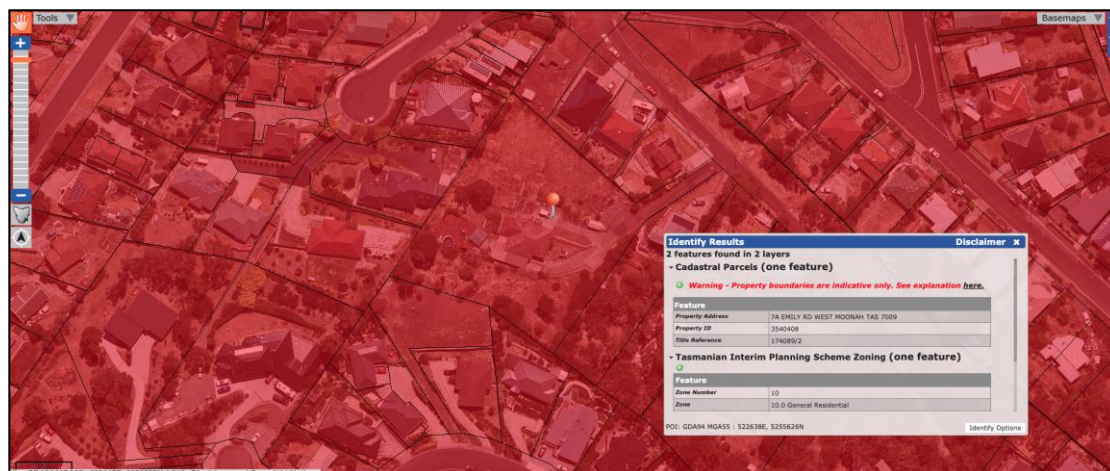


**Figure 1 - Aerial photograph of the site (highlighted) and surrounds – Listmap 2020**

The locality is characterised by existing residential development primarily for single dwellings on relatively generous lots. A Council-owned reserve is located to the north.

## ZONE

The site is wholly in the General Residential Zone (Figure 2).



**Figure 2 – The site is in the General Residential Zone (red) – Glenorchy Interim Planning Scheme 2015**

## BACKGROUND

- PLN-02-01107-01 Extension to child care centre & new car parking areas approved 10/07/2002. Eleven car parking spaces were required.
- PLN-12-035 Change of use to single dwelling and construction of new deck on potentially unstable land with slope greater than 1 in 4 approved 16/04/2012. The approved documents did not include a site plan showing car parking spaces, or any condition regarding the number of car parking spaces.
- PLN-17-045 Boundary adjustment between 5 and 7A Emily Road approved 3/04/2017.

## 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 Landslide Code, Parking and Access Code, Stormwater Management Code and Inundation Prone Areas Code apply, and therefore prevail over the zone provisions, where there is any conflict.

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

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

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

**Adjoining** means next to, or having a common boundary with.

**Internal lot** means a lot: lying predominantly behind another lot; and having access to a road by an access strip, private road or right of way.

For the purposes of the E3.0 Landslide Hazard Code:

**Vulnerable use** means a use that:

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

**Major works** means any of the following:

- (a) excavation of 100 m<sup>3</sup> or more in cut volume;
- (b) excavation or soil disturbance of an area of 1,000 m<sup>2</sup> or more;
- (c) clearance of vegetation involving an area of more than 1,000 m<sup>2</sup>;
- (d) water storages or swimming pools with a volume of 45,000 litres or more.

**Part C: Special Provisions**

No special provisions of the Scheme apply to this proposal.

**Part D: Zones**

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

## Zone Purpose Statements

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

The proposal accords with the zone purpose as it is for a residential development, does not alter existing suburban densities and utilises existing infrastructure services.

## Use Table

Residential use for multiple dwellings has 'permitted' status in the zone. However, the proposal is discretionary owing to reliance on performance criteria for compliance with the standards for Vehicular Passing Areas Along an Access and Buildings and Works, other than Minor Extensions.

## Use Standards

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

## Development Standards for Residential Buildings & Works

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

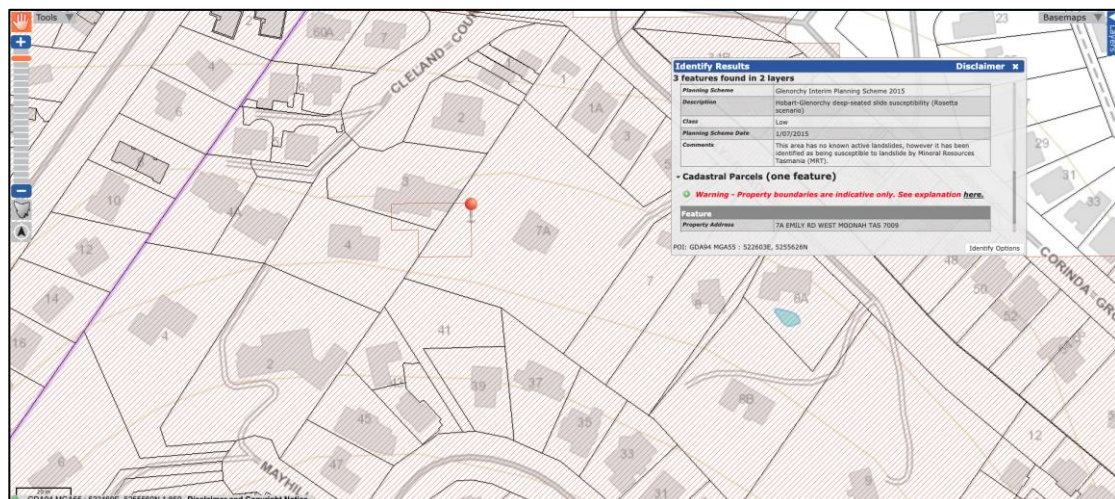
## Part E: Codes

The following codes of the Scheme apply to this proposal.

### E3.0 Landslide Code

The Landslide Code applies to development for buildings and works or subdivision on land within a Landslide Hazard Area, and use of land for vulnerable use or hazardous use within a Landslide Hazard Area.

The site is within a Landslide Hazard Area (Figure 3).



**Figure 3 – The site is within a Low Landslide Hazard Area (brown hatch) with a small area of Medium Landslide Hazard Area (brown outline) located at the west of the site – Glenorchy Interim Planning Scheme 2015**

The proposed development is located entirely within a Low Landslide Hazard Area, and does not overlap the Medium Landslide Hazard Area on the site. Clause E3.4(c)

provides an exemption for buildings within a Low Landslide Hazard Area. The proposed dwelling is therefore exempt from the Code.

Excavation works with an approximate area of 89m<sup>2</sup> are proposed within the Low Landslide Hazard Area. There is no exemption for works, and the Code therefore applies.

#### *E3.7.1 Buildings and Works, other than Minor Extensions (A1)*

The proposal is not for a minor extension, and there is no acceptable solution for the standard. The proposal relies on Performance Criterion P1 for compliance with the standard.

Performance Criterion P1 requires that buildings and works must satisfy all of the following:

(a) *no part of the buildings and works is in a High Landslide Hazard Area;*

No part of the site is within a High Landslide Hazard Area.

(b) *the landslide risk associated with the buildings and works is either:*

(i) *acceptable risk; or*

Council's Development Engineer has reviewed the proposal and considers the landslide risk associated with the proposed works to be an acceptable risk, subject to the volume of excavation being limited to less than 100m<sup>3</sup>. A condition is recommended accordingly.

(ii) *capable of feasible and effective treatment through hazard management measures, so as to be tolerable risk.*

Not applicable. The risk is considered to be an acceptable risk.

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

#### *E3.7.3 Major Works (A1)*

The proposal entails excavation of an area of approximately 89.8m<sup>2</sup>, with the associated volume to be determined at a later stage.

An excavation volume of 100m<sup>3</sup> or greater would constitute major works (refer to the Definitions section of this report), and there is no acceptable solution for the standard.

In the absence of information regarding the specific proposed cut volume, Council's Development Engineer has recommended a condition to limit the excavation volume to be less than 100m<sup>3</sup>. On this basis, the standard does not apply.

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

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

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

#### *E6.6.1 Number of Car Parking Spaces (A1)*

Acceptable Solution A1 requires no more than 10% greater than four car parking spaces for the two proposed multiple dwellings.

The site has numerous existing car parking spaces (Figure 4), which were originally required for a previous use for a child care centre.



**Figure 4 – Marked-up aerial photograph showing numerous existing car parking spaces associated with a previous use – Listmap 2019**

Four car parking spaces are proposed with the current application, and approval is not sought to retain the existing excess car parking spaces. The proposal therefore complies with Acceptable Solution A1 for the standard. A condition is recommended to require repurposing of the existing spaces as proposed.

#### *E6.7.3 Vehicular Passing Areas Along an Access (A1)*

Acceptable Solution A1 requires, for an access longer than 30m, the first passing bay to be located at the kerb. No passing bay is proposed at the kerb, and the proposal relies on Performance Criterion P1 for compliance with the standard.

Performance Criterion P1 requires that vehicular passing areas must be provided in sufficient number, dimension and siting so that the access is safe, efficient and convenient, having regard to all of the following:

- (a) *avoidance of conflicts between users including vehicles, cyclists and pedestrians;*

The access is approximately 5m wide, allowing room for vehicles, cyclists and pedestrians to make way for one another. A passing bay is proposed where the end of the access strip

- (b) *avoidance of unreasonable interference with the flow of traffic on adjoining roads;*

The adjoining road is a dead-end road with low traffic volumes.

- (c) *suitability for the type and volume of traffic likely to be generated by the use or development;*

The proposed development is for two multiple dwellings, which are considered to be suitably served by the proposed access and passing bay at the head of the access strip.

- (d) *ease of accessibility and recognition for users.*

A passing bay is proposed at a distance of approximately 33m from the frontage, and the access is straight and provides adequate line of sight.

Council's Development Engineer has reviewed the proposal and recommended a condition requiring the first passing bay to be located at a distance of 30m from the frontage, as detailed in the Internal Referrals section of this report.

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

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

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

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

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

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

The Inundation Prone Areas Code applies to development on land subject to risk of riverine flooding of 1% AEP or more, and to a new use with a habitable room on land that is in the Riverine Inundation Hazard Area.

Council's flood modelling maps indicate the site is subject to risk of riverine flooding (Figure 5).



**Figure 5 – The site is identified as being subject to flood risk (blue/green – Council database 2020 (Exponare Flood Modelling Context))**

It is noted that Council's Engineer has identified that the modelling appears unusual given the contours of the site. Nevertheless, Council's Hydraulics Engineer has affirmed that the modelling is current and is to be relied upon. Therefore, the Code applies.

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

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

No Specific Area Plan applies.

## **INTERNAL REFERRALS**

### **Development Engineer**

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

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

This Code applies to use or development of land:

- (a) that will require a new vehicle crossing, junction or level crossing; or
- (b) that intensifies the use of an existing access; or
- (c) that involves a sensitive use, a building, works or subdivision within 50m metres of a Utilities zone that is part of:
  - (i) a rail network;
  - (ii) a category 1 - Trunk Road or a category 2 - Regional Freight Road, that is subject to a speed limit of more than 60km/h kilometres per hour.

The acceptable solution of E5.5.1 A3 Road and Railway Assets Code is satisfied in that the proposed development generated traffic increase is less than the 40 vehicle movements and not greater than 20%.

Satisfactory sight distance is available to satisfy the acceptable solution of E5.6.4 Sight distance at accesses.

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

This code applies to all use and development.

Four (4) car parking spaces are proposed to be provided. This satisfies the parking provision of the Acceptable Solution A1 of Clause E6.6.1 of the Glenorchy Interim Planning Scheme 2015.

The proposed spacing of vehicular passing areas is not in accordance with minimum spacing to satisfy the acceptable solution of clause E6.7.3 (Vehicular passing areas along an access) with the first passing bay not being proposed at the road frontage. The first passing bay at the kerb is not considered to be necessary as the proposed development is not expected to interfere with the flow of traffic if vehicles are required to use this section of Emily Road for passing from/to the proposed development.

It is recommended to satisfy the acceptable solution of clause E6.7.3 for internal passing bays that a vehicle passing bay be provided 6 m long x 5.5 m wide, and taper to the width of the driveway be provided at minimum 30 meters from the road frontage of the property boundary and sealed with an approved impervious surface treatment prior to occupancy of the additional dwelling be included as a condition of the planning permit.

No other clauses of the parking and access code are applicable to this application.

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

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

The applicant has shown how stormwater from new impervious areas will be connected by gravity to public stormwater infrastructure in Emily Road to satisfy Clause E7.7.1 A1.

The applicant has not addressed A3 and A4 of this code however it is considered the application will satisfy the acceptable solution of these clauses.

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

### **Other**

#### *E3.0 Landslide Code*

There are no geotechnical issues identified through Council records that affect this application. Although the development is within an area identified as low landslide risk buildings within a Low Landslide Hazard Area are exempt from this code.

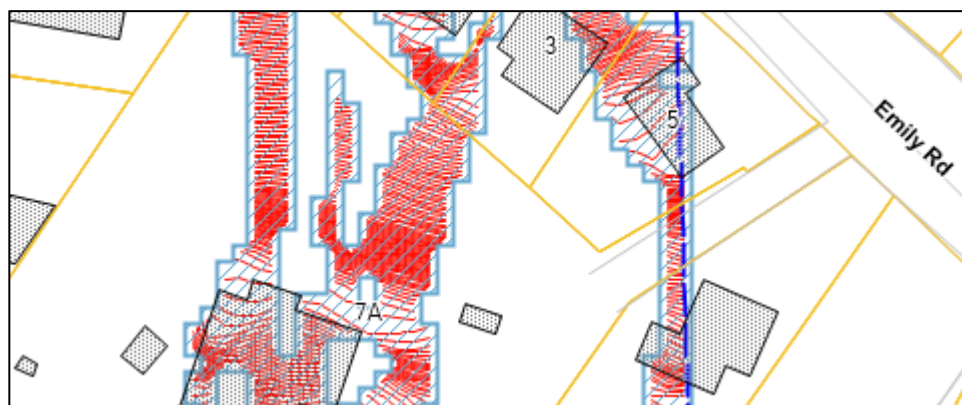
An advice clause is recommended to make the applicant aware of the limit the amount of excavation for the development to no more than 100m<sup>3</sup> so that the performance criteria of clause E3.7.1 (Buildings and Works, other than Minor Extensions) is not applicable.

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

There are no waterway and coastal protection issues identified that affect this application

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

The site is subjected to the inundation prone area code. The plans submitted demonstrate that the finishing floor level (FFL) is 300mm above the 1% AEP storm event flood level. Therefore, the development complies with the acceptable solution, A1 of E15.7.4 Riverine Inundation Hazard Areas code.



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

## **EXTERNAL REFERRALS**

### **TasWater**

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

## **REPRESENTATIONS**

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

## 1. Privacy

The representation states that the proposed deck impinges on the representors' privacy by overlooking a bedroom window and private open space. The representation is concerned for the privacy, welfare and safety of children in the family day care facility they operate from their home. The representation relates the concerns to standard 11.4.6 of the planning scheme.

### *Planner's Comment:*

Standard 11.4.6 is the Privacy standard for the 11.0 Inner Residential Zone. The site is in the 10.0 General Residential Zone, and the relevant privacy standard is *10.4.6 Privacy for all dwellings*.

Acceptable Solution A1 of the standard relates to privacy requirements for decks with a finished surface or floor level more than 1m above natural ground level. The proposed deck has a finished floor level up to 4.241m above natural ground level, and the standard applies.

The acceptable solution requires 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 side boundary, rear boundary or dwelling on the same site, unless a specified setback is met.

The representor's property is located between the subject site and the road. The shared boundary between the two lots is the rear boundary of the representor's lot, but is neither a rear boundary nor a side boundary of the subject site. It is 'the rear boundary of a lot with an adjoining frontage,' as referred to in standard *10.4.2 Setbacks and building envelope for all dwellings*<sup>4</sup>(Figure 6); however, the privacy standard does not specify any requirements in relation to such a boundary.



**Figure 6 – Marked-up basemap showing the interpretation of lot boundaries for the site – Council database 2020**

The category ascribed to a given boundary is contingent on the lot to which it relates. For example, the rear boundary of a subject site may be the side boundary of an adjacent lot, or vice versa. Where a standard does not explicitly specify to which lot a boundary relates, it is taken to relate to the subject site, and not to adjacent lots<sup>5</sup>.

Therefore, as the boundary between the subject site and the representors' lot is neither a rear boundary nor a side boundary of the subject site, the acceptable solution for the

<sup>4</sup> Noting that the 'lot with an adjoining frontage' is not the representors' lot.

<sup>5</sup> Otherwise, any given boundary may need to be considered for compliance with multiple, differing and potentially conflicting requirements, which would introduce significant uncertainty into the Scheme and is not considered reasonable.

standard does not require either any screening, or any minimum setback, for the side of the proposed deck that faces the representors' lot.

As detailed at Appendix A of this report, the proposal complies with all the requirements of Acceptable Solution A1 for the standard. As the proposal complies with the standard, does not invoke any discretion and does not required consideration of the Performance Criteria, there are no Planning grounds for refusal on this basis.

Nevertheless, the applicant and the representor discussed options to alleviate the representor's concerns, including potential screening vegetation, changes to the balustrade and fencing. The parties agreed to construct a higher boundary fence between the two sites, and a condition is recommended accordingly. The applicant has indicated the agreement is on the basis of the cost of the new fencing between the two lots being shared; however, this is governed by the *Boundary Fences Act 1908* and is not a planning matter. Advice is recommended to this effect.

## CONCLUSION

The proposal relies on performance criteria for compliance with the standards for Vehicular Passing Areas Along an Access and Buildings and Works, other than Minor Extensions. The proposal is assessed as satisfying the performance criteria and complies with the standards. The proposal is assessed as complying with all other use and development standards in the General Residential Zone, as well as the applicable standards of the Landslide Code, the Parking and Access Code and the Stormwater Management Code. The application was publicly advertised for the statutory 14-day period and one representation was received. It is concluded that the proposal is consistent with the requirements of the Scheme and is satisfactory.

## **RECOMMENDATION:**

That a permit be granted for the proposed use and development of Multiple Dwellings (1 existing, 1 proposed) at 7A Emily Road West Moonah subject to the following conditions:

### **Planning**

1. Use and development must be substantially in accordance with planning permit application No. PLN-20-099 and Plans submitted on 6/05/2020 (8 pages), 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 2020/00425-GCC, dated 2/04/2020, form part of this permit.
3. The existing car parking spaces that are not proposed to be retained must be repurposed to form a passing bay, part of the access, and part of the dwellings' open space, as shown on the approved plans. Line marking of repurposed car parking spaces must be removed.
4. A 2.1m high boundary fence must be constructed between 7A Emily Road and 1A Emily Road, prior to occupation of the new dwelling.

*Advice: The Boundary Fences Act 1908 governs rights and responsibilities relating to payment for boundary fences.*

## Engineering

5. Soil and water management is to comply with best practice to prevent any transfer of soil material outside of the area specifically and necessarily disturbed for construction. Particular attention is to be paid to ensure no soil material is tracked onto roads and footpaths or to enter the Council's stormwater system. All aspects and protection measures in connection with soil and water management are to comply with the requirements of Council's Development Engineer and be installed prior to the removal of and/or disturbance of any soil or vegetation.
6. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
7. Four (4) clearly marked car parking spaces (two spaces per dwelling) must be provided prior to occupancy of the additional dwelling and kept available for these purposes at all times. Car parking spaces, manoeuvring areas and aisles must be provided in accordance with the Australian Standard AS 2890.1 – 2004 Off-Street Parking.
8. Driveways, car parking and turning areas must be constructed and sealed with an approved impervious surface treatment prior to occupancy of the additional dwelling. Construction details must generally be in accordance with Council's standard requirements. The driveway, parking and manoeuvring areas must be kept clear of obstructions, such as service authority infrastructure, letterboxes or bin enclosures, so that vehicle paths are not restricted.
9. A vehicle passing bay 6 m long, 5.5 m wide, and taper to the width of the driveway at minimum 30 meters from the road frontage of the property boundary and sealed with an approved impervious surface treatment must be provided prior to occupancy of the additional dwelling.
10. All internal hydraulic service works required for the development shall be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor.

