

GLENORCHY PLANNING AUTHORITY

AGENDA

MONDAY, 16 MAY 2016



GLENORCHY CITY COUNCIL

- * *The General Manager certifies that the reports contained in this Agenda have been written by qualified persons under Section 65 of the Local Government Act 1993.*
- * Aldermen with an interest or concern in relation to a particular item on this Agenda, are invited to attend the meeting.
- * All application information is available to Aldermen for inspection upon request to the relevant Planning Officer.

Chairperson: Alderman K. Johnston

Hour: 3.00 p.m.

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

2. APOLOGIES/LEAVE OF ABSENCE

3. PECUNIARY INTERESTS

4. CONFIRMATION OF MINUTES

That the minutes of the Glenorchy Planning Authority Meeting held on 2 May 2016 be confirmed.

5. PROPOSED USE AND DEVELOPMENT - ADDITIONS TO EXISTING DANCE STUDIO (SPORTS AND RECREATION) - 1A BOSCO DRIVE, GLENORCHY

Author: Planning Officer (Vanessa Tomlin)

Qualified Person: Planning Officer (Vanessa Tomlin)

Property ID: 2707368

REPORT SUMMARY:

Application No.:	PLN-15-246
Applicant:	J L Evans and M Evans
Owner:	J L Evans and M Evans
Zone:	General Residential
Use Class	Sports and Recreation
Application Status:	Discretionary
Discretions:	Relies on P3 of Clause 10.3.1, E6.6.1 and P1 of Clause E8.7.1 (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	16 May 2016
Existing Land Use:	Place of Assembly – Dance studio (GPS 1992)
Proposal In Brief:	Additions to existing Dance Studio (Sports and Recreation)
Representations:	2
Recommendation:	Approval subject to conditions

REPORT IN DETAIL:

PROPOSAL

The proposal involves additions to an existing dance studio. More specifically, a 192m² dance studio and a new entry foyer to the existing building is proposed. The proposed dance studio is to be an extension to the existing main building, situated on the south-west side of the existing main building. The dance studio is to be accessed from the existing main building, although loading-bay double doors are proposed on the north-western elevation to enable the movement of props. Single external doors are proposed on the south-eastern and north-eastern elevations. Highlight double-glazed awning windows with a minimum sill height of 1.8m are proposed on the north-western, south-western and south-eastern elevation. The proposed dance studio is to include a purpose-built dance floor with R2.5 fletcher sound screen insulation batts installed in the floor, walls and ceiling and is to be clad in colorbond. The proposed entry foyer is to involve the removal an existing window and the installation of an external door and windows. No extension to the approved operating hours is proposed. Ten additional parking spaces are proposed.

The proposal relies on performance criteria P3 of Clause 10.3.1 Non-residential use (external lighting), E6.6.1 Number of parking spaces and performance criteria P1 E8.7.1 Development within the electricity transmission corridor.

SITE and LOCALITY

The subject property is located on the eastern site of Bosco Drive and contains a former hostel that is now being utilised as dance studio. The property has an irregular shape, with an area of 1.628ha and has a moderate slope toward Tolosa Street (Fig. 1).



Figure 1. An aerial view (Exponare, Council record) of the site and immediate surrounds.

The site is surrounded by residential use and development that is predominately single dwellings. There are high-voltage power lines extending over the western side of the property.