## Advice to Applicant

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

### *Other Permits*

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

### *Landslide hazard*

The site is on land identified in the planning scheme maps as a Landslide Hazard Area. Due to the 'Low Hazard' under clause E3.4(c) of the *Glenorchy Interim Planning Scheme 2015*, the development is exempt from the Landslide Code, however the

developer may wish to seek further advice from a geotechnical engineer in regards to the proposed development and the potential hazard.

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

Excavation for the development is to be no more than 100m<sup>3</sup> so that clause E3.7.1 (Buildings and Works, other than Minor Extensions) of the *Glenorchy Interim Planning Scheme 2015* does not apply.

#### *Flood risk*

Council's flood modelling maps indicate the site is partly within an area that is subject to flooding risk.

#### *Engineering*

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

#### **Attachments/Annexures**

- 1 Attachment - 7A Emily Road West Moonah



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

| Standard                                                                  | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Proposed                                                     | Complies? |
|---------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|-----------|
| <b>10.4 Development Standards for Residential Buildings and Works</b>     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                              |           |
| <b>10.4.1</b><br><b>Residential density for multiple dwellings</b>        | <b>A1</b><br>Multiple dwellings must have a site area per dwelling of not less than:<br>(a) 325m <sup>2</sup> ; or<br>(b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.                                                                                                                                                                                                                                                                                                                                                                                                                                              | A site area per dwelling of 2,398m <sup>2</sup> is proposed. | Yes       |
| <b>10.4.2</b><br><b>Setbacks and building envelopes for all dwellings</b> | <b>A1</b><br>Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is:<br>(a) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or<br>(b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or | The site is an internal lot with a 32m-long access strip.    | Yes       |

| Standard | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Proposed                                                                     | Complies? |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|-----------|
|          | <p>(c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or</p> <p>(d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.</p>                                                                                                                                                                   |                                                                              |           |
|          | <p><b>A2</b></p> <p>A garage or carport must have a setback from a primary frontage of at least:</p> <p>(a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or</p> <p>(b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or</p> <p>(c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.</p>                                                                                    | The site is an internal lot with a 32m-log access strip.                     | Yes       |
|          | <p><b>A3</b></p> <p>A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and</p> | The proposed development is contained entirely within the building envelope. | Yes       |

| Standard                                                                       | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Proposed                                                                                                                                                                                                                       | Complies? |
|--------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
|                                                                                | <ul style="list-style-type: none"> <li>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and</li> <li>(b) only have a setback within 1.5 m of a side boundary if the dwelling: <ul style="list-style-type: none"> <li>(i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or</li> <li>(ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).</li> </ul> </li> </ul> |                                                                                                                                                                                                                                |           |
| <b>10.4.3</b><br><b>Site coverage and private open space for all dwellings</b> | <b>A1</b><br>Dwellings must have: <ul style="list-style-type: none"> <li>(a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and</li> <li>(b) for multiple dwellings, a total area of private open space of not less than 60 m<sup>2</sup> associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</li> <li>(c) a site area of which at least 25% of the site area is free from impervious surfaces.</li> </ul>                                                                                                                            | A site coverage of approximately 25% is proposed.<br>Each dwelling has an area of private open space exceeding 60m <sup>2</sup> .<br>More than 25% of the site area remains free of existing and proposed impervious surfaces. | Yes       |
|                                                                                | <b>A2</b><br>A dwelling must have an area of private open space that: <ul style="list-style-type: none"> <li>(a) is in one location and is at least:</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | The proposal does not impact the existing dwelling's compliance with this standard.                                                                                                                                            | Yes       |

| Standard      | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Proposed                                                                                                                            | Complies? |
|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|-----------|
|               | <ul style="list-style-type: none"> <li>(i) 24 m<sup>2</sup>; or</li> <li>(ii) 12 m<sup>2</sup>, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</li> <li>(b) has a minimum horizontal dimension of:               <ul style="list-style-type: none"> <li>(i) 4 m; or</li> <li>(ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</li> </ul> </li> <li>(c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and</li> <li>(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</li> <li>(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</li> <li>(f) has a gradient not steeper than 1 in 10; and</li> <li>(g) is not used for vehicle access or parking.</li> </ul> | <p>The proposed new dwelling has a compliant area of space accommodated in the deck adjoining the open plan living/dining area.</p> |           |
| <b>10.4.4</b> | <p><b>A1</b></p> <p>A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p>The proposed new dwelling has living area windows facing less than 10 degrees east of north. The proposal</p>                    | Yes       |

| Standard                                           | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Proposed                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Complies? |
|----------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| <b>Sunlight and overshadowing of all dwellings</b> | degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | does not alter the orientation of the existing, approved dwelling's windows.                                                                                                                                                                                                                                                                                                                                                                                                |           |
|                                                    | <p><b>A2</b></p> <p>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):</p> <p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B):</p> <ul style="list-style-type: none"> <li>(i) at a distance of 3 m from the window; and</li> <li>(ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.</li> </ul> <p>(b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"> <li>(i) an outbuilding with a building height no more than 2.4 m; or</li> <li>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.</li> </ul> | <p>The proposed new multiple dwelling is located to the north of the eastern part of the existing dwelling, which contains north-facing bedrooms. The proposed dwelling is not directly to the north of the living areas of the existing dwelling. In addition, the proposed dwelling is to be located at a distance of 8.339m from the existing dwelling and on a lower contour, and does not project outside the prescribed line specified in A2 (a) of the standard.</p> | Yes       |
|                                                    | <p><b>A3</b></p> <p>A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c):</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p>The proposed dwelling is to be located at a distance of 8.339m from the existing dwelling's private open space and on a lower contour, and does not project outside the prescribed line specified in A3 (a) of the standard.</p>                                                                                                                                                                                                                                         | Yes       |

| Standard                                                                                        | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Proposed                                                                                                                                                                                                                                       | Complies?  |
|-------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
|                                                                                                 | <p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C):</p> <ul style="list-style-type: none"> <li>(i) at a distance of 3 m from the northern edge of the private open space; and</li> <li>(ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.</li> </ul> <p>(b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"> <li>(i) an outbuilding with a building height no more than 2.4 m; or</li> <li>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.</li> </ul> |                                                                                                                                                                                                                                                |            |
| <p><b>10.4.5</b></p> <p><b>Width of openings for garages and carports for all dwellings</b></p> | <p><b>A1</b></p> <p>A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <p>Not applicable. No carport or garage is proposed within 12m of the frontage.</p>                                                                                                                                                            | <p>NA</p>  |
| <p><b>10.4.6</b></p> <p><b>Privacy for all dwellings</b></p>                                    | <p><b>A1</b></p> <p>A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <p>The application includes a proposed deck with a maximum floor level 4.241m above natural ground level. The proposed deck is located with a minimum boundary setback of 4.5m and is more than 6m from the existing dwelling on the site.</p> | <p>Yes</p> |

| Standard | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Proposed                                                                                                                                                                                                                                                                | Complies?  |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
|          | <p>above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:</p> <ul style="list-style-type: none"> <li>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary; and</li> <li>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4 m from the rear boundary; and</li> <li>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m: <ul style="list-style-type: none"> <li>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</li> <li>(ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.</li> </ul> </li> </ul> |                                                                                                                                                                                                                                                                         |            |
|          | <p><b>A2</b></p> <p>A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <ul style="list-style-type: none"> <li>(a) The window or glazed door: <ul style="list-style-type: none"> <li>(i) is to have a setback of at least 3 m from a side boundary; and</li> <li>(ii) is to have a setback of at least 4 m from a rear boundary; and</li> <li>(iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</li> </ul> </li> </ul>                                                                                                                                                                                             | <p>The proposed and existing dwellings include windows to habitable rooms with floor levels more than 1m above natural ground level. The proposed and existing dwelling exceed all the minimum setback and separation distances specified in A2(a) of the standard.</p> | <p>Yes</p> |

| Standard | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Proposed                                                                                                                         | Complies?  |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|------------|
|          | <p>(iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site.</p> <p>(b) The window or glazed door:</p> <p>(i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or</p> <p>(ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or</p> <p>(c) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.</p> |                                                                                                                                  |            |
|          | <p><b>A3</b></p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least:</p> <p>(a) 2.5 m; or</p> <p>(b) 1 m if:</p> <p>(i) it is separated by a screen of at least 1.7 m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing</p>                                                                                                                                                                                            | <p>The proposed shared driveway and parking spaces are separated from the proposed and existing dwellings by more than 2.5m.</p> | <p>Yes</p> |

| Standard                                                     | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Proposed                                                      | Complies? |
|--------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|-----------|
|                                                              | extending to a height of at least 1.7 m above the floor level.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                               |           |
| <b>10.4.7</b><br><b>Frontage Fences for all dwellings</b>    | <b>A1</b><br>A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than:<br>(a) 1.2 m if the fence is solid; or<br>(b) 1.8 m, if any part of the fence that is within 4.5 m of a primary frontage has openings above a height of 1.2 m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).                                                                                                                                                                                                                                        | Not applicable. No new or altered frontage fence is proposed. | NA        |
| <b>10.4.8</b><br><b>Waste Storage for multiple dwellings</b> | <b>A1</b><br>A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m <sup>2</sup> per dwelling and is within one of the following locations:<br>(a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or<br>(b) in a communal storage area with an impervious surface that:<br>(i) has a setback of at least 4.5 m from a frontage; and<br>(ii) is at least 5.5 m from any dwelling; and<br>(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. | Compliant waste storage areas are proposed.                   | Yes       |

**APPENDIX****E3.0 Landslide Code**

| Standard                                                 | Acceptable Solution                                                                        | Proposed                                                                      | Complies? |
|----------------------------------------------------------|--------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|-----------|
| <b>3.6 Use Standards</b>                                 |                                                                                            |                                                                               |           |
| <b>E3.6.1<br/>Hazardous Use</b>                          | <b>A1</b><br>Hazardous use relates to an alteration or intensification of an approved use. | Not applicable. The use is not a hazardous use.                               | NA        |
|                                                          | <b>A2</b><br>No Acceptable Solution                                                        | Not applicable. The use is not a hazardous use.                               | NA        |
| <b>E3.6.2<br/>Vulnerable Use</b>                         | <b>A1</b><br>Vulnerable use is for visitor accommodation                                   | Not applicable. The use is not a vulnerable use for the purposes of the Code. | NA        |
|                                                          | <b>A2</b><br>No Acceptable Solution.                                                       | Not applicable. The use is not a vulnerable use for the purposes of the Code. | NA        |
| <b>3.7 Development Standards for Buildings and Works</b> |                                                                                            |                                                                               |           |
| <b>E3.7.1</b>                                            | <b>A1</b><br>No Acceptable Solution.                                                       | There is no acceptable solution.                                              | No        |

| Standard                                           | Acceptable Solution                                                                                                              | Proposed                                        | Complies? |
|----------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|-----------|
| <b>Building Works, other than Minor Extensions</b> |                                                                                                                                  |                                                 |           |
| <b>E3.7.2<br/>Minor Extensions</b>                 | <b>A1</b><br>Buildings and works for minor extension must comply with the following:<br>(a) Be in a Medium Landslide Hazard Area | Not applicable. No minor extension is proposed. | NA        |
| <b>E3.7.3<br/>Major Works</b>                      | <b>A1</b><br>No Acceptable Solutions                                                                                             | Not applicable. No Major Works are proposed.    | NA        |

## APPENDIX C

### E6.0 Parking and Access Code

| Standard                                       | Acceptable Solution                                                                                                                                                  | Proposed                                                            | Complies? |
|------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|-----------|
| <b>E6.6 Use Standards</b>                      |                                                                                                                                                                      |                                                                     |           |
| <b>E6.6.1<br/>Number of Car Parking Spaces</b> | <b>A1</b><br>The number of on-site car parking spaces must be:<br>(a) no less than the number specified in Table E6.1 and no more than 10% greater than that number; | Four car parking spaces are required, and four spaces are proposed. | Yes       |

| Standard                                                                                     | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Proposed                                                       | Complies? |
|----------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|-----------|
|                                                                                              | <p>except if:</p> <ul style="list-style-type: none"> <li>(i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;</li> <li>(ii) this provision was not used in this planning scheme.</li> </ul>                                                                                                                                                                                                    |                                                                |           |
| <b>E6.6.2</b><br><b>Number of Accessible Car Parking Spaces for People with a Disability</b> | <b>A1</b><br>Car parking spaces provided for people with a disability must: <ul style="list-style-type: none"> <li>(a) satisfy the relevant provisions of the Building Code of Australia;</li> <li>(b) be incorporated into the overall car park design;</li> <li>(c) be located as close as practicable to the building entrance.</li> </ul>                                                                                                                                                                       | Not applicable. No accessible car parking spaces are required. | NA        |
| <b>E6.6.3</b><br><b>Number of Motorcycle Parking Spaces</b>                                  | <b>A1</b><br>The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced. | Not applicable. No motorcycle parking spaces are required.     | NA        |

| Standard                                                 | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Proposed                                                                                    | Complies? |
|----------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|-----------|
| <b>E6.6.4</b><br><b>Number of Bicycle Parking Spaces</b> | <b>A1</b><br>The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Not applicable. No bicycle parking spaces are required.                                     | NA        |
| <b>E 6.7 Development Standards</b>                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                             |           |
| <b>E6.7.1</b><br><b>Number of Vehicle Accesses</b>       | <b>A1</b><br>The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | One, existing vehicle access point is proposed.                                             | Yes       |
| <b>E6.7.2</b><br><b>Design of Vehicular Accesses</b>     | <b>A1</b><br>Design of vehicle access points must comply with all of the following:<br><br>(a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;<br><br>(b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities. | Council's Development Engineer has reviewed the proposal and does not object on this basis. | Yes       |

| Standard                                                        | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                              | Proposed                                                                                    | Complies? |
|-----------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|-----------|
| <b>E6.7.3</b><br><b>Vehicular Passing Areas Along an Access</b> | <b>A1</b><br>Vehicular passing areas must:<br>(a) be provided if any of the following applies to an access:<br>(i) it serves more than 5 car parking spaces;<br>(ii) is more than 30 m long;<br>(iii) it meets a road serving more than 6000 vehicles per day;<br>(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway;<br>(c) have the first passing area constructed at the kerb;<br>(d) be at intervals of no more than 30 m along the access. | The proposed access is approximately 50m long, and no passing bay is proposed at the kerb.  | No        |
| <b>E6.7.4</b><br><b>On-Site Turning</b>                         | <b>A1</b><br>On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following:<br>(a) it serves no more than two dwelling units;<br>(b) it meets a road carrying less than 6000 vehicles per day.                                                                                                                                                                           | The access serves no more than two dwellings. No onsite turning is required.                | Yes       |
| <b>E6.7.5</b><br><b>Layout of Parking Areas</b>                 | <b>A1</b><br>The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 "Design of Parking Modules, Circulation Roadways and Ramps" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 "Headroom" of the same Standard.                                                                          | Council's Development Engineer has reviewed the proposal and does not object on this basis. | Yes       |

| Standard                                                   | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                   | Proposed                                                                                    | Complies? |
|------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|-----------|
|                                                            |                                                                                                                                                                                                                                                                                                                                                                       |                                                                                             |           |
| <b>E6.7.6</b><br><b>Surface Treatment of Parking Areas</b> | <b>A1</b><br>Parking spaces and vehicle circulation roadways must be in accordance with all of the following;<br>(a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway;<br>(b) drained to an approved stormwater system,<br>unless the road from which access is provided to the property is unsealed. | Council's Development Engineer has reviewed the proposal and does not object on this basis. | Yes       |
| <b>E6.7.7</b><br><b>Lighting of Parking Areas</b>          | <b>A1</b><br>Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting. | Not applicable. Four car parking spaces are proposed.                                       | NA        |
| <b>E6.7.8</b><br><b>Landscaping of Parking Areas</b>       | <b>A1</b><br>Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.                                                                                      | Not applicable. Four car parking spaces are proposed.                                       | NA        |
| <b>E6.7.9</b><br><b>Design of Motorcycle Parking Areas</b> | <b>A1</b><br>The design of motorcycle parking areas must comply with all of the following:                                                                                                                                                                                                                                                                            | Not applicable. No motorcycle parking areas are required.                                   | NA        |

| Standard                                                      | Acceptable Solution                                                                                                                                                                                                                                                                                     | Proposed                                                    | Complies? |
|---------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|-----------|
|                                                               | <p>(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;</p> <p>(b) be located within 30 m of the main entrance to the building.</p>                                               |                                                             |           |
| <b>E6.7.10</b><br><b>Design of Bicycle Parking Facilities</b> | <b>A1</b><br>The design of bicycle parking facilities must comply with all the following; <p>(a) be provided in accordance with the requirements of Table E6.2;</p> <p>(b) be located within 30 m of the main entrance to the building.</p>                                                             | Not applicable. No bicycle parking facilities are required. | NA        |
|                                                               | <b>A2</b><br>The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard. | Not applicable. No bicycle parking spaces are required.     | NA        |
| <b>E6.7.11</b><br><b>Bicycle End of Trip Facilities</b>       | <b>A1</b><br>For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.                   | Not applicable. No bicycle parking spaces are required.     | NA        |

| Standard                                                      | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Proposed                                                                                    | Complies? |
|---------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|-----------|
| <b>E6.7.12</b><br><b>Siting of Car Parking</b>                | <b>A1</b><br>Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.                                                                              | Not applicable. The site is in the General Residential Zone.                                | NA        |
| <b>E6.7.1.13</b><br><b>Facilities for Commercial Vehicles</b> | <b>A1</b><br>Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2: Commercial Vehicle Facilities AS 2890.2:2002, unless:<br><br>(a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site;<br><br>(b) the use is not primarily dependent on outward delivery of goods from the site. | Not applicable. No commercial vehicle facilities are proposed.                              | NA        |
| <b>E6.7.14</b><br><b>Access to a Road</b>                     | <b>A1</b><br>Access to a road must be in accordance with the requirements of the road authority.                                                                                                                                                                                                                                                                                                                                                                                     | Council's Development Engineer has reviewed the proposal and does not object on this basis. | Yes       |

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

| Standard                                           | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Proposed                                                                                    | Complies? |
|----------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|-----------|
| <b>E7.7 Development Standards</b>                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                             |           |
| <b>E7.7.1<br/>Stormwater Drainage and Disposal</b> | <b>A1</b><br>Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.                                                                                                                                                                                                                                                                                                                                                                                  | Council's Development Engineer has reviewed the proposal and does not object on this basis. | Yes       |
|                                                    | <b>A2</b><br>A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply:<br>(a) the size of new impervious area is more than 600 m <sup>2</sup> ;<br>(b) new car parking is provided for more than 6 cars;<br>(c) a subdivision is for more than 5 lots.                                                                                                                            | Not applicable.                                                                             | NA        |
|                                                    | <b>A3</b><br>A minor stormwater drainage system must be designed to comply with all of the following:<br>(a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed;<br>(b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure. | Council's Development Engineer has reviewed the proposal and does not object on this basis. | Yes       |

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

## APPENDIX E

### E15.0 Inundation Prone Areas Code

| Standard                             | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                               | Proposed                                                                                          | Complies? |
|--------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|-----------|
| <b>E15.6 Use Standards</b>           |                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                   |           |
| <b>E15.6</b><br><b>Use Standards</b> | <b>A1</b><br>Change of use of a non-habitable building to a habitable building or a use involving habitable rooms must comply with all of the following:<br>(a) floor level of habitable rooms is no less than the AHD level for the Coastal Inundation Low Hazard Area in Table E15.1;<br>(b) floor level of habitable rooms is no less than the AHD level for the 1% AEP plus 300mm if in an area subject to riverine flooding. | Not applicable. No change of use of a non-habitable building to a habitable building is proposed. | NA        |

| Standard                                                   | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Proposed                                                      | Complies? |
|------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|-----------|
| <b>E15.7 Development Standards for Buildings and Works</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                               |           |
| <b>E15.7.1<br/>Coastal Inundation High Hazard Areas</b>    | <b>A1</b><br>For a habitable building, including extensions to existing habitable buildings, there is no Acceptable Solution.                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Not applicable. The site is not in a coastal inundation area. | NA        |
|                                                            | <b>A2</b><br>For a non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, there is no Acceptable Solution.                                                                                                                                                                                                                                                                                                                                                                                                                                           | Not applicable. The site is not in a coastal inundation area. | NA        |
| <b>E15.7.2<br/>Coastal Inundation Medium Hazard Areas</b>  | <b>A1</b><br>For a new habitable building there is no acceptable solution.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Not applicable. The site is not in a coastal inundation area. | NA        |
|                                                            | <b>A2</b><br>Except for new rooms associated with habitable buildings other than dwellings, for which there is no acceptable solution, an extension to an existing habitable building must comply with one of the following:<br><br>(a) new habitable rooms must comply with both of the following:<br><br>(i) floor level no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1,<br><br>(ii) floor area of the extension no more than 40 m2 from the date of commencement of this planning scheme;<br><br>(b) new habitable rooms must be above ground floor. | Not applicable. The site is not in a coastal inundation area. | NA        |

| Standard                                                     | Acceptable Solution                                                                                                                                                                                                                                                                   | Proposed                                                                                    | Complies? |
|--------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|-----------|
|                                                              | <b>A3</b><br>A non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, must have a floor area no more than 40 m <sup>2</sup> .                                                                                                           | Not applicable. The site is not in a coastal inundation area.                               | NA        |
| <b>E15.7.3</b><br><b>Coastal Inundation Low Hazard Areas</b> | <b>A1</b><br>A new habitable building must comply with the following:<br>(a) floor level no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1.                                                                                                   | Not applicable. The site is not in a coastal inundation area.                               | NA        |
|                                                              | <b>A2</b><br>An extension to a habitable building must comply with either of the following:<br>(a) floor level of habitable rooms is no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1;<br>(b) floor area is no more than 60 m <sup>2</sup> . | Not applicable. The site is not in a coastal inundation area.                               | NA        |
|                                                              | <b>A3</b><br>A non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, must have a floor area no more than 60 m <sup>2</sup> .                                                                                                           | Not applicable. The site is not in a coastal inundation area.                               | NA        |
| <b>E15.7.4</b><br><b>Riverine Inundation Hazard Areas</b>    | <b>A1</b><br>A new habitable building must have a floor level no lower than the 1% AEP (100 yr ARI) storm event plus 300 mm.                                                                                                                                                          | Council's Development Engineer has reviewed the proposal and does not object on this basis. | Yes       |

| Standard                                                                                                | Acceptable Solution                                                                                                                                                                                                                                                                                                                  | Proposed                                                                                                                                                                                         | Complies? |
|---------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
|                                                                                                         | <b>A2</b><br>An extension to an existing habitable building must comply with one of the following:<br>(a) floor level of habitable rooms is no lower than the 1% AEP (100 yr ARI) storm event plus 300 mm;<br>(b) floor area of the extension no more than 60 m <sup>2</sup> as at the date of commencement of this planning scheme. | Not applicable. No extension to an existing habitable building is proposed                                                                                                                       | NA        |
|                                                                                                         | <b>A3</b><br>The total floor area of all non-habitable buildings, outbuildings and Class 10b buildings under the Building Code of Australia, on a site must be no more than 60 m <sup>2</sup> .                                                                                                                                      | Council's Development Engineer has reviewed the proposal and does not object on this basis.<br><br>The proposed total floor area of outbuildings on the site is approximately 57m <sup>2</sup> . | Yes       |
| <b>15.7.5</b><br><b>Riverine, Coastal Investigation Area, Low, Medium, High Inundation Hazard Areas</b> | <b>A1</b><br>For landfill, or solid walls greater than 5 m in length and 0.5 m in height, there is no acceptable solution.                                                                                                                                                                                                           | Not applicable. The site is not in an investigation area.                                                                                                                                        | NA        |
|                                                                                                         | <b>A2</b><br>No acceptable solution.                                                                                                                                                                                                                                                                                                 | Not applicable. The site is not in an investigation area.                                                                                                                                        | NA        |

| Standard                                                             | Acceptable Solution                                                                                                                                                                                                                                                                                                                       | Proposed                                                                         | Complies? |
|----------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|-----------|
|                                                                      | <b>A3</b><br>A land application area for onsite wastewater management must comply with all of the following:<br>(a) horizontal separation distance from high water mark or from the top of bank of a watercourse or lake must be no less than 100 m;<br>(b) vertical separation distance from the water table must be no less than 1.5 m. | Not applicable. The site is not in an investigation area.                        | NA        |
| <b>E15.7.6</b><br><b>Development Dependent on a Coastal Location</b> | <b>A1</b><br>An extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date.                                                                                                                                | Not applicable. The proposed development is not dependent on a coastal location. | NA        |
|                                                                      | <b>A2</b><br>No acceptable solution                                                                                                                                                                                                                                                                                                       | Not applicable. The proposed development is not dependent on a coastal location. | NA        |
|                                                                      | <b>A3</b><br>No Acceptable Solution for coastal protection works initiated by the private sector.                                                                                                                                                                                                                                         | Not applicable. The proposed development is not dependent on a coastal location. | NA        |

**8. PROPOSED USE AND DEVELOPMENT - MULTIPLE DWELLINGS  
(ONE NEW AND ONE EXISTING) - 19 BRENT STREET  
GLENORCHY**

Author: Planning Officer (Chantelle Griffin)

Qualified Person: Planning Officer (Chantelle Griffin)

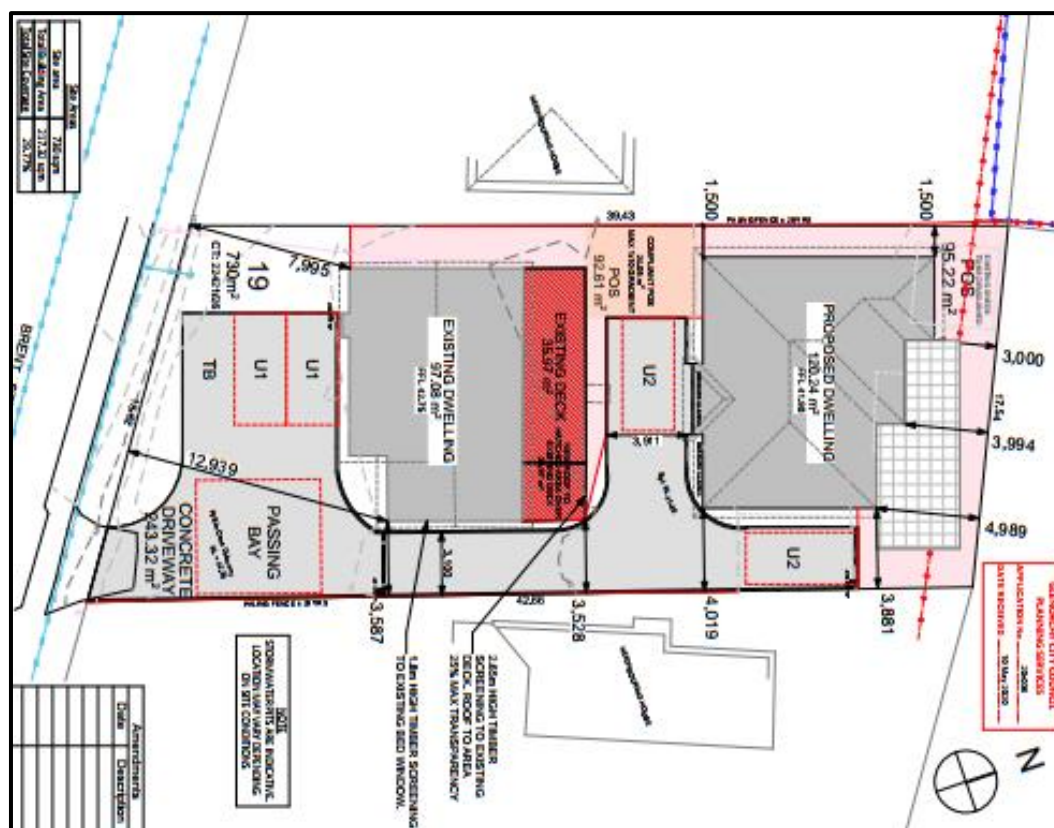
Property ID: 5358351

**REPORT SUMMARY**

|                            |                                                                                                                                                                                                                         |
|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application No.:</b>    | <b>PLN-20-036</b>                                                                                                                                                                                                       |
| <b>Applicant:</b>          | <b>Pinnacle Drafting &amp; Design</b>                                                                                                                                                                                   |
| <b>Owner:</b>              | <b>M D Hoffman Estate</b>                                                                                                                                                                                               |
| <b>Zone:</b>               | <b>General Residential</b>                                                                                                                                                                                              |
| <b>Use Class</b>           | <b>Residential</b>                                                                                                                                                                                                      |
| <b>Application Status:</b> | <b>Discretionary</b>                                                                                                                                                                                                    |
| <b>Discretions:</b>        | <b>Clause 10.4.2 Setbacks and building envelope for all dwellings and Clause 10.4.6 Privacy for all dwellings</b><br><br>(The proposal meets all other applicable standards as demonstrated in the attached appendices) |
| <b>Level 2 Activity?</b>   | <b>No</b>                                                                                                                                                                                                               |
| <b>42 Days Expires:</b>    | <b>Extension of time until 16 Jun 2020</b>                                                                                                                                                                              |
| <b>Existing Land Use:</b>  | <b>Single Dwelling</b>                                                                                                                                                                                                  |
| <b>Representations:</b>    | <b>1</b>                                                                                                                                                                                                                |
| <b>Recommendation:</b>     | <b>Approval, subject to conditions</b>                                                                                                                                                                                  |

# PROPOSAL

The dwelling will be setback 24.7m from the south-west front boundary, 1.5m from the north-west side boundary, 3.881m from the south-east side boundary, and 3m from the south-east rear boundary. The building will have a maximum height of 4.62m and will be constructed with timber, brick veneer, Scyon axion cladding, aluminium windows and Colorbond roofing. The dwellings will be provided with two car parking spaces each. Vehicular access will be provided via the existing access in the southern corner (Figure 1).



The proposal will rely on performance criteria for Clause 10.4.2 for setbacks for all dwellings and Clause 10.4.6 for privacy for all dwellings.

The subject site is located on the north-east side of the Brent Street, approximately 27m to the north-west of Ballard Street, Glenorchy.

The property has a frontage of 18.82m, an average depth of 41m, and a total area of 728m<sup>2</sup>. The site has a moderate to flat slope and falls toward the north-east, with an

average gradient of 1 in 23. The land has a dwelling located on the front portion of the site, outbuilding to the rear and has no significant vegetation. The existing driveway is located on the south-east side.

The site is located within the General Residential area with a mix of single dwellings and multiple dwellings (Figure 2). The Open Space zone and Environmental Management zone are to the east for Brent Street Reserve and Humphreys Rivulet respectively.



Figure 2: Aerial photo of 19 Brent Street, Glenorchy.

## ZONE

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

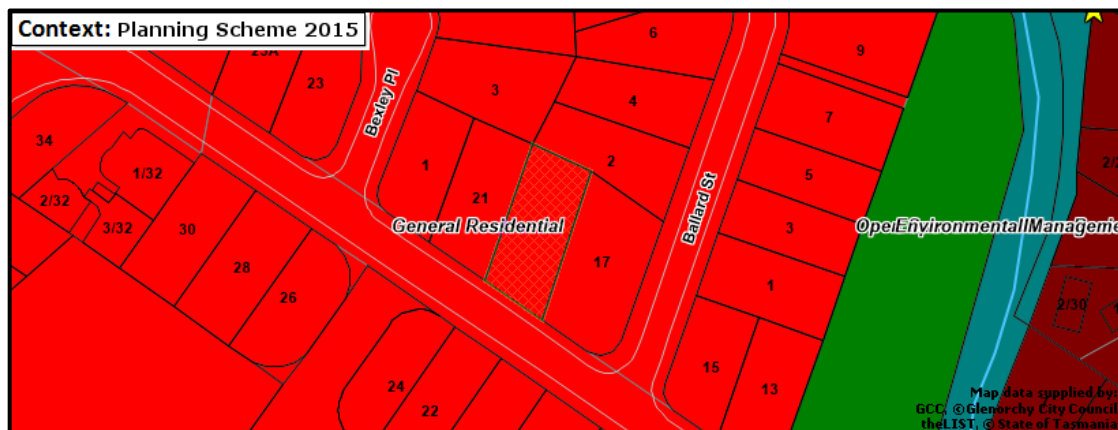


Figure 3: General Residential zone over 19 Brent Street, Glenorchy.

## BACKGROUND

There is no background relevant to this application.

## ASSESSMENT

### STATE POLICIES, OBJECTIVES of LUPAA

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

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

## **GLENORCHY INTERIM PLANNING SCHEME 2015**

### **Part B: Administration**

#### **General Exemptions**

Nil.

#### **Limited Exemptions**

Nil.

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

No SAP or code provisions override the zone provisions in this assessment.

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

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

The definition of Residential use class states:

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

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

##### *Multiple Dwellings*

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

*means 2 or more dwellings on a site.*

#### **Discretionary Use or Development (Clause 8.8):**

The application is discretionary under Clause 8.8 as follows:

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

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

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

- Clause 10.4.2 A2 Setbacks for all dwellings (Unit 2 near the rear boundary)
- Clause 10.4.6 A3 Privacy for all dwellings (distance between screening of the shared driveway and bedroom 2 for Unit 1)

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

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

#### **9.4 Demolition**

The proposal includes demolition; therefore Clause 9.4 of the Scheme applies:

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 proposal will involve demolition of the outbuildings on the site. In this case, the demolition forms part of the application for Multiple Dwellings.

### **Part D: Zones**

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

#### *10.1.1.1*

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

#### *10.1.1.2*

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

#### *10.1.1.3*

*To provide for the efficient utilisation of services.*

The proposed multiple dwellings would be consistent with the residential uses for the zone. The development would provide for a range of dwelling types at suburban densities and would efficiently utilise existing infrastructure. Therefore, the proposal is considered to be in accordance with the zone purpose statement in Clause 10.1.1 of the Scheme.

### **Use Table**

The proposed use of 'Multiple Dwellings' is permitted, in accordance with the use table in Clause 10.2 of the Glenorchy Interim Planning Scheme 2015. However, the proposal is discretionary owing to the reliance on performance criteria for Clauses 10.4.2 and 10.4.6.

### **Use Standards**

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

**Development Standards for Residential Buildings & Works***Clause 10.4.2 – Standard A3, Setbacks and building envelope for all dwellings*

The proposed dwelling would require a minimum setback of 4.15m from the north-east rear boundary, to be in accordance with Clause 10.4.2 – Standard A3. Whereas the dwelling will be set back a minimum of 3m from the north-east rear boundary. The proposal is considered in accordance with the performance criteria:

*The siting and scale of a dwelling must:*

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

*Dwelling*

The proposed dwelling will be located to the south-west and south-east of the adjoining properties, which will reduce the potential for overshadowing. The building has been designed to be single storey with a hip roof to minimise the potential impact. The structure will be located on a gentle slope where the bulk and scale would be in keeping with the adjoining dwellings. In addition, the neighbouring properties have existing outbuildings located along the shared boundaries closest to the proposal.

*Separation*

The surrounding residential properties have dwellings with setbacks up to approximately 2m and numerous outbuildings up to 0m from a shared boundary. Therefore, it is considered that reliance on the performance criteria would be acceptable in this instance, and complies with the standard.

*Clause 10.4.6 – Standard A3, Privacy for all dwellings*

The proposal would require a setback of 2.5m or 1m if either screening or the sill has a height of 1.7m, to be in accordance with Clause 10.4.6 – Standard A3. Whereas the proposal would provide screening between the shared driveway and window for bedroom 2 along the south-east facade for Unit 1 where the shared driveway will be setback 0.487m. The proposal is considered in accordance with the performance criteria in Clause 10.4.6 – P3 as follows:

*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.*

The second window for bedroom 2 of Unit 1 is located on the south-east facade 0.487m from the shared driveway and a screen up to 2.1m has been provided. Given this, the proposal is unlikely to cause unreasonable detrimental impact from vehicle noise or

light intrusion. Therefore, it is considered that reliance on the performance criteria would be acceptable in this instance, and complies with the standard.

## **Part E: Codes**

The following codes of the Scheme apply to this proposal:

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

The proposal is not exempt under Clause E5.4 of the Scheme. However, the proposal complies with the acceptable solutions of the standards in Section E5.0.

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

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

The proposal provides four car parking spaces for two multiple dwellings. Therefore, the proposal is in accordance with Clause E6.6.1 – standard A1.

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

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

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

No Specific Area Plans apply.

## **INTERNAL REFERRALS**

### **Development Engineer**

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

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

*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 existing dwelling is accessed of the Brent Street frontage and the access to the new dwelling is proposed to also utilise the existing access; this complies with A1 and A2 of the E5.6.2.*

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

*The submitted plans indicate a total of four (4) parking spaces. The development complies with Code E6 Parking and Access Code.*

*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 the existing connection. The development is considered to comply with the Acceptable Solution E7.7.1 Clause A1 . The development also is considered to comply with the acceptable solution A2 and a*

*stormwater system does not require to incorporate water sensitive urban design for treatment, as the size of the new impervious area is less than 600m<sup>2</sup>.*

**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.*

**Waste Management Officer**

The proposal was referred to Council's Waste Services Co-ordinator who were supportive of the proposal.

**EXTERNAL REFERRALS**

**TasWater**

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

**REPRESENTATIONS**

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

**Fence**

The representor states that the existing brick wall and corrugated iron fencing along the eastern side may be removed to provide for the parking

Planner's Comment:

Unfortunately, this is a private issue between the Land owners and falls outside the scope of the Planning Scheme. Boundary fences are legislated by the *Boundary Fences Act 1908*. Therefore, this issue is not a planning issue that can be considered as part of this application.

**Noise**

The representor states that if the existing fence is removed it would increase the noise from vehicles parking on the site.

Planner's Comment:

Unfortunately, this issue is not a planning issue that can be considered as part of this application. However, the proposal complies with the standards of the General Residential zone and the Parking and Access Code in relation to the parking and use of the driveway adjoining the neighbouring property.

## **Garden**

The representor states that the removal of the fence may damage garden on the adjoining property to the east.

Planner's Comment:

Unfortunately, this issue is a private matter between the land owners and is covered under the legislation of the *Boundary Fences Act 1908*. Therefore, this issue is not a planning issue that can be considered as part of this application.

## **CONCLUSION**

The proposal is relying on the performance criteria to comply with the applicable standards of the Scheme in relation to; setbacks and building envelope for all dwellings and privacy for all dwellings.

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

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

The application was publicly advertised for the statutory 14-day period and one representation was received, raising concern regarding the fence, vehicular noise and the adjoining garden.

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 Multiple dwellings (one new and one existing) at 19 Brent Street Glenorchy subject to the following conditions:

### **Planning**

1. Use and development must be substantially in accordance with planning permit application No. PLN-20-036 and Drawing No. P3 submitted on 10 May 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 2020/00286-GCC, dated 17 March 2020, form part of this permit.
3. Privacy screen/wall to a height of 1.7 m from natural ground level must be constructed between the south-east elevation of the bedroom for Unit 1 (existing dwelling) and the shared driveway. The privacy screen/wall must be constructed and finished with solid or translucent materials (with uniform transparency of no more than 25%), to prevent light intrusion from the shared driveway to the

habitable rooms of the dwellings. The privacy screen must remain in-situ, for the duration of the use.

## 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](http://www.derwentestuary.org.au).*

5. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
6. The design and construction of the parking, access and turning areas must generally comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004, to the satisfaction of the Council's Development Engineer. Drawings showing the design of the driveway, parking, access and turning areas 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) Four (4) clearly marked car parking spaces (Two spaces per dwelling) 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) Be clearly line-marked or physically separated to each space in accordance with the approved plan;
  - f) The gradient of any parking areas must not exceed 5%; and
  - g) 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 additional dwelling.

7. Partial removal of the existing hedge along the frontage is to be undertaken to ensure compliance with Table E5.1 Safe intersection sight distance, for a vehicle speed of 50 km/h in a speed limit of 60 km/h or less, in the Glenorchy Interim Planning Scheme 2015.
8. 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 new dwelling.
9. All internal hydraulic service works required for the development shall be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor.