ZONE

The site is situated wholly within the General Residential (Fig. 2).I

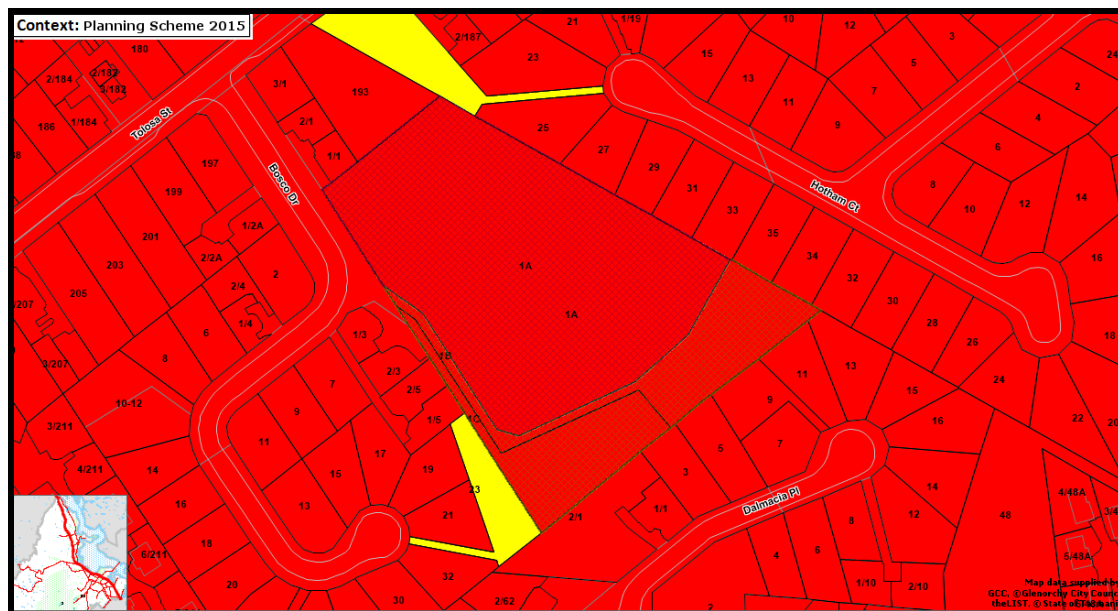


Figure 2. Snapshot from Exponare (Council Record) showing the zoning of the area. The site is General Residential shown in red and the Utilities Zone is shown in yellow.

BACKGROUND

The subject property contains the former Yalambee Hostel, which since been converted to a dance studio.

The following permits were granted:

DA 34-00 Change of Use to Place of Assembly (Dance Studio) – Approved 11 April 2000 with 30 car parking spaces and operating 9:00am – 9:00pm Mon to Friday and 8:00am to 8:00pm and 10:30am to 2:30pm Sunday occasionally

This permit restricted operating hours as following:

Weekdays: 9:00 am to 9:00pm
 Saturday: 9:00am to 8:00pm
 Sunday: 10:30am to 2:30pm

PLN-04-02775 Subdivision creating 2 lots plus balance – Approved 6 September 2004. This subdivision resulted in two areas of land 2030m² and 2495m² to be subdivided off the top of the property so as to separate an existing dwelling from the dance studio contained in the former hostel and a vacant lot.

PLN-12-040 New building extending existing dance studio (re-advertised), approved on 2 May 2012.

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

Use Class Description (Table 8.2):

The use of the site as a dance studio was formerly categorised as a 'Place of Assembly' under the Glenorchy Planning Scheme 1992. 'Sports and Recreation' is considered to be the best fit use classification under the Glenorchy Interim Planning Scheme 2015, Clause 8.2.4.

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

Other relevant definitions (Clause 4.1):

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

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

Standard means, in any zone, code or specific area plan, the objective for a particular planning issue and the means for satisfying that objective through either an

acceptable solution or performance criterion presented as the tests to meet the objective.

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.

Environmental harm means as defined in the Environmental Management and Pollution Control Act 1994 (Act). Section (1) For the purposes of this Act, environmental harm is any adverse effect on the environment (of whatever degree or duration) and includes an environmental nuisance. Section (2) For the purposes of this Act, the following provisions are to be applied in determining whether environmental harm is material environmental harm or serious environmental harm:

- (a) environmental harm is to be treated as serious environmental harm if –
 - (i) it involves an actual adverse effect on the health or safety of human beings that is of a high impact or on a wide scale; or
 - (ii) it involves an actual adverse effect on the environment that is of a high impact or on a wide scale; or
 - (iii) it results in actual loss or property damage of an amount, or amounts in aggregate, exceeding ten times the threshold amount;
- (b) environmental harm is to be treated as material environmental harm if –
 - (i) it consists of an environmental nuisance of a high impact or on a wide scale; or
 - (ii) it involves an actual adverse effect on the health or safety of human beings that is not negligible; or
 - (iii) it involves an actual adverse effect on the environment that is not negligible; or
 - (iv) it results in actual loss or property damage of an amount, or amounts in aggregate, exceeding the threshold amount.

Environmental nuisance means as defined in the Environmental Management and Pollution Control Act 1994. The Environmental Management and Pollution Control Act 1994 defines environmental nuisance to mean -

- (a) the emission, discharge, depositing or disturbance of a pollutant that unreasonably interferes with, or is likely to unreasonably interfere with, a person's enjoyment of the environment; and
- (b) any emission, discharge, depositing or disturbance specified in an environment protection policy to be an environmental nuisance.

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

Part C: Special Provisions

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

Development for Existing Discretionary Uses

Clause 9.2.1 states that notwithstanding Clause 8.8.1, proposals for development (excluding subdivision), associated with a use class specified in an applicable Use Table, as a discretionary use, must be considered as if that use class had permitted status in that Use Table, where the proposal for development does not establish a new use, or substantially intensify the use.