### **Advice to Applicant**

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

#### *Underground services*

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

#### *Other Permits*

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

### **Attachments/Annexures**

- 1 Attachment - 19 Brent Street Glenorchy



## APPENDIX 1

### 10.0 General Residential Zone

| Standard                                                                  | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Proposed                                                             | Complies? |
|---------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|-----------|
| <b>10.4 Development Standards for Residential Buildings and Works</b>     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                      |           |
| <b>10.4.1</b><br><b>Residential density for multiple dwellings</b>        | <b>A1</b><br>Multiple dwellings must have a site area per dwelling of not less than:<br>(a) 325m <sup>2</sup> ; or<br>(b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.                                                                                                                                                                                                                                                                                                                                        | Complies with (a). The site area per dwelling is 364m <sup>2</sup> . | Yes       |
| <b>10.4.2</b><br><b>Setbacks and building envelopes for all dwellings</b> | <b>A1</b><br>Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is:<br>(a) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or<br>(b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than | Complies with (a). The dwelling will be setback 24.7m.               | Yes       |

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                        |                                                     |
|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|
|  | <p>the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or</p> <p>(c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or</p> <p>(d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.</p>                                                      |                                                                                                                                                                                                                                        |                                                     |
|  | <p><b>A2</b></p> <p>A garage or carport must have a setback from a primary frontage of at least:</p> <p>(a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or</p> <p>(b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or</p> <p>(c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.</p>                                                                                    | Not applicable.                                                                                                                                                                                                                        | N/A                                                 |
|  | <p><b>A3</b></p> <p>A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and</p> | <p>The proposed dwelling will be set back a minimum of 3m from the north-east rear boundary. Compliance will require a setback of 4.15m from the north-east rear boundary. Therefore, the proposal relies on performance criteria.</p> | <p>No</p> <p>Refer to discussion in the report.</p> |

|                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                  |     |
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|                                                                                | <ul style="list-style-type: none"> <li>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and</li> <li>(b) only have a setback within 1.5 m of a side boundary if the dwelling: <ul style="list-style-type: none"> <li>(ii) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or</li> <li>(iii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).</li> </ul> </li> </ul> |                                                                                                                  |     |
| <b>10.4.3</b><br><b>Site coverage and private open space for all dwellings</b> | <b>A1</b><br>Dwellings must have: <ul style="list-style-type: none"> <li>(a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and</li> <li>(b) for multiple dwellings, a total area of private open space of not less than 60 m<sup>2</sup> associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</li> <li>(c) a site area of which at least 25% of the site area is free from impervious surfaces.</li> </ul>                                                                                                                              | Complies.                                                                                                        | Yes |
|                                                                                | <b>A2</b><br>A dwelling must have an area of private open space that: <ul style="list-style-type: none"> <li>(d) is in one location and is at least: <ul style="list-style-type: none"> <li>(i) 24 m<sup>2</sup>; or</li> </ul> </li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Complies. The proposed dwelling provides at least 24m private open space directly accessible from a living room. | Yes |

|                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                   |     |
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|                                                                                         | <ul style="list-style-type: none"> <li>(ii) 12 m<sup>2</sup>, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</li> <li>(e) has a minimum horizontal dimension of: <ul style="list-style-type: none"> <li>(i) 4 m; or</li> <li>(ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</li> </ul> </li> <li>(f) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and</li> <li>(g) 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</li> <li>(h) 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</li> <li>(i) has a gradient not steeper than 1 in 10; and</li> <li>(j) is not used for vehicle access or parking.</li> </ul> |                                                                   |     |
| <b>10.4.4</b><br><b>Sunlight and</b><br><b>overshadowing of all</b><br><b>dwellings</b> | <b>A1</b><br>A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Complies. The proposed dwelling will be within the east of north. | Yes |

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|  | <p><b>A2</b></p> <p>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):</p> <p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B):</p> <ul style="list-style-type: none"> <li>(i) at a distance of 3 m from the window; and</li> <li>(ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.</li> </ul> <p>(b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"> <li>(i) an outbuilding with a building height no more than 2.4 m; or</li> <li>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.</li> </ul> | Complies with (a). The proposal will be at least 8.8m from a habitable room of the existing dwelling and is single storey.                        | Yes |
|  | <p><b>A3</b></p> <p>A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c):</p> <p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C):</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Complies with (b). At least 50% of the private open space for Unit 1 will receive 3 hours of sunlight on the Winter Solstice between 9am and 3pm. | Yes |

|                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                    |     |
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|                                                                                      | <ul style="list-style-type: none"> <li>(i) at a distance of 3 m from the northern edge of the private open space; and</li> <li>(ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.</li> </ul> <p>(b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"> <li>(i) an outbuilding with a building height no more than 2.4 m; or</li> <li>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.</li> </ul> |                                                                                                    |     |
| <b>10.4.5</b><br><b>Width of openings for garages and carports for all dwellings</b> | <b>A1</b><br>A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Not applicable.                                                                                    | N/A |
| <b>10.4.6</b><br><b>Privacy for all dwellings</b>                                    | <b>A1</b><br>A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: <ul style="list-style-type: none"> <li>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary; and</li> </ul>                                                                                                                                                    | Not applicable. The existing deck has a maximum floor height of 0.747m above natural ground level. | N/A |

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                 |     |
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|  | <p>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4 m from the rear boundary; and</p> <p>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m:</p> <p>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</p> <p>(ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.</p>                                                                                                                                                                                                                                                                            |                 |     |
|  | <p><b>A2</b></p> <p>A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <p>(a) The window or glazed door:</p> <p>(i) is to have a setback of at least 3 m from a side boundary; and</p> <p>(ii) is to have a setback of at least 4 m from a rear boundary; and</p> <p>(iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</p> <p>(iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site.</p> <p>(b) The window or glazed door:</p> | Not applicable. | N/A |

|                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                    |                                                     |
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|                                                                      | <p>(i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or</p> <p>(ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or</p> <p>(c) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.</p>                                                       |                                                                                                                                                                                                                                    |                                                     |
|                                                                      | <p><b>A3</b></p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least:</p> <p>(a) 2.5 m; or</p> <p>(b) 1 m if:</p> <p>(i) it is separated by a screen of at least 1.7 m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.</p> | <p>The second window for Unit 1 will be closer than 1m with screening, to the shared driveway. Compliance will require either a distance of 2.5m or 1m with screening. Therefore, the proposal relies on performance criteria.</p> | <p>No</p> <p>Refer to discussion in the report.</p> |
| <p><b>10.4.7</b></p> <p><b>Frontage Fences for all dwellings</b></p> | <p><b>A1</b></p> <p>A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than:</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p>Not applicable.</p>                                                                                                                                                                                                             | <p>N/A</p>                                          |

|                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |           |     |
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|                                                                         | <p>(a) 1.2 m if the fence is solid; or</p> <p>(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).</p>                                                                                                                                                                                                                                                                                                                                                                                                               |           |     |
| <p><b>10.4.8</b></p> <p><b>Waste Storage for multiple dwellings</b></p> | <p><b>A1</b></p> <p>A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m<sup>2</sup> per dwelling and is within one of the following locations:</p> <p>(a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</p> <p>(b) in a communal storage area with an impervious surface that:</p> <p>(i) has a setback of at least 4.5 m from a frontage; and</p> <p>(ii) is at least 5.5 m from any dwelling; and</p> <p>(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.</p> | Complies. | Yes |

## APPENDIX 2

### E5 Road and Railway Assets Code

| Standard                                                     | Acceptable Solution                                                                                                                                                                                                                                                                          | Proposed              | Complies? |
|--------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|-----------|
| <b>5.5 Use Standards</b>                                     |                                                                                                                                                                                                                                                                                              |                       |           |
| <b>E5.5.1</b><br><b>Existing road accesses and junctions</b> | <b>A1</b><br>The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater. | Not applicable.       | N/A       |
|                                                              | <b>A2</b><br>The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 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       |
|                                                              | <b>A3</b><br>The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.    | Estimated AADT 14.80. | Yes       |

| Standard                                                           | Acceptable Solution                                                                                                                                                                                                                                                                                                                       | Proposed        | Complies? |
|--------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------|
| <b>E5.5.2</b><br><b>Exiting Level Crossings</b>                    | <b>A1</b><br>Where use has access across part of a rail network, the annual average daily traffic (AADT) at an existing level crossing must not be increased by greater than 10% or 10 vehicle movements per day, whichever is the greater.                                                                                               | Not applicable. | N/A       |
| <b>5.6 Development Standards</b>                                   |                                                                                                                                                                                                                                                                                                                                           |                 |           |
| <b>E5.6.1</b><br><b>Development adjacent to roads and railways</b> | <b>A1.1</b><br>Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h:<br><br>(a) new buildings;<br><br>(b) other road or earth works; and<br><br>(c) building envelopes on new lots. | Not applicable. | N/A       |
|                                                                    | <b>A1.2</b><br>Buildings, may be:<br><br>(a) located within a row of existing buildings and setback no closer than the immediately adjacent building; or<br><br>(b) an extension which extends no closer than:<br><br>(i) the existing building; or<br><br>(ii) an immediately adjacent building.                                         | Not applicable. | N/A       |

| Standard                                                                          | Acceptable Solution                                                                                                                                                                                                                                                                                   | Proposed                                                                                                                          | Complies? |
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| <b>E5.6.2</b><br><b>Road accesses and junctions</b>                               | <b>A1</b><br>No new access or junction to roads in an area subject to a speed limit of more than 60km/h                                                                                                                                                                                               | Not applicable.                                                                                                                   | N/A       |
|                                                                                   | <b>A2</b><br>No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.                                                                                                                | Complies.                                                                                                                         | Yes       |
| <b>E5.6.3</b><br><b>New Level Crossings</b>                                       | <b>A1</b><br>No Acceptable Solutions.                                                                                                                                                                                                                                                                 | Existing access to be utilised.                                                                                                   | Yes       |
| <b>E5.6.4</b><br><b>Sight distance at accesses, junctions and level crossings</b> | <b>A1</b><br>Sight distances at:<br>(a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and<br>(b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia. | Existing access will comply with removal of part of existing hedge along front boundary.<br><br>A condition has been recommended. | Yes       |

## APPENDIX 3

### E6.0 Parking and Access Code

| Standard                                                                                     | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                          | Proposed                                                                                           | Complies? |
|----------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|-----------|
| <b>E6.6 Use Standards</b>                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                    |           |
| <b>E6.6.1</b><br><b>Number of Car Parking Spaces</b>                                         | <b>A1</b><br>The number of on-site car parking spaces must be:<br>(a) no less than the number specified in Table E6.1 and no more than 10% greater than that number;<br>except if:<br>(i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;<br>(ii) this provision was not used in this planning scheme. | Complies. The proposal provides a total of four car parking spaces on site, two for each dwelling. | Yes       |
| <b>E6.6.2</b><br><b>Number of Accessible Car Parking Spaces for People with a Disability</b> | <b>A1</b><br>Car parking spaces provided for people with a disability must:<br>(a) satisfy the relevant provisions of the Building Code of Australia;<br>(b) be incorporated into the overall car park design;<br>(c) be located as close as practicable to the building entrance.                                                                                                                                           | Not applicable.                                                                                    | N/A       |
| <b>E6.6.3</b><br><b>Number of Motorcycle Parking Spaces</b>                                  | <b>A1</b><br>The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces                                                                                                                                                                                                                                                                                             | Not applicable.                                                                                    | N/A       |

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

| Standard                                                        | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Proposed                                                                                                                                           | Complies? |
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|                                                                 | 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.                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                    |           |
| <b>E6.7.3</b><br><b>Vehicular Passing Areas Along an Access</b> | <b>A1</b><br>Vehicular passing areas must: <ul style="list-style-type: none"> <li>(a) be provided if any of the following applies to an access: <ul style="list-style-type: none"> <li>(i) it serves more than 5 car parking spaces;</li> <li>(ii) is more than 30 m long;</li> <li>(iii) it meets a road serving more than 6000 vehicles per day;</li> </ul> </li> <li>(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway;</li> <li>(c) have the first passing area constructed at the kerb;</li> <li>(d) be at intervals of no more than 30 m along the access.</li> </ul> | Although a passing bay is proposed the driveway length from the kerb to the manoeuvring area of unit two (2) has been calculated as less than 30m. | Yes       |
| <b>E6.7.4</b><br><b>On-Site Turning</b>                         | <b>A1</b><br>On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following: <ul style="list-style-type: none"> <li>(a) it serves no more than two dwelling units;</li> <li>(b) it meets a road carrying less than 6000 vehicles per day.</li> </ul>                                                                                                                                                                                                                                                   | Not applicable.                                                                                                                                    | N/A       |
| <b>E6.7.5</b><br><b>Layout of Parking Areas</b>                 | <b>A1</b><br>The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 "Design of Parking Modules, Circulation Roadways and Ramps" of AS/NZS 2890.1:2004 Parking                                                                                                                                                                                                                                                                                                                                              | Complies.                                                                                                                                          | Yes       |

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

| Standard                                                      | Acceptable Solution                                                                                                                                                                                                                                                                                                                                  | Proposed        | Complies? |
|---------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------|
| <b>E6.7.9</b><br><b>Design of Motorcycle Parking Areas</b>    | <b>A1</b><br>The design of motorcycle parking areas must comply with all of the following:<br><br>(a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;<br><br>(b) be located within 30 m of the main entrance to the building. | Complies.       | Yes       |
| <b>E6.7.10</b><br><b>Design of Bicycle Parking Facilities</b> | <b>A1</b><br>The design of bicycle parking facilities must comply with all the following;<br><br>(a) be provided in accordance with the requirements of Table E6.2;<br><br>(b) be located within 30 m of the main entrance to the building.                                                                                                          | Not applicable. | N/A       |
|                                                               | <b>A2</b><br>The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.                                              | Not applicable. | N/A       |
| <b>E6.7.11</b><br><b>Bicycle End of Trip Facilities</b>       | <b>A1</b><br>For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.                                                                | Not applicable. | N/A       |

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

## APPENDIX 4

### E7.0 Stormwater Management Code

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

| Standard | Acceptable Solution                                                                                                                                                 | Proposed        | Complies? |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------|
|          | (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure. |                 |           |
|          | <b>A4</b><br>A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.                                                   | Not applicable. | N/A       |

**9. PROPOSED USE AND DEVELOPMENT - SINGLE DWELING - 19  
CHANDOS DRIVE BERRIEDALE**

Author: Planning Officer (Grace Paisley)

Qualified Person: Planning Officer (Grace Paisley)

Property ID: 5309437

**REPORT SUMMARY**

|                            |                                                                                                                                                                                                                                                       |
|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application No.:</b>    | <b>PLN-19-280</b>                                                                                                                                                                                                                                     |
| <b>Applicant:</b>          | <b>L Wang</b>                                                                                                                                                                                                                                         |
| <b>Owner:</b>              | <b>L Wang</b>                                                                                                                                                                                                                                         |
| <b>Zone:</b>               | <b>General Residential Zone</b>                                                                                                                                                                                                                       |
| <b>Use Class</b>           | <b>Residential</b>                                                                                                                                                                                                                                    |
| <b>Application Status:</b> | <b>Discretionary</b>                                                                                                                                                                                                                                  |
| <b>Discretions:</b>        | <b>10.4.2 Setbacks and building envelopes for all dwellings; and</b><br><b>E5.6.4 Sight distance at accesses, junctions and level crossings</b><br><br>(The proposal meets all other applicable standards as demonstrated in the attached appendices) |
| <b>Level 2 Activity?</b>   | <b>No</b>                                                                                                                                                                                                                                             |
| <b>42 Days Expires:</b>    | <b>16 June 2020</b>                                                                                                                                                                                                                                   |
| <b>Existing Land Use:</b>  | <b>Vacant</b>                                                                                                                                                                                                                                         |
| <b>Representations:</b>    | <b>7</b>                                                                                                                                                                                                                                              |
| <b>Recommendation:</b>     | <b>Approval, subject to conditions</b>                                                                                                                                                                                                                |

## **REPORT IN DETAIL**

### **PROPOSAL**

The application proposes the construction of a single dwelling at 19 Chandos Drive, Berriedale.

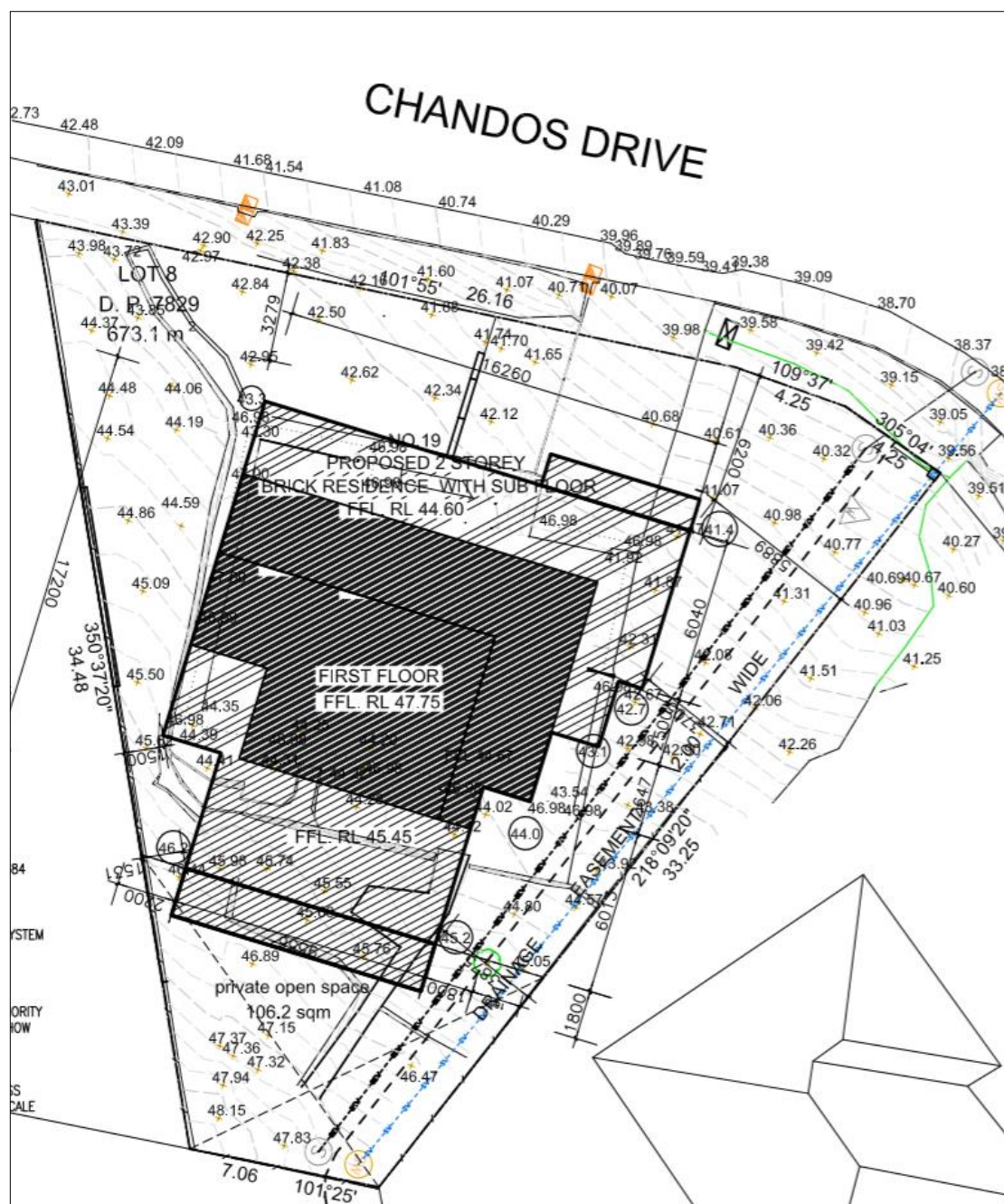
The dwelling would be located 4.5m from the frontage, 3.63m from the eastern boundary, 7.6m from the rear boundary and 1.5m from the western boundary (figure 1). The dwelling would have an overall floor area of 340sqm.

The dwelling would be split across three levels consisting of a basement, bathroom and double garage on the lower level. The ground floor level would contain open plan kitchen, dining and lounge, family room, study, laundry and three (3) bedrooms with ensuite. A 6.8sqm balcony would also be provided on the northern side of the ground floor level which would be accessed via the open plan kitchen, dining and lounge. The first floor would contain the master bedroom, walk in robe and ensuite. A larger balcony (59sqm) would be provided on this level along the northern and eastern sides.

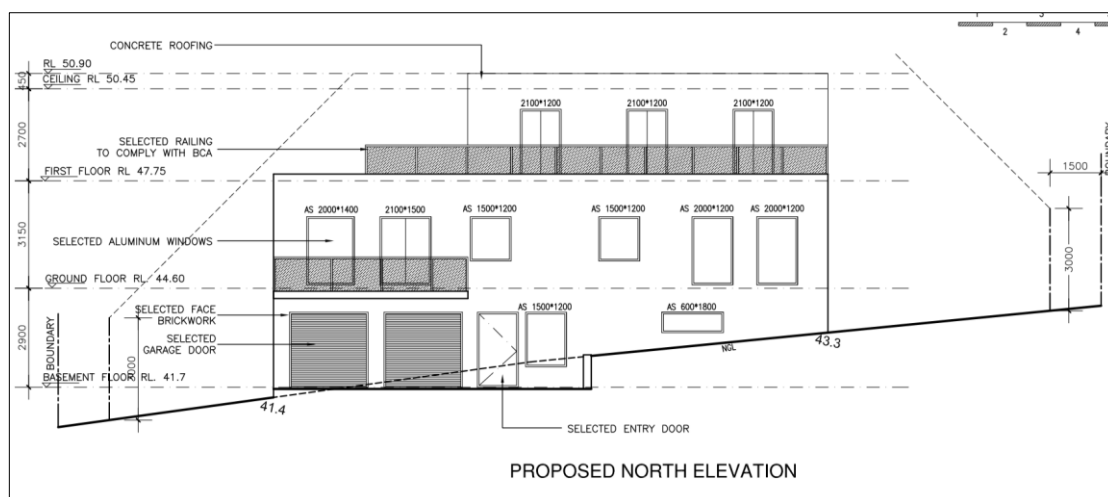
The dwelling would have a maximum height above natural ground level of 8.1m and would be constructed with selected face brickwork and concrete roofing (figure 2 and 3). The dwelling would have access onto Chandos Drive via the existing crossover.

A retaining wall would be constructed on the western boundary for a length of 18.3m. This is required to support the proposed excavation of the site as part of the dwelling construction. The retaining wall would have a maximum height above natural ground level of 0.67m.

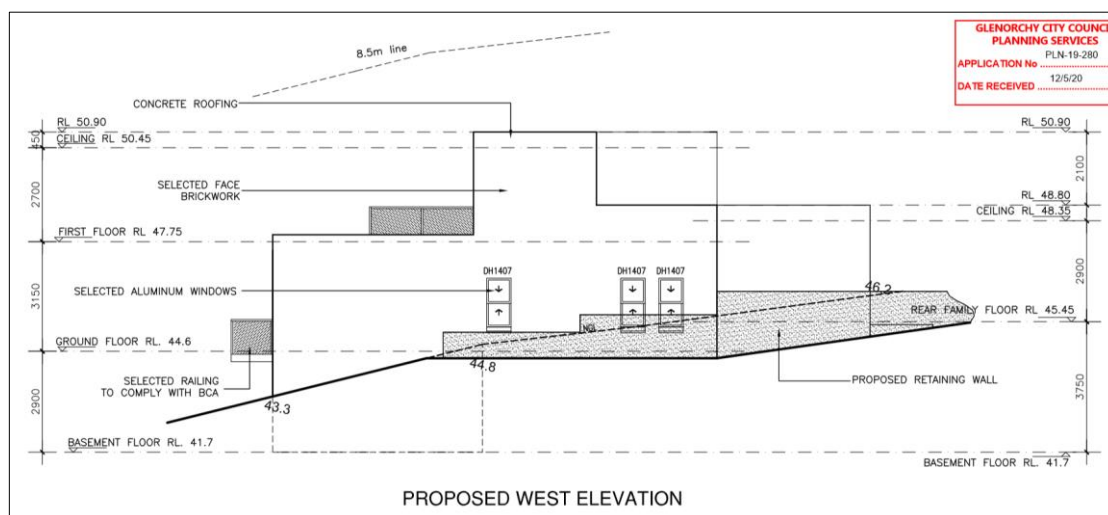
The proposal relies on performance criteria to comply with clauses 10.4.2 Setbacks and building envelopes for all dwellings and E5.6.4 Sight distance at accesses, junctions and level crossings.



**Figure 1:** *Proposed site plan*



**Figure 2:** Proposed north elevation (view from street)



**Figure 3:** Proposed western elevation (side view)

## SITE and LOCALITY

The site is located on the southern side of Chandos Drive and is irregular in shape with an overall area of 673.1sqm (figure 4). The site is currently vacant following the dwelling being demolished in January 2018 due to fire damage. The crossover to the site remains which provides access from Chandos Drive. The site is largely cleared of vegetation, except for some vegetation located in the back corner of the site. The site slopes from the rear to the front approximately 8m.

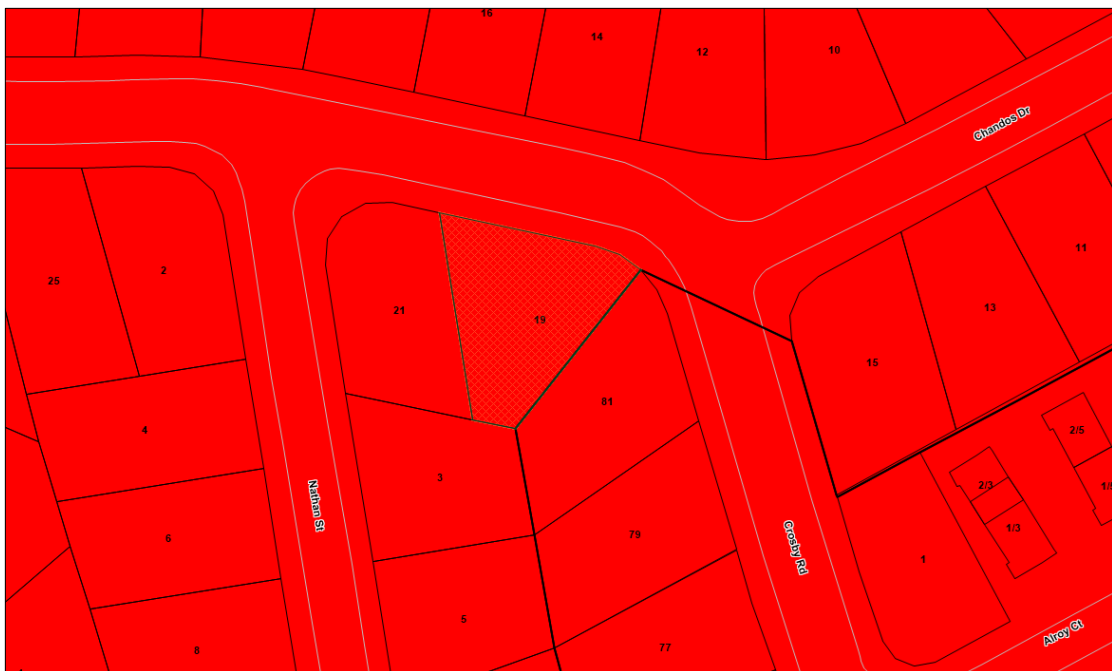
The surrounding area is characterised by residential development. There is a mixture of both single and multiple dwelling developments, however, single dwellings are more prominent. Lots shapes vary and lot sizes are similar to the subject site.



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

## ZONE

The site is located within the General Residential Zone as show in figure 5 below.



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

## BACKGROUND

The site was occupied by a single dwelling until it was destroyed by fire and subsequently demolished in January 2018.

The applicant has made several changes to the plans, including changes in response to the original seven (7) representations received. The application was re-advertised

on 27 May 2020 with no further representations received at the time of writing this report.

An extension of time agreement was granted by the applicant until 16 June 2020 to allow the application to be determined at a Glenorchy Planning Authority Meeting.

## **ASSESSMENT**

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

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

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

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

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

##### **General Exemptions**

Nil.

##### **Limited Exemptions**

###### *6.4 Fences*

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

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

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

A SAP or Code provision does not 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.

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

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

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

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

**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.

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

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

No Special provisions of the Scheme apply to this proposal.

### **Part D: Zones**

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

#### **Zone Purpose Statements**

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

Comment:

The proposal is assessed as being consistent with the purpose of the zone because the use is residential and is to be located on serviced land. The proposal is also replacing a previous residential use of the site.

#### **Use Table**

Single dwellings are a 'no permit required' use within the General Residential Zone. However, the application is discretionary because of reliance on performance criteria to comply with Clauses 10.4.2 Setbacks and building envelopes for all dwellings and E5.6.4 Sight distance at accesses, junctions and level crossings.

#### **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 acceptable solution for this standard requires a dwelling to be located within the building envelope shown in Diagram 10.4.2A of Clause 10.4.2 Setbacks and building

envelopes for all dwellings. The actual dwelling itself would be wholly located within the building envelope; however, a retaining wall is proposed on the western boundary which would be located within 1.5m of the side boundary for longer than 9m. As such, the proposal must be assessed against the performance criteria which states the siting and scale of a dwelling must:

*(a) not cause unreasonable loss of amenity by:*

- i. reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or*
- ii. overshadowing the private open space of a dwelling on an adjoining lot; or*
- iii. overshadowing of an adjoining vacant lot; or*
- iv. visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and*

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

Comment:

Shadow diagrams were submitted with the application as supporting documentation. The diagrams show the extent of overshadowing from the proposed development on adjoining properties at 9am, 12pm and 3pm on 21 June (figure 6). The shadow diagrams demonstrate that all three adjoining properties would be impacted by shadows between 9am – 3pm; however, none of the adjoining properties would result in an unreasonable loss of amenity from the shadows.

The shadow diagrams show that at 9am the shadow would be cast to the south west of the property, shadowing the backyard of No. 21 Chandos Drive and No. 3 Nathan Street. By 12pm the shadow would be cast slightly to the south east, which would predominately fall within the subject site itself with a small amount of shadowing occurring on the north western side boundary of No. 81 Crosby Road. At 12pm No. 21 Chandos Drive and No. 3 Nathan Street would not have any shadow cast across them. At 3pm the shadow would be cast to the east and would shadow across half of the of the dwelling at 81 Crosby Drive.

As can be seen in figure 6 below, none of the adjoining properties would be overshadowed for an unreasonable amount of time with each receiving at least three hours of sunlight. The private open space at No. 21 Chandos Drive and No. 3 Nathan Street would receive sunlight between 12 – 3pm, and the habitable room windows to the dwelling at No. 81 Crosby Road would receive sunlight between 9am – 12pm. The private open space and windows of the adjoining dwellings would still receive reasonable sunlight during the winter solstice and therefore the proposal would not result in an unreasonable loss of amenity to the dwellings.

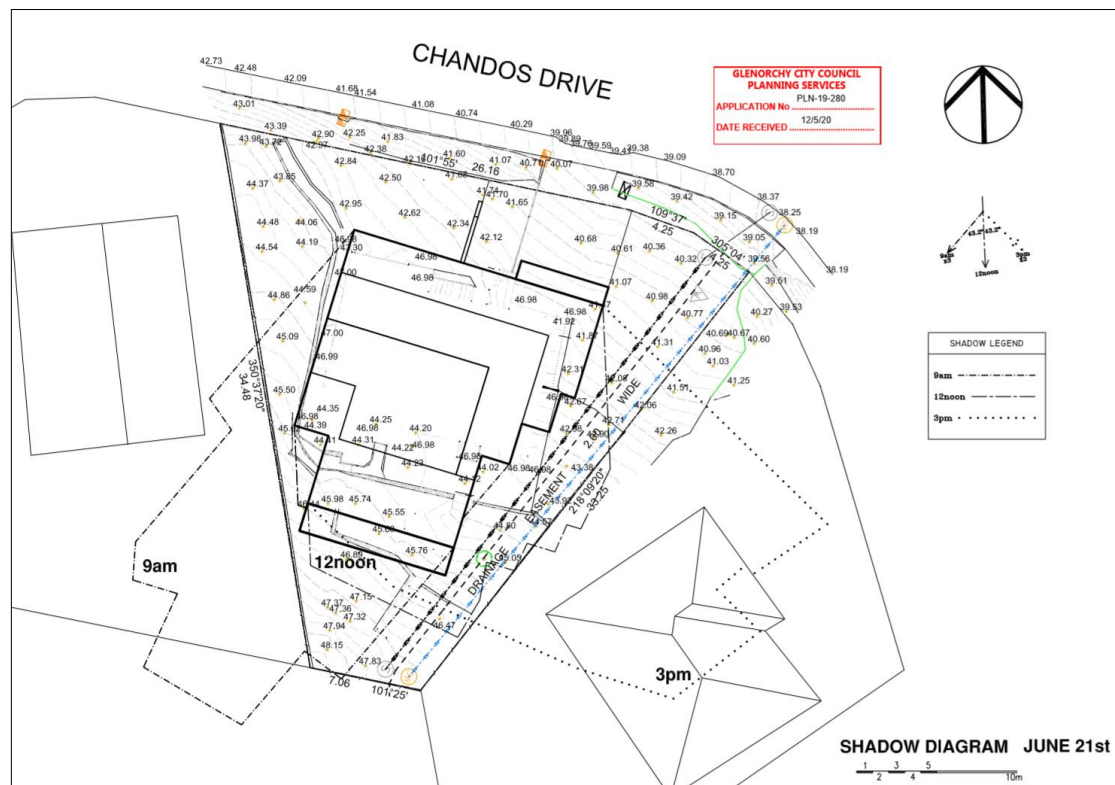
The site is not adjoined by any vacant lots and therefore point (a)(iii) is not applicable to this assessment.

In regard to visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot, the only part of the proposal which exceeds the building envelope is the retaining wall on the western boundary. Considering the dwelling itself meets the boundary setbacks and height limits allowed by the General

Residential Zone, it is not considered to cause an unreasonable visual impact by the apparent scale, bulk or proportions. The dwelling has also been designed to reduce visual bulk by being spread over three levels with the upper level considerably smaller, and only containing the master suite and balcony. The retaining wall itself would not cause any unreasonable visual impacts, noting it is in place of an existing wall on the boundary and would only have a height about natural ground level of 0.67m. The retaining wall has been put in place in order to stabilise the land due to the proposed cut and fill. The retaining wall would not extend along the entire length of the boundary and would create negligible impact in terms on reduction of sunlight, overshadowing or visual bulk.

In regard to dwelling separation, the dwelling meets the required side setbacks being 1.5m from western boundary and 3.63m from the eastern boundary. It is also noted the setback of the dwelling at the frontage is greater due to the shape of the lot. This is consistent with the side setbacks of dwellings within the area. The proposal would provide for reasonable separation between dwellings on adjoining lots.

The proposal complies with the standard through the performance criteria.



**Figure 6:** Shadow diagram showing the extent of shadow cast on 21 June

The dwelling complies with all other applicable development standards for residential buildings and works as demonstrated in the attached appendix.

## Part E: Codes

The following codes of the Scheme apply to this proposal:

### Road and Rail Asset Code

*E5.6.4 Sight distance at accesses, junctions and level crossings (P1)*

The application proposes to utilise the existing access which was provided for the previous dwelling on the site. Council's Development Engineer has determined that the existing access, which was constructed as part of the original subdivision, does not comply with the acceptable solution for Clause E5.6.4 Sight distance at accesses, junctions and level crossings. As such, the proposal must be assessed against the performance criteria which states the design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles, having regard to:

- (a) the nature and frequency of the traffic generated by the use;*
- (b) the frequency of use of the road or rail network;*
- (c) any alternative access;*
- (d) the need for the access, junction or level crossing;*
- (e) any traffic impact assessment;*
- (f) any measures to improve or maintain sight distance; and*
- (g) any written advice received from the road or rail authority.*

Comment:

Council's Development Engineer has assessed the proposal against the performance criteria and is satisfied the proposal complies with the performance criteria, noting the access is an existing crossover which was constructed as part of the original subdivision and it complies with AS 2890.1. A condition has also been recommended on the permit to ensure the landscaping at the front of the site remains clear and the nature strip is battered to allow adequate sight lines. More detailed comments are included in the Internal referrals section of this report.

### **Parking and Access Code**

The dwelling would be provided with two (2) car parking spaces in the form of a double garage on the lower level. Council's Development Engineer is satisfied the proposal complies with all acceptable solutions of the Parking and Access Code as demonstrated in the attached Appendix. Further comments are also included in the Internal referrals section of this report.

### **Stormwater Management Code**

The dwelling would be connected to public stormwater infrastructure via gravity in accordance with the requirements of the Stormwater Management Code. For further comments please refer to the Internal referrals section later in this report.

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

The site is not located in an area which is affected by a Specific Area Plan.

### **INTERNAL REFERRALS**

#### **Development Engineer**

The proposal is for a single dwelling on a fully serviced allotment with the required parking spaces housed within a ground floor double garage. The allotment is accessed

by an existing approved driveway that served the previous dwelling that was demolished in January 2018.

#### *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 can be accessed off the existing vehicle crossing, and no new access is proposed; this complies with A1 and A2 under the clause E5.6.2.

The existing approved access which serviced an existing dwelling until January 2018 when it was demolished due to fire damage, is not compliant E5.6.4 in that Acceptable Solution A1 requiring compliance with the safe intersection sight distances shown in Table E5.1.

The new proposed dwelling has a driveway that will allow for on-site turning and with minimal foliage clearing will improve the safety and should be suitable for the volume of traffic generated by the development.

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

The submitted plans indicate a total of two (2) parking spaces, both provide undercover in the proposed ground floor 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 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.

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

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

### **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 seven (7) representations being received. The issues raised are as follows:

### **1. Scale of the dwelling**

The representor states that the proposed dwelling is a total departure from the design of the original dwelling which was demolished in January 2018. The representations state the size is excessive which is out of character for the area. The representations also state that the dwelling is not within the building envelope and exceeds the maximum 8.5m allowed under the Glenorchy Interim Planning Scheme.

Planner's Comment:

The applicant is not required to construct the dwelling in accordance with the design of the previous dwelling on the site. This issue is not a planning issue that can be considered as part of this application.

In regard to the size and scale of the dwelling, the General Residential Zone includes no maximum floor area requirement. The dwelling complies with applicable standards relating to site coverage and permeability as demonstrated in the attached Appendix. The dwelling itself is located wholly within the building envelope complying with the maximum 8.5m height limit with a maximum height of 8.1m. This is shown on the cross sections provided with the application, which demonstrate at any one point the dwelling does not exceed 8.5m high. Given the dwelling itself is located within the building envelope, the scale and bulk of the dwelling is considered acceptable.

### **2. Easements**

The representor states that the proposal encroaches on an easement on the eastern boundary. The representation also states that they have manually checked the trees at the rear of the block and have found tree roots over the pipes. The representation requests that the building not be approved as the pipes could require maintenance which could damage their fence and subsequent costs with repairing.

Planner's Comment:

The easement located on the eastern boundary is a 2m wide easement. The dwelling is located entirely outside of the easement.

Regarding tree roots and maintenance, the vegetation is existing on the site and this issue is not a planning issue that can be considered as part of this application. Any damage to the fence would be a civil matter between the landowners.

### **3. Location of private open space**

The representor states that the private open space is located to the south of the dwelling which would be overshadowed and is currently densely vegetated.

Planner's Comment:

The private open space is located to the south of the dwelling, however, at least 50% of the private open space would receive 3 hours of sunlight as required by acceptable

solution A2 of Clause 10.4.3 Site coverage and private open space for all dwellings. Regarding the vegetation, part of the private open space is vegetated, however, the Glenorchy Interim Planning Scheme does not include any consideration of this. The private open space complies with the applicable standards.

#### **4. Errors in the calculation of floor area**

The representor states that the applicant incorrectly calculated the overall floor area on the plans.

Planner's Comment:

The applicant had not included the basement area in the overall floor area calculation on the original advertised plans. This did not have any impact on whether the proposal complied with applicable standards and the applicant amended the plans to correctly show the overall floor area for the second round of advertising.

#### **5. Location of applicant**

The representor states that the applicant does not reside in Tasmania and that the dwelling is likely not a primary place of residence whilst adjoining buildings are.

Planner's Comment:

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

#### **6. Use of building**

The representor states that the building could be used for other uses such as accommodation or sub-letting with minimal internal partitioning. The representation notes the number of bathrooms proposed and that this may mean the dwelling is not intended for a single dwelling

Planner's Comment:

The application has been assessed as a single dwelling as per the application form. If the dwelling were to be used for an alternative use in the future such as visitor accommodation, further planning approval would be required. If the dwelling were used for an alternative use without approval, this would be a compliance matter to be dealt with at such time. This issue is not an issue that can be considered as part of this application.

#### **7. Privacy**

The representor states that their privacy and ambience would be extinguished if the dwelling is built.

Planner's Comment:

The proposal complies with applicable standards relating to privacy as demonstrated in the attached Appendix.

## **8. Retaining wall**

The representor states that the retaining wall is only shown on the western elevation and is not shown on any other plans. The representation states that no details are included on the dimensions, materials or drainage of the wall. The representor is concerned the retaining wall is located close to their house and there are no details surrounding the construction. The representation also notes that the dwelling is only provided with one main access at the rear and the retaining wall would limit access to the rear of the site in the event of a fire.