The proposal is assessed as discretionary, irrespective of Clause 9.2.1, owing to the proposal being substantially intensified and relying on performance criteria P3 of Clause 10.3.1 and the proposal being located within the electricity corridor, delineated in the Electricity Transmission Infrastructure Protection Code, E8.0 and the proposal relies on the performance criteria P1 E8.7.1.

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 Statement

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

Use Table

Sports and Recreation is a discretionary use in the General Residential, pursuant to Clause 10.2 Use Table.

Use Standards

The proposal relies on performance criteria P3 of Clause 10.3.1 Non-residential use (external lighting). The performance criteria requires external lighting to not adversely affect existing or future residential amenity, having regard to level of illumination and duration of lighting; and the distance to habitable rooms in an adjacent dwelling.

The habitable rooms of the nearest dwelling to the proposal, that may be affected by spill light from the proposal is not expected to be adversely impacted by external lighting of the proposal, as the existing building sits between the proposal and the dwelling (Fig 3).



Figure 3 An aerial view with the approximate siting of the proposal, shown in red and the location of the nearest dwelling that is most likely to be affected by spill light from the proposal.

A condition of approval is recommended to ensure the lighting is design and baffled to not spill light onto adjoining properties. The proposal is assessed as satisfying the performance criteria and complies with the standard.

Development Standards for Non-Residential Building and Works

The proposal is assessed as complying with the acceptable solutions of the development standards for non-residential building and works.

Part E: Codes

The following codes of the Scheme apply to this proposal:

Parking and Access Code

Table E6.1 (b) makes provision for additional parking spaces where an existing use or development is extended. The additional parking is calculated on the amount of gross floor area extension and must not reduce the existing number of parking spaces. The dance studio is assessed as generating a similar parking requirement as a fitness centre, which is a subcategory of Sports and Recreation. A fitness centre attracts 4.5 spaces for each 100m² of floor area. The proposed floor area is 192m², resulting in a nine spaces. Ten additional parking spaces are proposed. Council's Development Engineer has noted that more than 10% of the required parking is to be provided and this is contrary to the acceptable solution of E6.6.1. The proposal relies on performance criteria P1 E6.6.1. It is considered that there is enough car parking to meet the reasonable needs of all users of a use and development and the surplus parking would not detract from the amenity. The proposal is assessed as satisfying the performance criteria.

Stormwater Management Code

Council's Development Engineer has recommended conditions of approval to ensure that the stormwater is disposed of by gravity to public stormwater infrastructure and that the stormwater system incorporates water sensitive urban design principles

Electricity Transmission Infrastructure Protection Code

The proposed dance studio is not to be located within the inner protection area of the electricity transmission corridor or within the registered electricity easement. However, the parking spaces are proposed to be within the inner protection area of the electricity transmission corridor and are to be within the registered electricity easement (Fig. 4).

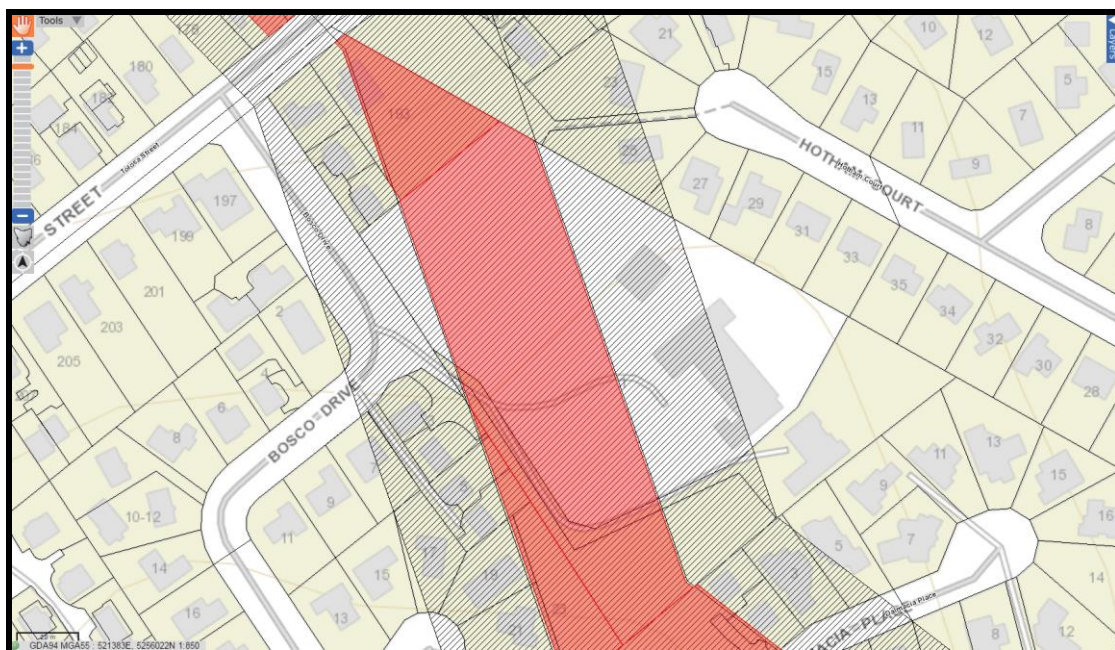


Figure 4. Snapshot from ListMaps showing the site within the electricity transmission corridor of the Electricity Transmission Infrastructure Protection Code. The area shown in orange is the inner protection area of the electricity transmission corridor.

The proposal relies on performance criteria P1 of Clause E8.7.1 Development within the electricity transmission corridor. The performance criteria requires development to be located an appropriate distance from electricity transmission infrastructure, having regard to the need to ensure operational efficiencies of electricity transmission infrastructure; the provision of access and security to existing or future electricity transmission infrastructure; safety hazards associated with proximity to existing or future electricity transmission infrastructure; and the requirements of the electricity transmission entity.

TasNetworks has provided written advice setting out the entity's view of the proposal. TasNetworks is in support of the proposal and has recommended advice to ensure the safe construction and ongoing use of the proposed car park with minimal disruption to existing or future electricity transmission infrastructure. The proposal is assessed as satisfying the performance criteria and complies with the standard.

PART F: Specific Area Plans

No specific area plans apply.

INTERNAL REFERRALS

Development Engineer

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

The development proposes addition to the dance studio and 10 additional parking spaces. The number of proposed parking spaces (10) exceeded the number of the required spaces (9) of the Interim Planning Scheme Code E6.6.1 by one space or 11.11%. The surplus is considered acceptable associated with the use of the land. Parking layout details including the drainage detail will be conditioned to Council's standard to form part of the Planning Permit.

Traffic, Access & Parking

There is the existing access to and from the site via Bosco Drive. The development proposes no change to access point. Parking layout design details are required prior to the building approval.

GCC Services (Stormwater)

There is an existing stormwater servicing the site. The stormwater main will not be affected by the development. Run-off from proposed parking must be directed to the existing connection and incorporate water sensitive urban design principles for treatment and disposal of stormwater.

Other

Geoscience issues

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

Flooding/Inundation issues

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

Environmental Health Officer

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

The additions are to be located within approximately 37 metres from the nearest residential dwelling off-site and therefore consideration must be given to noise that may be generated from the site as a result of the planned activity.

During a meeting held with the applicant at Council on 18/11/2015 with Council's planning officer, the potential for a noise nuisance was discussed. The building is to be well insulated (walls and ceiling) with the addition of a synthetic floor covering. It was also suggested by the applicant that the proposed windows will be fixed double-glazed for further noise dampening; this suggestion is supported by Environmental Health.

To help ensure that noise does not unreasonable interfere with the amenity of the surrounding residences, the noise emission condition from acceptable solution 10.3.1 non-residential use A1 is recommended.

While operation noise has been conditioned, commercial vehicle movements are not expected to exceed acceptable solution 10.3.1 A4; as such, A4 is also recommended as a condition.

Representation 1: Noise concerns relating to additions.

The applicant has discussed measures that would be implemented; such as insulation, fixed double glazing and keeping doors closed in an effort to mitigate any adverse noise affects the additions may have on surrounding residences. Irrespective of the additional measures proposed, the applicant is to comply with acceptable solution 10.3.1.

A noise report dated 30/03/2016 was submitted as further information as part of this development application by Consulting Engineer Pearu Terts. The report found that the use of the proposed facility will be unlikely to cause a nuisance to surrounding residents, but did make the following recommendations:

1. Music noise level not exceed Leq 75dB(A);
2. Windows and doors remain closed during the use of amplified music; and
3. Resilient furring channels be used to support the plasterboard inner lining.

Environmental Health accepts the above as a reasonable approach to minimising noise leaving the site. Therefore, it is recommended that each of the three recommendations listed above are applied to the permit as conditions.

Representation 2: Noise and traffic concerns.

As discussed in response to 'Representation 1' noise must meet acceptable solution 10.3.1.