Planner's Comment:

The retaining wall is clearly shown the floor plan which is to scale. The dimensions of the retaining wall have been included in the Proposal section of this report. The retaining wall would be constructed with concrete brickwork; however, this is not a consideration of the Scheme. Regarding drainage of the wall and construction, the retaining wall would need to be designed appropriately and approved as part of the building permit application. This issue is not a planning issue that can be considered as part of this application.

In regard to fire access, this issue is not a planning issue that can be considered as part of this application.

## **9. Overshadowing**

The representor states that due to the height and bulk of the building, the shadow would cover their solar panels, clothes line and vegetable garden.

Planner's Comment:

This issue has been previously addressed under the heading Development Standards for Residential Buildings & Works. The proposed dwelling would not result in an unreasonable loss of amenity through overshadowing as demonstrated in the shadow diagrams provided.

## **10. Front setback of the dwelling**

The representor states that the front setback of the dwelling is non-compliant, and this would greatly impact line of sight on Chandos Drive and the adjoining intersection.

Planner's Comment:

Sight line issues have been previously addressed under the headings Road and Railway Asset Code and Internal referrals. Council's Development Engineer has addressed this in detail and is satisfied the proposal is an acceptable outcome.

It is also noted that the applicant has amended the plans to ensure the front setback is compliant with a setback of 4.5m now proposed.

## **11. Parking**

The representor states that there is limited availability for parking on the site and that there is no parking available on the street due to the nearby intersection.

Planner's Comment:

This issue has been previously addressed under the heading Part E: Codes. The proposal complies with the requirements of the Parking and Access Code with a double garage proposed.

## **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 seven (7) representations were received. These representations have been addressed earlier in this report. It is concluded that the proposal is consistent with the Scheme's zone purpose statements and is satisfactory.

## **RECOMMENDATION:**

That a permit be granted for the proposed use and development of Single Dwelling at 19 Chandos Drive Berriedale subject to the following conditions:

### **Planning**

1. Use and development must be substantially in accordance with planning permit application No. PLN-19-290 and Plans submitted on 12 May 2020 (11 pages), except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2019/01566-GCC, dated 9/6/2020, 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](http://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. Prior to the occupancy of the dwelling, all shrubbery must be removed between the footpath and the property boundary on the northern side of the driveway and the nature strip graded at a slope of 1:3 to maximise sight distance.
6. The design and construction of the driveway, parking, access and turning areas must generally comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004, to the satisfaction of the Council's Development Engineer. Drawings showing the driveway details must be in accordance with the Australian Standard 2890.1 and are to be submitted with the Building Application for approval by Council's Development Engineer prior to the commencement of works on site.
  - (a) Be constructed to a sealed finish and the finished gradient must not exceed the maximum gradient of 25%
  - (b) All runoff from paved areas must be discharged into Council's stormwater system;
  - (c) The gradient of any parking areas must not exceed 5%; and
  - (d) Minimum carriageway width is to be no less than 3.00 metres.

All works required to service each individual dwelling must be installed prior to the occupancy of the dwelling.

7. All internal hydraulic service works required for the development must be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor. Any alterations or works to Council mains must be undertaken by Council at the developer's cost.
8. An approve drainage system is to be installed to capture the stormwater run-off from the driveway catchment and piped by gravity into the proposed stormwater system.

### **Advice to Applicant**

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

### **Other Permits**

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

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

### *Engineering*

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

### **Attachments/Annexures**

- 1 Attachment - 19 Chandos Drive Berriedale



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

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

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

| <b>10.4 Development Standards for Residential Buildings and Works</b>          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                              |     |
|--------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|-----|
| <b>10.4.1</b><br><b>Residential density for multiple dwellings</b>             | <b>A1</b><br>Multiple dwellings must have a site area per dwelling of not less than:<br><br>(a) 325m <sup>2</sup> ; or<br><br>(b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | The application is for a single dwelling.                                    | N/A |
| <b>10.4.2</b><br><b>Setbacks and building envelopes for all dwellings (P3)</b> | <b>A1</b><br>Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is:<br><br>(a) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or<br><br>(b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or<br><br>(c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or | The dwelling would be setback 4.5m from the frontage in accordance with (a). | Yes |

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|  | (d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                             |     |
|  | <p><b>A2</b></p> <p>A garage or carport must have a setback from a primary frontage of at least:</p> <ul style="list-style-type: none"> <li>(a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or</li> <li>(b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or</li> <li>(c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                        | The garage would be setback 5.5.m from the frontage.                                                                                                                                                                                                                                                                                                                                                                        | Yes |
|  | <p><b>A3</b></p> <p>A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must:</p> <ul style="list-style-type: none"> <li>(a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by: <ul style="list-style-type: none"> <li>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and</li> <li>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and</li> </ul> </li> </ul> | <p>The dwelling would be located 4.5m from the front boundary, setback 7.6m from the rear boundary and have a maximum height above natural ground level of 8.1m.</p> <p>The plans demonstrate the proposed dwelling would not exceed the building envelope defined in the acceptable solution.</p> <p>However, the proposed retaining wall would be located within 1.5m of the side boundary for a length more than 9m.</p> | No  |

|                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |     |
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|                                                                                | <p>(b) only have a setback within 1.5 m of a side boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or</p> <p>(ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).</p>                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |     |
| <b>10.4.3</b><br><b>Site coverage and private open space for all dwellings</b> | <p><b>A1</b></p> <p>Dwellings must have:</p> <p>(a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and</p> <p>(b) for multiple dwellings, a total area of private open space of not less than 60 m<sup>2</sup> associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(c) a site area of which at least 25% of the site area is free from impervious surfaces.</p> | <p>(a) The dwelling would have a site coverage of 37.2%</p> <p>(b) The application is for a single dwelling making point (b) not applicable.</p> <p>(c) At least 25% of the site would remain free from impervious surfaces.</p>                                                                                                                                                                                                                                              | Yes |
|                                                                                | <p><b>A2</b></p> <p>A dwelling must have an area of private open space that:</p> <p>(a) is in one location and is at least:</p> <p>(i) 24 m<sup>2</sup>; or</p> <p>(ii) 12 m<sup>2</sup>, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(b) has a minimum horizontal dimension of:</p>                                                                                                    | <p>(a) Private open space would have an area of 106.2sqm</p> <p>(b) Minimum horizontal dimension of 4m.</p> <p>(c) Directly accessible from the family room.</p> <p>(d) The private open space is located to the south but 50% would receive sunlight between 12pm and 3pm as demonstrated in the shadow diagrams.</p> <p>(e) N/A</p> <p>(f) Gradient would be no steeper than 1 in 10.</p> <p>(g) The private open space would not be used for vehicle access or parking</p> | Yes |

|                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                    |     |
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|                                                                     | <ul style="list-style-type: none"> <li>(i) 4 m; or</li> <li>(ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</li> <li>(c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and</li> <li>(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</li> <li>(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</li> <li>(f) has a gradient not steeper than 1 in 10; and</li> <li>(g) is not used for vehicle access or parking.</li> </ul> |                                                                                                    |     |
| <b>10.4.4</b><br><b>Sunlight and overshadowing of all dwellings</b> | <b>A1</b><br>A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | The kitchen and dining windows face between 30 degrees west of north and 30 degrees east of north. | Yes |
|                                                                     | <b>A2</b><br>A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c):                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | The application is for a single dwelling.                                                          | N/A |

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                           |     |
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|  | <p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B):</p> <ul style="list-style-type: none"> <li>(i) at a distance of 3 m from the window; and</li> <li>(ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.</li> </ul> <p>(b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"> <li>(i) an outbuilding with a building height no more than 2.4 m; or</li> <li>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.</li> </ul> |                                           |     |
|  | <p><b>A3</b></p> <p>A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c):</p> <p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C):</p> <ul style="list-style-type: none"> <li>(i) at a distance of 3 m from the northern edge of the private open space; and</li> <li>(ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.</li> </ul>                                                                                                                                                                                | The application is for a single dwelling. | N/A |

|                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                             |     |
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|                                                                                      | <p>(b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"> <li>(i) an outbuilding with a building height no more than 2.4 m; or</li> <li>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.</li> </ul>                                                                                                                                                                                                                                                                      |                                                                                             |     |
| <b>10.4.5</b><br><b>Width of openings for garages and carports for all dwellings</b> | <b>A1</b><br>A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).                                                                                                                                                                                                                                                                                                                                                                                                                                                               | The width of the garage is 5.5m.                                                            | Yes |
| <b>10.4.6</b><br><b>Privacy for all dwellings</b>                                    | <b>A1</b><br>A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: <ul style="list-style-type: none"> <li>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary; and</li> <li>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4 m from the rear boundary; and</li> </ul> | The balconies are located over 3m from the side boundaries are 4m from the rear boundaries. | Yes |

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                       |     |
|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
|  | <p>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m:</p> <p>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</p> <p>(ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                       |     |
|  | <p><b>A2</b></p> <p>A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <p>(a) The window or glazed door:</p> <p>(i) is to have a setback of at least 3 m from a side boundary; and</p> <p>(ii) is to have a setback of at least 4 m from a rear boundary; and</p> <p>(iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</p> <p>(iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site.</p> <p>(b) The window or glazed door:</p> <p>(i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or</p> | <p>The windows on west elevation within 3m are less than 1m above NGL.</p> <p>The southern windows of family room and bedroom 3 within 4m of rear bedroom are under 1m above NGL.</p> | Yes |

|                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                     |     |
|----------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|-----|
|                                                                      | <p>(ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or</p> <p>(c) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.</p>                                                                                                                                                                                                                 |                                                     |     |
|                                                                      | <p><b>A3</b></p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least:</p> <p>(a) 2.5 m; or</p> <p>(b) 1 m if:</p> <p>(i) it is separated by a screen of at least 1.7 m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.</p> | The application is for a single dwelling.           | N/A |
| <p><b>10.4.7</b></p> <p><b>Frontage Fences for all dwellings</b></p> | <p><b>A1</b></p> <p>A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than:</p> <p>(a) 1.2 m if the fence is solid; or</p> <p>(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</p>                                                                                                                                                                                                                                                                          | No fences are proposed within 4.5m of the frontage. | N/A |

|                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                           |     |
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|                                                                        | which provide a uniform transparency of not less than 30% (excluding any posts or uprights).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                           |     |
| <b>10.4.8</b><br><b>Waste Storage for multiple dwellings</b>           | <p><b>A1</b></p> <p>A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m<sup>2</sup> per dwelling and is within one of the following locations:</p> <ul style="list-style-type: none"> <li>(a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</li> <li>(b) in a communal storage area with an impervious surface that: <ul style="list-style-type: none"> <li>(i) has a setback of at least 4.5 m from a frontage; and</li> <li>(ii) is at least 5.5 m from any dwelling; and</li> <li>(iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2 m above the finished surface level of the storage area.</li> </ul> </li> </ul> | The application is for a single dwelling. | N/A |
| <b>10.5 Development Standards for Non-dwelling Buildings and Works</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                           |     |
| <b>10.5.1</b><br><b>Non-dwelling Development</b>                       | <p><b>A1</b></p> <p>Non-dwelling development must comply with all of the following acceptable solutions as if it were a dwelling:</p> <ul style="list-style-type: none"> <li>(a) 10.4.2 A1 and A3;</li> <li>(b) 10.4.3 A1 (a) and (c);</li> <li>(c) 10.4.7 A1</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | No non-dwelling development proposed.     | N/A |

|                                                              |                                                                                                                                                                                                                                                                           |                                                       |     |
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| <b>10.5.2</b><br><b>Non-residential Garages and Carports</b> | <b>A1</b><br>Non-residential garages and carports must comply with all of the following acceptable solutions as if they were ancillary to the dwelling:<br>(a) 10.4.2 A2;<br>(b) 10.4.5 A1.                                                                               | No non-residential garages and carports are proposed. | N/A |
| <b>10.5.3</b><br><b>Outdoor Storage Areas</b>                | <b>A1</b><br>Outdoor storage areas must comply with all of the following:<br>(a) Be located behind the building line;<br>(b) All goods and materials stored must be screened from public view;<br>(c) Not encroach upon car parking areas, driveways or landscaped areas. | No outdoor storage areas are proposed.                | N/A |

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

| Standard                                                     | Acceptable Solution                                                                                                                                                                                                                                                                          | Proposed              | Complies? |
|--------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|-----------|
| <b>5.5 Use Standards</b>                                     |                                                                                                                                                                                                                                                                                              |                       |           |
| <b>E5.5.1</b><br><b>Existing road accesses and junctions</b> | <b>A1</b><br>The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater. |                       | NA        |
|                                                              | <b>A2</b><br>The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater. |                       | NA        |
|                                                              | <b>A3</b><br>The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.    | Estimated AADT = 7.40 | YES       |

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

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

| Standard                                                                          | Acceptable Solution                                                                                                                                                                                                                                                                                   | Proposed                                                                                                                                                                          | Complies? |
|-----------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| <b>E5.6.4</b><br><b>Sight distance at accesses, junctions and level crossings</b> | <b>A1</b><br>Sight distances at:<br>(a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and<br>(b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia. | The existing approved access is not compliant with E5.6.4 but improvements to increase and improve the sight distance and ensure safe movement of vehicles have been conditioned. | No        |

## APPENDIX

### E6.0 Parking and Access Code

| Standard                                                                                     | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                               | Proposed       | Complies? |
|----------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-----------|
| <b>E6.6 Use Standards</b>                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                   |                |           |
| <b>E6.6.1</b><br><b>Number of Car Parking Spaces</b>                                         | A1<br>The number of on-site car parking spaces must be:<br><br>(a) no less than the number specified in Table E6.1 and no more than 10% greater than that number;<br>except if:<br><br>(i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;<br><br>(ii) this provision was not used in this planning scheme. |                | YES       |
| <b>E6.6.2</b><br><b>Number of Accessible Car Parking Spaces for People with a Disability</b> | A1<br>Car parking spaces provided for people with a disability must:<br><br>(a) satisfy the relevant provisions of the Building Code of Australia;<br><br>(b) be incorporated into the overall car park design;<br><br>(c) be located as close as practicable to the building entrance.                                                                                                                                           | No requirement | NA        |
| <b>E6.6.3</b>                                                                                | A1                                                                                                                                                                                                                                                                                                                                                                                                                                | No requirement | NA        |

| Standard                                           | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Proposed                       | Complies? |
|----------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|-----------|
| <b>Number of Motorcycle Parking Spaces</b>         | 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. |                                |           |
| <b>E6.6.4<br/>Number of Bicycle Parking Spaces</b> | A1<br>The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.                                                                                                                                                                                                                                                                                                                                                                                   | No requirement                 | NA        |
| <b>E 6.7 Development Standards</b>                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                |           |
| <b>E6.7.1<br/>Number of Vehicle Accesses</b>       | A1<br>The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.                                                                                                                                                                                                                                                                                                                            | Existing access to be utilised | Yes       |
| <b>E6.7.2<br/>Design of Vehicular Accesses</b>     | A1<br>Design of vehicle access points must comply with all of the following:<br><br>(a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – "Access Facilities to Off-                                                                                                                                                                                                             |                                | YES       |

| Standard                                                                   | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Proposed | Complies? |
|----------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
|                                                                            | <p>street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;</p> <p>(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.</p>                    |          |           |
| <p><b>E6.7.3</b></p> <p><b>Vehicular Passing Areas Along an Access</b></p> | <p>A1</p> <p>Vehicular passing areas must:</p> <p>(a) be provided if any of the following applies to an access:</p> <p>(i) it serves more than 5 car parking spaces;</p> <p>(ii) is more than 30 m long;</p> <p>(iii) it meets a road serving more than 6000 vehicles per day;</p> <p>(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway;</p> <p>(c) have the first passing area constructed at the kerb;</p> <p>(d) be at intervals of no more than 30 m along the access.</p> |          | NA        |
| <p><b>E6.7.4</b></p> <p><b>On-Site Turning</b></p>                         | <p>A1</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |          | NA        |

| Standard                                                   | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                | Proposed                    | Complies? |
|------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-----------|
|                                                            | <p>On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following:</p> <ul style="list-style-type: none"> <li>(a) it serves no more than two dwelling units;</li> <li>(b) it meets a road carrying less than 6000 vehicles per day.</li> </ul>                                                                                              |                             |           |
| <b>E6.7.5</b><br><b>Layout of Parking Areas</b>            | <p>A1</p> <p>The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same Standard.</p>                                        |                             | YES       |
| <b>E6.7.6</b><br><b>Surface Treatment of Parking Areas</b> | <p>A1</p> <p>Parking spaces and vehicle circulation roadways must be in accordance with all of the following;</p> <ul style="list-style-type: none"> <li>(a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway;</li> <li>(b) drained to an approved stormwater system,</li> </ul> <p>unless the road from which access is provided to the property is unsealed.</p> | Concrete driveway proposed. | YES       |
| <b>E6.7.7</b><br><b>Lighting of Parking Areas</b>          | <p>A1</p>                                                                                                                                                                                                                                                                                                                                                                                                                          |                             | NA        |

| Standard                                                      | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                               | Proposed       | Complies? |
|---------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-----------|
|                                                               | 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.                                          |                |           |
| <b>E6.7.8</b><br><b>Landscaping of Parking Areas</b>          | A1<br>Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.                                                                                                                         |                | NA        |
| <b>E6.7.9</b><br><b>Design of Motorcycle Parking Areas</b>    | A1<br>The design of motorcycle parking areas must comply with all of the following:<br><br><ul style="list-style-type: none"> <li>(a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;</li> <li>(b) be located within 30 m of the main entrance to the building.</li> </ul> | No requirement | NA        |
| <b>E6.7.10</b><br><b>Design of Bicycle Parking Facilities</b> | A1<br>The design of bicycle parking facilities must comply with all the following;<br><br><ul style="list-style-type: none"> <li>(a) be provided in accordance with the requirements of Table E6.2;</li> </ul>                                                                                                                                                                                    | No requirement | NA        |

| Standard                                                      | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                              | Proposed       | Complies? |
|---------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-----------|
|                                                               | (b) be located within 30 m of the main entrance to the building.                                                                                                                                                                                                                                                                                                                                 |                |           |
|                                                               | A2<br>The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.                                                                                                 | No requirement | NA        |
| <b>E6.7.11</b><br><b>Bicycle End of Trip Facilities</b>       | A1<br>For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.                                                                                                                   | No requirement | NA        |
| <b>E6.7.12</b><br><b>Siting of Car Parking</b>                | A1<br>Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre. |                | NA        |
| <b>E6.7.1.13</b><br><b>Facilities for Commercial Vehicles</b> | A1<br>Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with                                                                                                                                                                                                                                                                           |                | NA        |

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

## APPENDIX

### E7.0 Stormwater Management Code

| Standard                                                     | Acceptable Solution                                                                                                          | Proposed                                      | Complies? |
|--------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------|
| <b>E7.7 Development Standards</b>                            |                                                                                                                              |                                               |           |
| <b>E7.7.1</b><br><br><b>Stormwater Drainage and Disposal</b> | <p>A1</p> <p>Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.</p> | Condition included                            | YES       |
|                                                              | <p>A2</p>                                                                                                                    | Impervious area does exceed 600m <sup>2</sup> | NA        |

| Standard | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Proposed | Complies? |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
|          | <p>A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply:</p> <ul style="list-style-type: none"> <li>(a) the size of new impervious area is more than 600 m<sup>2</sup>;</li> <li>(b) new car parking is provided for more than 6 cars;</li> <li>(c) a subdivision is for more than 5 lots.</li> </ul>                                                                                                                                  |          |           |
|          | <p>A3</p> <p>A minor stormwater drainage system must be designed to comply with all of the following:</p> <ul style="list-style-type: none"> <li>(a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed;</li> <li>(b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.</li> </ul> |          | YES       |
|          | <p>A4</p> <p>A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                              |          | NA        |

**10. PROPOSED USE AND DEVELOPMENT - SINGLE DWELLING & ANCILLARY DWELLING - 333 GILLIES ROAD GRANTON**

Author: Planning Officer (Grace Paisley)

Qualified Person: Planning Officer (Grace Paisley)

Property ID: 3570877

**REPORT SUMMARY**

|                            |                                                                                                                                                                                                                                          |
|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application No.:</b>    | <b>PLN-20-122</b>                                                                                                                                                                                                                        |
| <b>Applicant:</b>          | <b>Luke Nuske Design</b>                                                                                                                                                                                                                 |
| <b>Owner:</b>              | <b>D K Reinbrecht</b>                                                                                                                                                                                                                    |
| <b>Zone:</b>               | <b>Rural Living Zone</b>                                                                                                                                                                                                                 |
| <b>Use Class</b>           | <b>Residential</b>                                                                                                                                                                                                                       |
| <b>Application Status:</b> | <b>Discretionary</b>                                                                                                                                                                                                                     |
| <b>Discretions:</b>        | <b>13.4.2 Setbacks; 13.4.3 Design; E6.7.3 Vehicular Passing Areas Along an Access; and E7.7.1 Stormwater Drainage and Disposal</b><br><br>(The proposal meets all other applicable standards as demonstrated in the attached appendices) |
| <b>Level 2 Activity?</b>   | <b>No</b>                                                                                                                                                                                                                                |
| <b>42 Days Expires:</b>    | <b>16 June 2020</b>                                                                                                                                                                                                                      |
| <b>Existing Land Use:</b>  | <b>Vacant</b>                                                                                                                                                                                                                            |
| <b>Representations:</b>    | <b>1</b>                                                                                                                                                                                                                                 |
| <b>Recommendation:</b>     | <b>Approval, subject to conditions</b>                                                                                                                                                                                                   |

## **REPORT IN DETAIL**

### **PROPOSAL**

The application proposes the construction of a single dwelling and ancillary dwelling at 333 Gillies Road, Granton.