Regarding the traffic, this is outside of the scope for Environmental Health.

EXTERNAL REFERRALS

TasWater

TasWater is in support of the proposal and has recommended approval with conditions and/or advice.

TasNetworks

TasNetworks is in support of the proposal and has made the following comments.

TasNetworks has no objections to the proposal. However, it is requested that construction of the new car parking spaces under the existing transmission line be undertaken in consultation with TasNetworks to ensure appropriate ground clearances are maintained for these assets and the protection of the car park users into the future. TasNetworks can provide the developer with guidelines for working safely near electricity lines to assist in this regard.

REPRESENTATIONS

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

1. Noise

The representors state that level of noise and music from the dance studio has escalated in recent years to an intolerable level. The music is heard all over the neighbourhood every day, including weekends. The music can be heard within the dwelling and makes it impossible to enjoy the peace of their backyard.

Planner's Comment:

A noise assessment was submitted to demonstrate that the proposal would not cause an unreasonable impact to residential amenity through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent. The noise assessment has made recommendations, such as acoustic insulation, fixed double glazing and keeping doors closed to ensure the proposed dance studio would not adversely impact the residential amenity of the surrounding area. The proposal is assessed as consistent with the acceptable solutions for this type of use in the General Residential Zone and conditions of approval are recommended to ensure no ongoing adverse impact to the amenity.

The use of the site has been previously approved to operate Monday to Friday 9:00am to 9:00pm, Saturday 8:00am to 8:00pm and Sunday 10:30am to 2:30pm. However, the use must operate within the acceptable noise parameters set out in the *Environmental Management and Pollution Control Act 1994*.

2. Traffic

The representor states that constant stream of traffic back and forth to the dance studio occurs all day every day. This traffic obstructs the use of the normal thoroughfare. The traffic noise is disturbing.

Planner's Comment:

The site accesses Bosco Drive, which is a public road, owned and maintained by Council. Considering that the volume of traffic on Bosco Drive is not expected to increase by 20% as a direct result of the proposal, the efficiency of the road is considered to be acceptable. Traffic noise generated from the use of the road is outside the scope of the planning assessment.

CONCLUSION

The proposal is relying on the performance criteria P3 of Clause 10.3.1 Non-residential use (external lighting) and performance criteria P1 E8.7.1 Development within the electricity transmission corridor to comply with the standards. 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 relevant standards of the Parking and Access Code and Stormwater Management Code. The application was publicly advertised for the statutory 14-day period and two representations were received.

The representors have raised concerns about noise from music and traffic. Noise mitigation measures are recommended as conditions of approval to ensure no adverse impact to the residential amenity.

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

Recommendation:

That a permit be granted for the proposed use and development of additions to existing Dance Studio (Sports and Recreation) at 1a Bosco Drive Glenorchy, subject to the following conditions:

Planning

1. Use and development shall be substantially in accordance with planning permit application No. PLN-15-246 and Drawing No. P1 submitted on 6 November 2015, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Appendix A, form part of this permit.
3. The hours of operation must be within:
Monday to Friday: 9:00am to 9:00pm
Saturday: 9:00am to 8:00pm
Sunday: 10:30am to 2:30pm
4. Lighting must be designed, baffled and located so that light overspill does not become an environmental nuisance to the occupiers of surrounding properties, prior to the use of the dance studio extension.

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. The design and construction of the proposed parking spaces must generally comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004. The parking areas must be constructed to the sealed finish, surface drained, line-marked and securely fixed with wheel stops prior to the occupancy and/or the use of the new building. Design drawings demonstrated the above must be submitted to and approved by Council's Development Engineer prior to the commencement of works or the issue of the Building Permit.

8. All internal hydraulic service works required for the development shall be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor. Any alterations or works to Council mains shall be undertaken by Council at the developer's cost.
9. To meet acceptable stormwater quality, a bio retention swales or basin for the treatment of stormwater discharging from the parking areas must be incorporated into the development, in accordance with the Glenorchy Interim Planning Scheme Stormwater Management Code and be approved by Councils Development Engineer prior to the Building Approval. Certification from a registered professional engineer must be provided prior to the commencement of works, that the stormwater treatment system be constructed in accordance with the approved plans.

Environmental Health

10. Noise emissions measured at the boundary of the site must not exceed the following:
 - (a) 55 dB(A) (LAeq) between the hours of 8.00 am to 6.00 pm;
 - (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 6.00 pm to 8.00 am;
 - (c) 65dB(A) (LAmix) 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.

11. Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site must be limited to 20 vehicle movements per day and be within the hours of:
 - (a) 7.00 am to 5.00 pm Mondays to Fridays inclusive;
 - (a) 9.00 am to 12 noon Saturdays;
 - (b) nil on Sundays and Public Holidays.
12. The use of amplified music must not exceed Leq = 75 dB(A) within the dance studio building.
13. All doors are to remain closed during the use of amplified music.
14. All windows are to be fixed and double glazed, to mitigate noise emissions.
15. Resilient furring channels are to be used to support the plasterboard inner lining of the dance studio.
16. The building must be insulated with R2.5 Fletcher Sound screen Batts or equivalent in the floor, walls and ceiling.

Advice for Applicant

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

- TasNetworks advise that construction of the new car parking spaces under the existing transmission line be undertaken in consultation with TasNetworks, to ensure appropriate ground clearances are maintained for these assets and the protection of the car park users into the future. TasNetworks can provide the developer with guidelines for working safely near electricity lines to assist in this regard.

- Other Permits and approvals

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 2000* are complied with. In addition to this planning permit, a building permit and/or plumbing permit may also be required. If further clarification is required, please contact Council's Building Section on 62166800.

APPENDIX 1**10.0 General Residential Zone.**

Standard	Acceptable Solution	Proposed	Complies?
10.3 Use Standards			
10.3.1 Non-Residential Use	A1 Hours of operation must be within 8.00 am to 6.00 pm, except for office and administrative tasks or visitor accommodation.	Not applicable – no changes to operating hours are proposed.	NA
	A2 Noise emissions measured at the boundary of the site must not exceed the following: (a) 55 dB(A) (LAeq) between the hours of 8.00 am to 6.00 pm; (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 6.00 pm to 8.00 am; (c) 65dB(A) (LAmix) 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.	Amplified music is used as part of the ongoing use of the building. Due to the potential for a noise nuisance A2 is recommended as a condition: Noise emissions measured at the boundary of the site must not exceed the following: (a) 55 dB(A) (LAeq) between the hours of 8.00 am to 6.00 pm; (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 6.00 pm to 8.00 am; (c) 65dB(A) (LAmix) 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.	Yes
	A3 External lighting must comply with all of the following: (a) be turned off between 6:00 pm and 8:00 am, except for security lighting; (b) security lighting must be baffled to ensure they do not cause emission of light into adjoining private land.	The approved hours of operation exceed the acceptable solution of this standard. A condition of approval is recommended.	No

	A4 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site must be limited to 20 vehicle movements per day and be within the hours of: (a) 7.00 am to 5.00 pm Mondays to Fridays inclusive; (c) 9.00 am to 12 noon Saturdays; (d) nil on Sundays and Public Holidays.	It is not expected to exceed A4, and recommend A4 as a condition of the permit. 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: (b) 7.00 am to 5.00 pm Mondays to Fridays inclusive; (e) 9.00 am to 12 noon Saturdays; (f) nil on Sundays and Public Holidays.	Yes
10.3.2 Visitor Accommodation	A1 Visitor accommodation must comply with all of the following: (a) is accommodated in existing buildings; (c) provides for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site; (d) has a floor area of no more than 160m2.	Not applicable standard	NA
10.3.3 Local Shop	A1 A local shop must have a gross floor area no more than 200 m2.	Not applicable standard	NA
10.5 Development Standards for Non-dwelling Buildings and Works			
10.5.1 Non-dwelling Development	A1 Non-dwelling development must comply with all of the following acceptable solutions as if it were a dwelling: (a) 10.4.2 A1 and A3; (b) 10.4.3 A1 (a) and (c); (c) 10.4.7 A1	The proposal is assessed as complying with the acceptable solutions of 10.4.2 A1 and A3; 10.4.3 A1 (a) and (c); and 10.4.7 A1. Please see assessment below	Yes

10.5.2 Non-residential Garages and Carports	A1 Non-residential garages and carports must comply with all of the following acceptable solutions as if they were ancillary to the dwelling: (a) 10.4.2 A2; (b) 10.4.5 A1.	Not applicable standard	NA
10.5.3 Outdoor Storage Areas	A1 Outdoor storage areas must comply with all of the following: (a) Be located behind the building line; (b) All goods and materials stored must be screened from public view; (c) Not encroach upon car parking areas, driveways or landscaped areas.	Not applicable standard	NA

10.4 Development Standards for Residential Buildings and Works			
10.4.2 Setbacks and building envelopes for all dwellings:	A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or (g) (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 (h) (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 (i) (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 building is setback more than 4.5m form the frontage	Yes
	A3 A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must: (a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:	The proposed building is to be setback 11.85m form the south-eastern boundary and is to be 5.3m in height. The proposal sits within the building envelope	Yes