The development would be staged to enable the applicant to construct the ancillary dwelling first which would be occupied whilst the main dwelling is constructed. Following the occupancy of the main dwelling, the original dwelling would be used as an ancillary dwelling.

The buildings would be located 10m from the rear boundary of the lot in front of the site and 20m from the western boundary (figure 1). The ancillary dwelling would initially be constructed as a single dwelling with a double carport on the first floor and one (1) bedroom, one (1) bathroom and kitchen, dining and living on the second floor. The main dwelling would consist of a basement and tank storage on the bottom level and two (2) bedrooms, two (2) bathrooms, laundry, reading room, library, and an open plan kitchen, dining and living room on the first floor. The second floor level would consist of a green house and walkway to the ancillary dwelling. The dwelling would have a maximum height of 8.3m above natural ground level.

The dwellings would be constructed with a variety of external materials including rendered block, natural stone, painted steel, Colourbond folded steel and Trim deck roof sheeting. All would have a light reflectance value less than 40 percent.

A dam is shown on the plans; however, the dam does not form part of this application as it is exempt from requiring a planning permit pursuant to Clause 6.7 Works Incidental to Dam Construction.

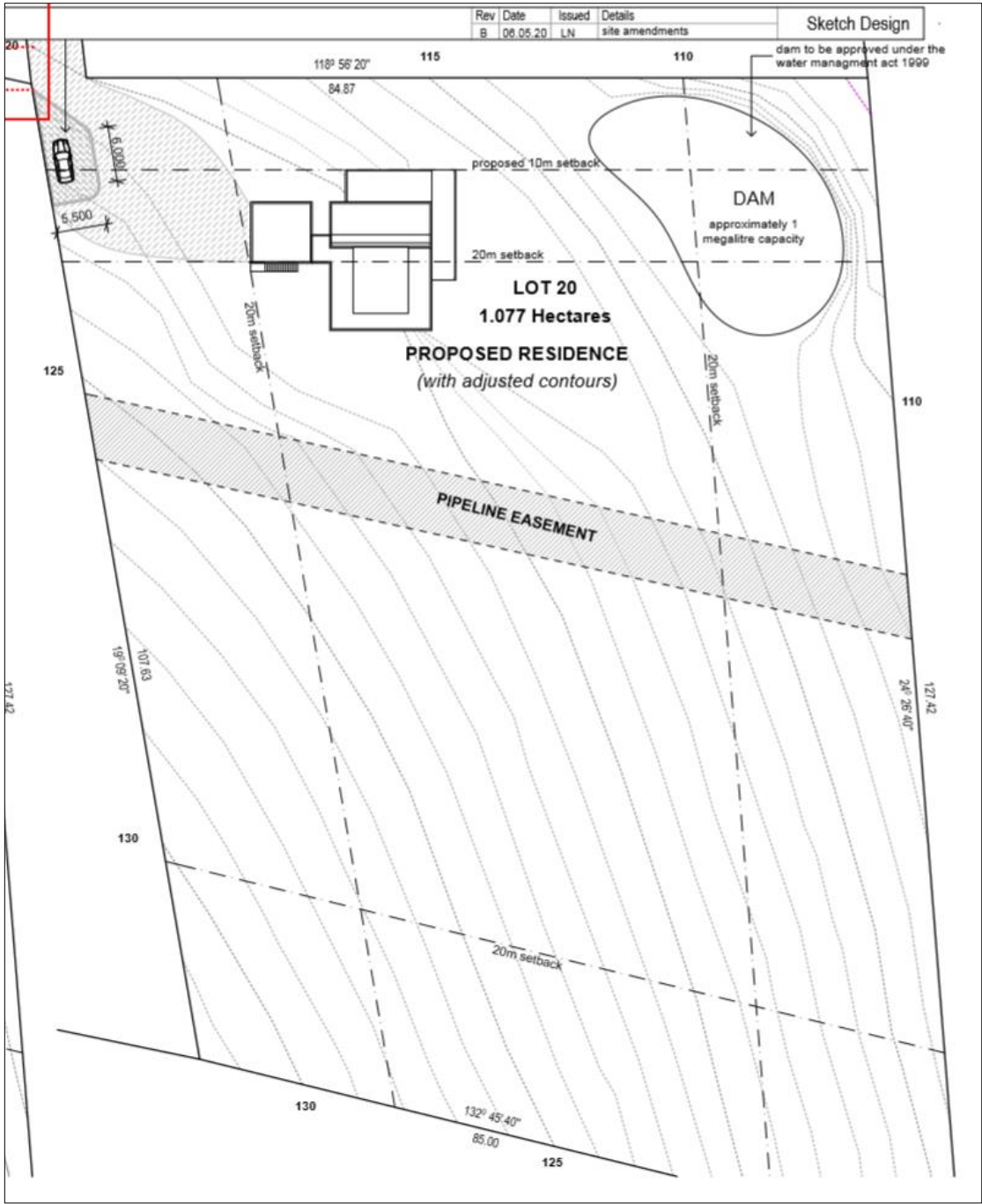
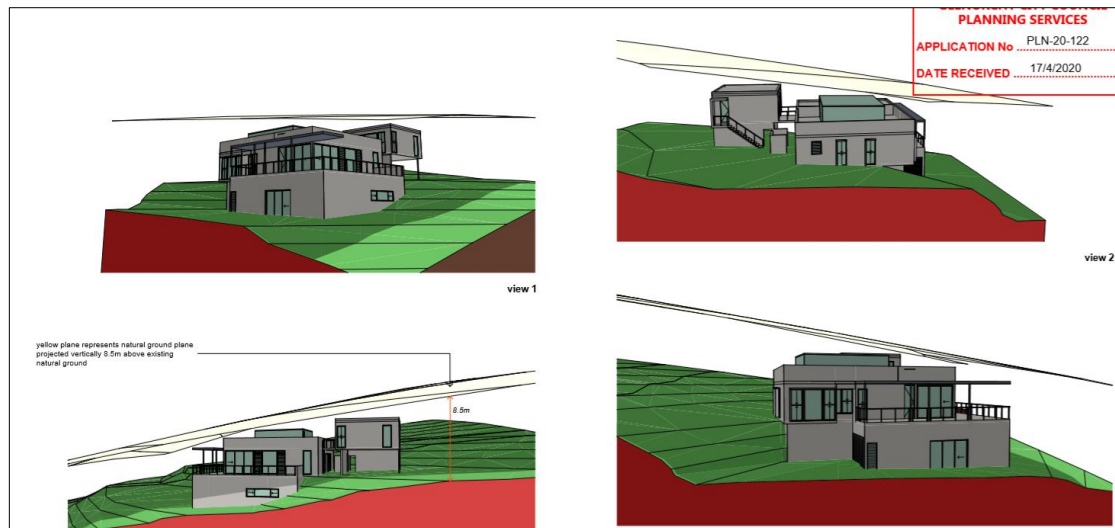


Figure 1: Proposed site plan



**Figure 2:** 3D renders of the proposed dwellings

### **SITE and LOCALITY**

The site is located on the southern side of Gillies Road and is a battle-axe shaped lot with an overall area of 1.077ha (figure 3). The site has a frontage of 6m onto Gillies road. The site slopes approximately 25m from the south western corner to the north eastern corner of the site. The site is currently vacant and void of any vegetation.

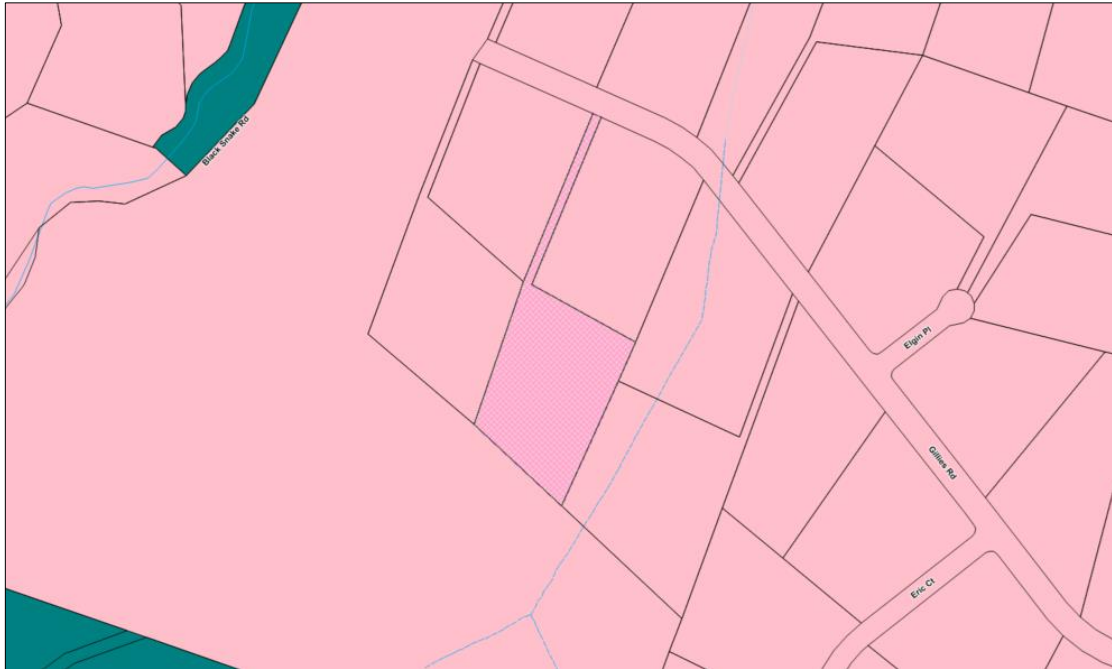
The locality is semi-rural in character with a mix of vacant and developed lots with single dwellings of similar size in proximity.



**Figure 3:** Aerial image of the subject site and surrounds

## ZONE

The site is in the Rural Living Zone as shown in figure 4 below.



**Figure 4:** Zoning map of the subject site and surrounds

## BACKGROUND

There is no background information on file relevant to the assessment of this application.

## ASSESSMENT

### STATE POLICIES, OBJECTIVES of LUPAA

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

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

### GLENNORCHY INTERIM PLANNING SCHEME 2015

#### Part B: Administration

##### General Exemptions

Nil.

##### Limited Exemptions

###### *6.7 Works Incidental to Dam Construction*

Clause 6.7.1 exempts works that are incidental to the construction of a dam approved under the *Water Management Act 1999*, including the construction of vehicular access, vegetation removal and bulk soil excavations, are exempt if contained on the same property as the dam from requiring a planning permit. The applicant has confirmed the

dam requires approval under the *Water Management Act 1999* and therefore the dam has not been considered as part of this assessment.

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

A SAP or Code provision does not 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.

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

**Ancillary Dwelling** means an additional dwelling:

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

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

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

**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.

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

**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.

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

**Part C: Special Provisions**

No Special Provisions of the Scheme apply to this proposal.

**Part D: Zones**

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

**Zone Purpose Statements**

- 13.1.1.1 *To provide for residential use or development on large lots in a rural setting where services are limited.*
- 13.1.1.2 *To provide for compatible use and development that does not adversely impact on residential amenity.*
- 13.1.1.3 *To provide for agricultural uses that do not adversely impact on residential amenity.*
- 13.1.1.4 *To encourage passive recreational opportunities through the inclusion of single or multiple use trail linkages.*
- 13.1.1.5 *To avoid land use conflict with adjacent Rural Resource or Significant Agriculture zoned land by providing for adequate buffer areas.*

Comment:

The proposal is consistent with the purpose of the zone, owing to the proposed residential use within a rural setting with limited services. The single dwelling development will not cause adverse impact on the residential amenity, and given there is no Rural Resource or Significant Agriculture zoned land near the site, the proposal will not conflict with Rural Resource or Significant Agriculture zoned land.

**Use Table**

Residential use is a 'no permit required' under Clause 13.2 Use table of the Rural Living zone. However, the proposal relies on performance criteria for Clauses 13.4.2 Setbacks, 13.4.3 Design, E6.7.3 Vehicular Passing Areas Along an Access and E7.7.1 Stormwater Drainage and Disposal, which makes the application discretionary.

**Use Standards**

The use standards relate to non-residential uses and visitor accommodation, and are not applicable to this assessment.

**Development Standards for Residential Buildings & Works****13.4.2 Setbacks (P2)**

The acceptable solution for this standard requires a building to be setback 50m from the side and rear boundaries. The dwelling would be located 10m from the rear of the lot in front of the site and therefore must be assessed against the performance criteria which states building setback from side and rear boundaries must maintain the character of the surrounding rural landscape, having regard to all of the following:

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

Comment:

The desirable characteristics of the surrounding landscape could be considered to be views down and across the valley. The positioning of the buildings closer to the

northern boundary (lower section of the site) and being cut into the landscape would retain a visual buffer to the valley below.

The site falls a total of 25m from the rear to the front limiting suitable areas for development. The dwelling has been placed closer to the front of the site to ensure the impact of the development on the landscape is limited in terms of cut and fill associated with the construction.

No existing buildings are on the site making point (c) not applicable.

The building has been proposed to be constructed with low light reflectance value colours and materials (less than 40 percent). These would ensure the building blends into the surrounding rural landscape.

The site is not located on a skyline of ridgeline making point (e) not applicable.

No native vegetation is proposed to be removed with the site fully cleared.

Overall, the proposed setback of 10m is considered to maintain the character of the surrounding rural setting and is in keeping with the setbacks of buildings within Gillies Road with several buildings located closer to the side boundaries than 50m.

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

#### *13.4.3 Design (P3)*

The acceptable solution for this standard requires the gross floor area of all buildings to not exceed 375sqm. The proposed dwelling and ancillary dwelling total a floor area of 385.35sqm. As such, the proposal must be assessed against the performance criteria which states the combined gross floor area of buildings must satisfy all of the following:

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

Comment:

The proposal exceeds the maximum gross floor area allowed under the acceptable solution by just over 10sqm. Given the dwelling would be located on a battle-axe allotment, with an acceptable setback from the boundaries, and minor cut and fill there would be no unreasonable adverse impact on the landscape.

The scale of the dwelling is consistent with the size of dwellings within Gillies Road, which are all larger scale dwellings. The proposal is modest in scale being under the 8.5m height limit and due to the different levels, would not have an unreasonable overall footprint.

There are no desired future character statements for the area therefore point (c) is not applicable.

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

### 13.4.3 Design (P4)

The acceptable solution for this standard requires fill and excavation to not exceed 1m. Due to the slope of the land the cut and fill exceeds 1m at some points and therefore the application must be considered against the performance criteria which states fill and excavation must satisfy all of the following:

- (a) does not detract from the landscape character of the area;*
- (b) does not unreasonably impact upon the privacy for adjoining properties;*
- (c) does not affect land stability on the lot or adjoining land.*

Comment:

The proposed excavation and fill is to create a level area for the dwelling. It is only a small portion of the excavation that exceeds the 1m depth, with the excavation minimised as far as practicable as demonstrated by multiple levels of the dwelling. The excavation would not detract from the landscape character with the works limited to the location of the dwelling and the access to the property. The excavation would not be located near the boundaries and would not impact upon the privacy of adjoining properties.

The excavation works are located within the low landslide hazard area; however, the proposal works are considered to be low risk to the stability of the lot given they are associated with the construction of the dwelling itself which would be required to meet building regulations.

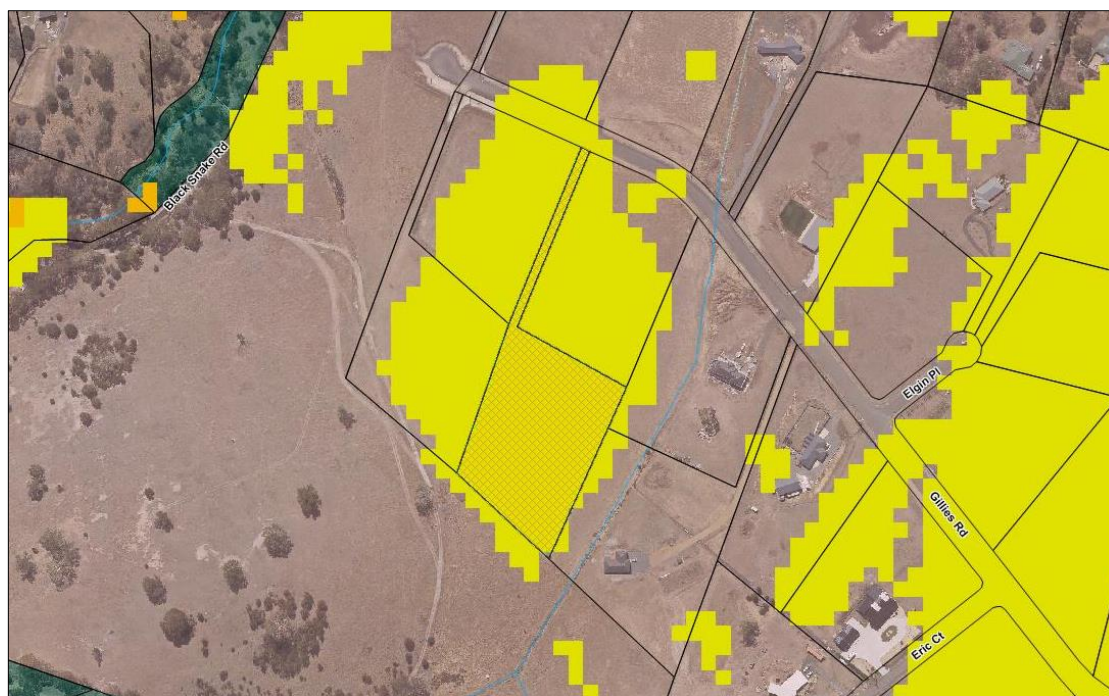
The proposal is assessed as meeting the performance criteria and therefore complying with the standard.

## **Part E: Codes**

The following codes of the Scheme apply to this proposal:

### **Landslide Code**

The site is located within a Landslide Hazard Area as shown in figure 5 below. The site is entirely located within a Low Landslide Hazard Area. Clause E3.4 Use or Development Exempt from this Code provides a number of exemptions for buildings and works in Landslide Hazard Areas, including buildings located within a Low Landslide Hazard Area. As the hazard area of the site is classified as low, the proposal is exempt from the Landslide Code.



**Figure 5:** Aerial image showing the extent of the landslide hazard area

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

Council's Development Engineer has assessed the proposal against the provisions of this code and is satisfied that the proposal complies with the acceptable solutions of the applicable standards.

### **Parking and Access Code**

#### *E6.7.3 Vehicular Passing Areas Along an Access (P1)*

Acceptable Solution A1 requires access more than 30m long to have vehicular passing areas at every 30m interval. The access to the subject site is more than 100m long and has only one passing area provided at the end of the access handle. The proposal, therefore, relies on Performance Criterion P1 which requires the following:

*Vehicular passing areas must be provided in sufficient number, dimension and siting so that the access is safe, efficient and convenient, having regard to all of the following:*

- (a) avoidance of conflicts between users including vehicles, cyclists and pedestrians;*
- (b) avoidance of unreasonable interference with the flow of traffic on adjoining roads;*
- (c) suitability for the type and volume of traffic likely to be generated by the use or development;*
- (d) ease of accessibility and recognition for users.*

Comment:

The proposal is for a single residential dwelling meaning no conflict between users on the site is anticipated. Minimal traffic is expected to be generated with minimal subsequent impact on the flow of traffic on the adjoining road. The users of the access will primarily be the residents and will be familiar with the access. As well, the access

design allows for on-site turning and sufficient passable width at the end of the access strip which will allow a vehicle exiting the site to allow any entering vehicle to pass.