	(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and (b) only have a setback within 1.5 m of a side boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or (ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).		
10.4.3 Site coverage and private open space for all dwellings	A1 Dwellings must have: (a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and (c) a site area of which at least 25% of the site area is free from impervious surfaces.	The proposal is to have a site coverage less than 50% of the site and is to have more than 25% of the site free from impervious surfaces	Yes
10.4.7 Frontage Fences for all dwellings	A1 A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than: (a) 1.2 m if the fence is solid; or (i) (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).	A frontage fence is not proposed	Yes

Appendix 2

E6.0 Parking and Access Code

Standard	Acceptable Solution	Proposed	Complies?
E6.6 Use Standards			
E6.6.1 Number of Car Parking Spaces	A1 The number of on-site car parking spaces must be: (a) no less than the number specified in Table E6.1 and no more than 10% greater than that number; except if: (i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (ii) this provision was not used in this planning scheme.	10 parking spaces proposed where 9 spaces are required as specified in Table E6.1.	No. 11.11% greater than the number specified in Table E6.1
E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability	A1 Car parking spaces provided for people with a disability must: (a) satisfy the relevant provisions of the Building Code of Australia; (b) be incorporated into the overall car park design; (c) be located as close as practicable to the building entrance.	N/A	
E6.6.3 Number of Motorcycle Parking Spaces	A1 The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.	N/A	

Standard	Acceptable Solution	Proposed	Complies?
E6.6.4 Number of Bicycle Parking Spaces	A1 The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.	N/A	
E 6.7 Development Standards			
E6.7.1 Number of Vehicle Accesses	A1 The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.	N/A	
E6.7.2 Design of Vehicular Accesses	A1 Design of vehicle access points must comply with all of the following: (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.	N/A	
E6.7.3 Vehicular Passing Areas Along an Access	A1 Vehicular passing areas must: (a) be provided if any of the following applies to an access: (i) it serves more than 5 car parking spaces; (ii) is more than 30 m long; (iii) it meets a road serving more than 6000 vehicles per day;	N/A	

Standard	Acceptable Solution	Proposed	Complies?
	(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway; (c) have the first passing area constructed at the kerb; (d) be at intervals of no more than 30 m along the access.		
E6.7.4 On-Site Turning	A1 On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following: (a) it serves no more than two dwelling units; (b) it meets a road carrying less than 6000 vehicles per day.	On-site turning is provided over the existing driveway.	Yes
E6.7.5 Layout of Parking Areas	A1 The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 "Design of Parking Modules, Circulation Roadways and Ramps" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 "Headroom" of the same Standard.	10 spaces with 2.4 metre by 5.5 metre for each space.	Yes
E6.7.6 Surface Treatment of Parking Areas	A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following: (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.	No details. This will be conditioned.	Will be conditioned.
E6.7.7 Lighting of Parking Areas	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.	N/A	

Standard	Acceptable Solution	Proposed	Complies?
E6.7.8 Landscaping of Parking Areas	A1 Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.	N/A	
E6.7.9 Design of Motorcycle Parking Areas	A1 The design of motorcycle parking areas must comply with all of the following: (a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) be located within 30 m of the main entrance to the building.	N/A	
E6.7.10 Design of Bicycle Parking Facilities	A1 The design of bicycle parking facilities must comply with all the following; (a) be provided in accordance with the requirements of Table E6.2; (b) be located within 30 m of the main entrance to the building.	N/A	
	A2 The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.	N/A	
E6.7.11 Bicycle End of Trip Facilities	A1 For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.	N/A	

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

Appendix 3

E7.0 Stormwater Management Code

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

Appendix 4

E8.0 Electricity Transmission Infrastructure Protection Code

Standard	Acceptable Solution	Proposed	Complies?
8.6 Use Standards			
E8.6.1 Sensitive Use Within 65m of a Substation Facility	A1 No Acceptable Solution	Not applicable standard	NA
E8.6.2 Use Other Than Sensitive Use Within 65m of a Substation Facility	A1 A use must not result in materials stored or handled within the site becoming airborne contaminants which transmit into a substation facility.	Not applicable standard	NA
E8.7 Development Standards for Buildings and Works			
E8.7.1 Development within the Electricity Transmission Corridor	A1 Development is not within: (a) an electricity transmission corridor; or (b) a registered electricity easement	The proposed dance studio is not to be located within the electricity transmission corridor or within the registered electricity easement. However, the parking spaces are proposed to be within the electricity transmission corridor and within the registered electricity easement	No
E8.7.2 Development for Sensitive Uses Within 65m of a Substation Facility	A1 No acceptable solution.	Not an Applicable standard	NA