In addition, Council's Development Engineer is in support of the development and has provided comments in the referral section below.

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

The proposal complies with the remaining acceptable solutions of this Code by providing parking for two vehicles.

### **Stormwater Management Code**

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

Acceptable Solution A1 requires that stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure. The application proposes on-site detention and management of stormwater, and therefore relies on Performance Criterion P1 which requires the following:

*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; or*
- (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:

Whilst the applicant has not provided any specific details of the methods, Council's Development Engineer has reviewed the proposal and confirmed the site is large enough to manage stormwater on the site itself complying with the performance criteria.

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

### **On-Site Wastewater Management Code**

The site exceeds 5000 sqm in area and is therefore exempt from the On-site Wastewater Management Code in accordance with Clause E23.4 Use and Development Exempt from this Code.

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

No Specific Area Plan applies to the site.

### **INTERNAL REFERRALS**

#### **Development Engineer**

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

This Code applies to use or development of land:

- (a) that will require a new vehicle crossing, junction or level crossing; or
- (b) that intensifies the use of an existing access; or
- (c) that involves a sensitive use, a building, works or subdivision within 50m metres of a Utilities zone that is part of:
  - (i) a rail network;
  - (ii) a category 1 - Trunk Road or a category 2 - Regional Freight Road, that is subject to a speed limit of more than 60km/h kilometres per hour.

The acceptable solution of the road and railway assets code is satisfied in that the proposed development generated traffic increase is less than the 40 vehicle movements and not greater than 20%.

Sight distance is considered adequate to satisfy clause E5.6.4 Sight distance at accesses.

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

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

This code applies to all use and development.

Vehicular passing areas are required to be provided to satisfy the acceptable solution of clause E6.7.3 Vehicular passing areas along an access and surface treatment of driveways and parking areas to meet the requirements of clause E6.7.6 however the applicant is proposing the performance criteria be assessed against the justification provided that was submitted with the application.

It is considered the performance criteria of this clause is considered acceptable due to the access servicing only one dwelling and good sightlines are available. The first passing bay at the frontage with Gillies Road is not considered to be necessary as the proposed development is not expected to interfere with the flow of traffic if vehicles are required to use the road reserve for passing from/to the proposed development due to the low number of predicted vehicle movements. With a passing bay proposed at the end of the access handle, it is considered adequate to satisfy the Performance Criteria of this clause.

The driveways and parking areas are considered to meet the requirements of clause E6.7.6 (surface treatment of parking areas) with a notation on the proposal drawings that the driveway comply with this clause. It is recommended this also be conditioned to satisfy the acceptable solution of this clause.

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

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

There are no GCC public stormwater mains available for stormwater from the proposed development to connect to. The plans show that the dwelling would be provided with two (2) 23,000 litre tanks to retain stormwater on site for re-use in accordance with performance criteria E7.7.1 P1 (b). It is considered the lot is large enough that

stormwater from impervious areas will not create a nuisance or any adverse effects on adjoining properties and is considered to satisfy the performance criteria of clause E7.7.1 Stormwater Drainage and Disposal of the Glenorchy Interim Planning Scheme 2015.

The applicant has not addressed A3 and A4 of these codes however it is considered the application will satisfy the acceptable solution.

*Other*

#### *E3.0 Landslide Code*

The lot has no active landslides however is identified as subject to a 'Low Hazard' as per the Dept. of Premier & Cabinet / Mineral Resources Tasmania MRT Hazard Maps for susceptibility to landslide. Due to the 'Low Hazard' under clause E3.4(c) of the Glenorchy Interim Planning Scheme 2015, the development is exempt from this code, however it is recommended an advise clause be included in the planning permit that the applicant may wish to seek further advice from a geotechnical engineer in regards to the proposed development and the potential hazard and the address of website where further information can be obtained.

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

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

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

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

### **Environmental Health Officer**

This site is located in an area not currently serviced by TasWater reticulated sewer, as such an on-site wastewater management system (OWMS) is required as part of this development. Due to the land size exceeding 5000m<sup>2</sup> this application is exempt from E. 23.0 on-site wastewater management code. Therefore, the OWMS will be assessed as part of the Building and Plumbing permit assessment stage. It is recommended that advice regarding this be provided on the permit.

### **EXTERNAL REFERRALS**

No external referrals were deemed necessary.

### **REPRESENTATIONS**

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

#### **Proposed dam**

The representor states that they do not want a large dam uphill of their property as they are concerned about the amount of water the dam holds and the location, with the possibility of the water overflowing or of the dam walls collapsing and damaging their property.

Planner's Comment:

The dam requires approval under the *Water Management Act 1999* and therefore has not been assessed as part of this application. This issue is not a planning issue that can be considered as part of this application.

**On-site wastewater**

The representor states that they are concerned about the wastewater runoff onto their property and possible contamination.

Planner's Comment:

The site exceeds 5000sqm in area and is therefore exempt from the On-site Wastewater Treatment Code. The on-site wastewater system would be approved at the building and plumbing permit stage. As part of this process, all wastewater must be managed within the lot boundaries and is not to cause a nuisance to neighbouring properties.

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

**CONCLUSION**

The proposal is relying on the performance criteria to comply with applicable standards. The proposal is assessed as satisfying the performance criteria and complies with those standards. The proposal is assessed as complying with all other use and development standards in the Rural Living 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 with one representation received. The concerns raised in the representation are not related to the planning assessment as demonstrated in the Representation section of this report. It is concluded that the proposal is consistent with the Scheme's zone purpose statements and is satisfactory

**RECOMMENDATION:**

That a permit be granted for the proposed use and development of Single dwelling & Ancillary Dwelling at 333 Gillies Road Granton subject to the following conditions:

**Planning**

1. Use and development must be substantially in accordance with planning permit application No. PLN-20-122 and Plans submitted on 12/3/2020 (6 pages), Plans submitted on 21/4/2020 (1 page), Plans submitted on 17/4/2020 (5 pages) and Plans submitted on 6/5/2020 (1 page), except as otherwise required by this permit.
2. The development must only proceed in accordance with the approved stages as shown on the approved plans:
  - a) Stage 1: Ancillary dwelling and access
  - b) Stage 2: Single dwelling

## Engineering

3. Soil and water management is to comply with best practice to prevent any transfer of soil material outside of the area specifically and necessarily disturbed for construction. Particular attention is to be paid to ensure no soil material is tracked onto roads and footpaths or to enter the Council's stormwater system. All aspects and protection measures in connection with soil and water management are to comply with the requirements of Council's Development Engineer and be installed prior to the removal of and/or disturbance of any soil or vegetation.
4. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
5. Driveways, car parking and turning areas must be constructed and sealed with an approved all-weather surface treatment prior to occupancy of the dwelling. Construction details must generally be in accordance with Council's standard requirements and must be provided in accordance with the "Australian Standard AS/ANZ 2890.1 – 2004 Off-Street Parking".
6. All internal hydraulic service works required for the development shall be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor. The stormwater re-use tanks shown on the approved plans must be installed and operational prior to a certificate of occupancy being issued for the dwelling.

## Advice to Applicant

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

### *Other Permits*

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

### *Environmental Health*

The applicant must obtain from Council, a Plumbing Permit for an Onsite Wastewater Management System, prior to any works being commenced on the site. The Application for a Plumbing Permit is to contain plans and specifications demonstrating that the proposed design complies with the relevant provisions of AS/NZS 1547.2012- Onsite Domestic Wastewater Management.

### *Engineering*

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

wish to seek further advice from a geotechnical engineer in regards to the proposed development and the potential hazard.

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

### **Attachments/Annexures**

**1** Attachments - 333 Gillies Road Granton



## 13.0 Rural Living

| Standard                                    | Acceptable Solution                                                                                                                                                                                                                                                                                                                                   | Proposed | Complies? |
|---------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
| <b>13.3 Use Standards</b>                   |                                                                                                                                                                                                                                                                                                                                                       |          |           |
| <b>13.3.1</b><br><b>Non-Residential Use</b> | <b>A1</b><br>Hours of operation must be within:<br>(a) 8.00 am to 6.00 pm Mondays to Fridays inclusive;<br>(b) 9.00 am to 12.00 noon Saturdays;<br>(c) nil Sundays and Public Holidays;<br>except for office and administrative tasks or visitor accommodation.                                                                                       |          | N/A       |
|                                             | <b>A2</b><br>Noise emissions measured at the boundary of the site must not exceed the following:<br>(a) 55 dB(A) (LAeq) between the hours of 8.00 am to 6.00 pm;<br>(b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 6.00 pm to 8.00 am;<br>(c) 65dB(A) (LAm <sub>ax</sub> ) at any time. |          | N/A       |
|                                             | <b>A3</b><br>External lighting must comply with all of the following:                                                                                                                                                                                                                                                                                 |          | N/A       |

| Standard                                                 | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                          | Proposed | Complies? |
|----------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
|                                                          | <ul style="list-style-type: none"> <li>(a) be turned off between 6:00 pm and 8:00 am, except for security lighting;</li> <li>(b) security lighting must be baffled to ensure they do not cause emission of light into adjoining private land.</li> </ul>                                                                                                                                                     |          |           |
|                                                          | <p><b>A4</b></p> <p>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:</p> <ul style="list-style-type: none"> <li>(a) 7.00 am to 5.00 pm Mondays to Fridays inclusive;</li> <li>(b) 9.00 am to 12 noon Saturdays;</li> <li>(c) nil on Sundays and Public Holidays.</li> </ul> |          | N/A       |
| <p><b>13.3.2</b></p> <p><b>Visitor Accommodation</b></p> | <p><b>A1</b></p> <p>Visitor accommodation must comply with all of the following:</p> <ul style="list-style-type: none"> <li>(a) is accommodated in existing buildings;</li> <li>(b) provides for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site;</li> <li>(c) has a floor area of no more than 160m<sup>2</sup>.</li> </ul>                                     |          | N/A       |

| Standard                                                  | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                  | Proposed                                                                                                    | Complies? |
|-----------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|-----------|
| <b>13.4 Development Standards for Buildings and Works</b> |                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                             |           |
| <b>13.4.1<br/>Building Height</b>                         | <b>A1</b><br>Building height must not be more than: 8.5 m.                                                                                                                                                                                                                                                                                                           | The height of the dwelling would be 8.3m above natural ground level.                                        | Yes       |
| <b>13.4.2<br/>Setbacks</b>                                | <b>A1</b><br>Building setback from frontage must be must be no less than: 20 m.                                                                                                                                                                                                                                                                                      | The dwelling would be setback over 20m from the frontage.                                                   | Yes       |
|                                                           | <b>A2</b><br>Building setback from side and rear boundaries must be no less than: 20 m.                                                                                                                                                                                                                                                                              | The dwelling would be setback 10m the adjoining lot and therefore does not comply.                          | No        |
|                                                           | <b>A3</b><br>Building setback for buildings for sensitive use (including residential use) must comply with all of the following:<br><br>(i) be sufficient to provide a separation distance from land zoned Rural Resource no less than 100 m;<br><br>(ii) be sufficient to provide a separation distance from land zoned Significant Agriculture no less than 200 m. | There is no Rural Resource or Significant Agriculture zoned land near the site.                             | Yes       |
|                                                           | <b>A4</b><br>Buildings and works must be setback from land zoned Environmental Management no less than 100 m.                                                                                                                                                                                                                                                        | The dwelling would be located over 100m from the Environmental Management zoned land to the south and west. | Yes       |

| Standard                       | Acceptable Solution                                                                                                                                                                                                                                                                                                                                | Proposed                                                                                                                                          | Complies? |
|--------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| <b>13.4.3</b><br><b>Design</b> | <b>A1</b><br>The location of buildings and works must comply with any of the following:<br>(a) be located within a building area, if provided on the title;<br>(b) be an addition or alteration to an existing building.<br>(c) be located on a site that does not require the clearing of native vegetation and is not on a skyline or ridgeline. | (a) Not applicable<br>(b) Not applicable<br>(c) The proposal will not involve clearing of native vegetation and is not on a skyline or ridgeline. | Yes       |
|                                | <b>A2</b><br>Exterior building surfaces must be coloured using colours with a light reflectance value not greater than 40 percent.                                                                                                                                                                                                                 | All external building surfaces would be coloured using colours with a light reflectance value not greater than 40 percent.                        | Yes       |
|                                | <b>A3</b><br>The combined gross floor area of buildings must be no more than:<br>375 m <sup>2</sup> .                                                                                                                                                                                                                                              | The gross floor area of the dwelling would be 385.35sqm.                                                                                          | No        |
|                                | <b>A4</b><br>Fill and excavation must comply with all of the following:<br>(a) height of fill and depth of excavation is no more than 1 m from natural ground level, except where required for building foundations;                                                                                                                               | The height of cut and fill would exceed 1m.                                                                                                       | No        |

| Standard                                      | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Proposed                                                                                                                                                                                                           | Complies? |
|-----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
|                                               | (c) extent is limited to the area required for the construction of buildings and vehicular access.                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                    |           |
| <b>13.4.4</b><br><b>Outbuildings</b>          | <p><b>A1</b></p> <p>Outbuildings (including garages and carports not incorporated within the dwelling) must comply with all of the following:</p> <ul style="list-style-type: none"> <li>(a) have a combined gross floor area no more than 100 m<sup>2</sup>;</li> <li>(b) have a wall height no more than 6.5 m and a building height not more than 7.5 m;</li> <li>(c) have setback from frontage no less than that of the existing or proposed dwelling on the site.</li> </ul> | The garage located under the proposed ancillary dwelling would have a floor area of 36sqm, a wall height less than 6.5m, building height no more than 7.5m and would be setback behind the proposed main dwelling. | Yes       |
| <b>13.4.5</b><br><b>Outdoor Storage Areas</b> | <p><b>A1</b></p> <p>Outdoor storage areas for non-residential uses must comply with all of the following:</p> <ul style="list-style-type: none"> <li>(a) be located behind the building line;</li> <li>(b) all goods and materials stored must be screened from public view;</li> <li>(c) not encroach upon car parking areas, driveways or landscaped areas.</li> </ul>                                                                                                           | No outdoor storage areas proposed.                                                                                                                                                                                 | N/A       |

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

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

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

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

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

## E6.0 Parking and Access Code

| Standard                                                                                     | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                              | Proposed                    | Complies? |
|----------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-----------|
| <b>E6.6 Use Standards</b>                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                             |           |
| <b>E6.6.1</b><br><b>Number of Car Parking Spaces</b>                                         | <p>A1</p> <p>The number of on-site car parking spaces must be:</p> <p>(a) no less than the number specified in Table E6.1 and no more than 10% greater than that number;</p> <p>except if:</p> <p>(i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;</p> <p>(ii) this provision was not used in this planning scheme.</p> |                             | Yes       |
| <b>E6.6.2</b><br><b>Number of Accessible Car Parking Spaces for People with a Disability</b> | <p>A1</p> <p>Car parking spaces provided for people with a disability must:</p> <p>(a) satisfy the relevant provisions of the Building Code of Australia;</p> <p>(b) be incorporated into the overall car park design;</p> <p>(c) be located as close as practicable to the building entrance.</p>                                                                                                                                               | Not an applicable standard. |           |
| <b>E6.6.3</b><br><b>Number of Motorcycle Parking Spaces</b>                                  | <p>A1</p> <p>The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the</p>                                                                                                                                                                                                                                                                                                   | Not an applicable standard. |           |

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

| Standard                                                        | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Proposed                    | Complies?                           |
|-----------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-------------------------------------|
|                                                                 | (b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.                                                                                                                                                                                                                                                    |                             |                                     |
| <b>E6.7.3</b><br><b>Vehicular Passing Areas Along an Access</b> | <p>A1</p> <p>Vehicular passing areas must:</p> <ul style="list-style-type: none"> <li>(a) be provided if any of the following applies to an access: <ul style="list-style-type: none"> <li>(i) it serves more than 5 car parking spaces;</li> <li>(ii) is more than 30 m long;</li> <li>(iii) it meets a road serving more than 6000 vehicles per day;</li> </ul> </li> <li>(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway;</li> <li>(c) have the first passing area constructed at the kerb;</li> <li>(d) be at intervals of no more than 30 m along the access.</li> </ul> |                             | No – Performance criteria satisfied |
| <b>E6.7.4</b><br><b>On-Site Turning</b>                         | <p>A1</p> <p>On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following:</p> <ul style="list-style-type: none"> <li>(a) it serves no more than two dwelling units;</li> </ul>                                                                                                                                                                                                                                                                                                                          | Not an applicable standard. |                                     |

| Standard                                                   | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                              | Proposed                    | Complies?         |
|------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-------------------|
|                                                            | (b) it meets a road carrying less than 6000 vehicles per day.                                                                                                                                                                                                                                                                                                                    |                             |                   |
| <b>E6.7.5</b><br><b>Layout of Parking Areas</b>            | A1<br>The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same Standard. |                             | Yes - conditioned |
| <b>E6.7.6</b><br><b>Surface Treatment of Parking Areas</b> | A1<br>Parking spaces and vehicle circulation roadways must be in accordance with all of the following;<br><br>(a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway;<br><br>(b) drained to an approved stormwater system,<br><br>unless the road from which access is provided to the property is unsealed.       |                             | Yes - conditioned |
| <b>E6.7.7</b><br><b>Lighting of Parking Areas</b>          | A1<br>Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 “Basis of Design” and clause 3.6 “Car Parks” in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.                   | Not an applicable standard. |                   |

| Standard                                                      | Acceptable Solution                                                                                                                                                                                                                                                                                                                           | Proposed                    | Complies? |
|---------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-----------|
| <b>E6.7.8</b><br><b>Landscaping of Parking Areas</b>          | A1<br>Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.                                                                     | Not an applicable standard. |           |
| <b>E6.7.9</b><br><b>Design of Motorcycle Parking Areas</b>    | A1<br>The design of motorcycle parking areas must comply with all of the following:<br><br>(a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;<br><br>(b) be located within 30 m of the main entrance to the building. | Not an applicable standard. |           |
| <b>E6.7.10</b><br><b>Design of Bicycle Parking Facilities</b> | A1<br>The design of bicycle parking facilities must comply with all the following;<br><br>(a) be provided in accordance with the requirements of Table E6.2;<br><br>(b) be located within 30 m of the main entrance to the building.                                                                                                          | Not an applicable standard. |           |
|                                                               | A2<br>The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3:                                                                                                                                                                                                            | Not an applicable standard. |           |

| 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.                                                                                                                                                                                                                                    |                             |           |
| <b>E6.7.11</b><br><b>Bicycle End of Trip Facilities</b>       | A1<br>For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.                                                                                                                   | Not an applicable standard. |           |
| <b>E6.7.12</b><br><b>Siting of Car Parking</b>                | A1<br>Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre. | Not an applicable standard. |           |
| <b>E6.7.1.13</b><br><b>Facilities for Commercial Vehicles</b> | A1<br>Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless:<br><br>(a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site;            | Not an applicable standard. |           |

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

## APPENDIX

### E7.0 Stormwater Management Code

| Standard                                           | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Proposed                    | Complies?                            |
|----------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|--------------------------------------|
| <b>E7.7 Development Standards</b>                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                             |                                      |
| <b>E7.7.1<br/>Stormwater Drainage and Disposal</b> | <b>A1</b><br>Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.                                                                                                                                                                                                                                                                                                                                                                                |                             | No – Performance criteria satisfied. |
|                                                    | <b>A2</b><br>A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply: <ul style="list-style-type: none"> <li>(a) the size of new impervious area is more than 600 m<sup>2</sup>;</li> <li>(b) new car parking is provided for more than 6 cars;</li> <li>(c) a subdivision is for more than 5 lots.</li> </ul>                                                                 | Not an applicable standard. |                                      |
|                                                    | <b>A3</b><br>A minor stormwater drainage system must be designed to comply with all of the following: <ul style="list-style-type: none"> <li>(a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed;</li> <li>(b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within</li> </ul> |                             | Yes                                  |

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