Standard	Acceptable Solution	Proposed	Complies?
E8.7.3 Development for Uses Other Than Sensitive Uses Within 65m of a Substation Facility	A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h	Not an Applicable standard	NA
E8.7.4 Development Within 55m of a Communication Station	A1 No part of the development: (a) is located less than: i) 5 m to any security fence associated with a communications station or the boundary of a site within which a communications station is located; or ii) 20 m to the communications station; whichever is the lesser; (b) has a building height more than the height of the facility's antennae/disk when measured in horizontal plane.	Not an Applicable standard	NA

Attachments/Annexures

- 1** Attachment - 1A Bosco Drive

6. PROPOSED USE AND DEVELOPMENT - DEMOLITION, MULTIPLE DWELLINGS (2 NEW AND 1 EXISTING) WITHIN 40M OF A LISTED WATERCOURSE REQUIRING VARIATIONS TO THE STANDARDS OF THE INNER RESIDENTIAL ZONE, THE PARKING AND ACCESS CODE, THE WATERWAY AND COASTAL PROTECTION CODE AND THE INUNDATION PRONE AREA CODE - 44 GROVE ROAD, GLENORCHY

Author: Planning Officer (Chantelle Griffin)

Qualified Person: Planning Officer (Chantelle Griffin)

Property ID: 5372428

REPORT SUMMARY:

Application No.:	PLN-15-168
Applicant:	R Wright
Owner:	J A Manser
Zone:	Inner Residential
Use Class	Multiple Dwellings
Application Status:	Discretionary
Discretions:	Development within 40m of a listed watercourse requiring variations to the standards of the Inner Residential Zone, the Parking and Access Code, and the Inundation Prone Area Code (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	N/A
42 Days Expires:	28 Apr 2016
Existing Land Use:	Single Dwelling

Proposal In Brief:	Demolition, Multiple Dwellings (2 new & 1 existing) within 40m of a listed watercourse requiring variations to the standards of the Inner Residential Zone, the Parking and Access Code, the Waterway and Coastal Protection Code, and the Inundation Prone Area Code
Representations:	0
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL:

PROPOSAL

The application is for demolition and construction of multiple dwellings (2 new and 1 existing) within 40m of a listed watercourse requiring variations to the standards of the Inner Residential Zone, the Parking and Access Code, the Waterway and Coastal Protection Code, and the Inundation Prone Areas Code at 44 Grove Road, Glenorchy.

The proposal would involve the demolition of an existing outbuilding and the addition of two new dwellings on the site. The first multiple dwelling would be the existing house which is located at the front of the property with a widened vehicular access along the north-west side adjoining Humphreys Rivulet.

The proposed second multiple dwelling would be single storey, and located in the middle of the property and would be setback 1.5m from the south-east side boundary. The third multiple dwelling at the rear would be single storey and would be setback 1.5m from the south-east side boundary, and 3m from the south-west rear boundary. Each dwelling would have three bedrooms.

Both new dwellings would be on a raised platform to avoid possible flooding from Humphreys Rivulet. Each new dwelling would have an external landing and staircase close to the side and rear boundaries.

The proposed private open space would be located at the front (and around the side) of Dwelling 1, on the north-west side of Dwelling 2, and to the north-east side of Dwelling 3. The proposal would have a 1.8m high solid fence around the private open space, including a 1.8m high fence along half of the front boundary.

The proposal would have a total of 7 car parking spaces (2 spaces each and 1 visitor space) for 3 three-bedroom multiple dwellings.

SITE and LOCALITY

The subject site is located on the south-west side of Grove Road, approximately 41m north-west of the intersection with Fleming Street, Glenorchy. The property has a front boundary of 23.96m, a maximum depth of 56.81m and a total area of 1296m².

The site is generally flat except along the north-west side boundary adjoining Humphreys Rivulet where the land falls away close to the boundary.

No significant vegetation is located on the lot. The site is located within a residential area with a mix of single dwellings and multiple dwellings. The property adjoins Humphreys Rivulet, with a light industrial area to the west, and Council reserve to the north (see Figure 1 below).



FIGURE 1: Aerial photograph of site and surrounds with cadastral overlay.

ZONE

The subject property is within the Inner Residential Zone under the Glenorchy Interim Planning Scheme 2015 (the Scheme) (see Figure 2 next page).

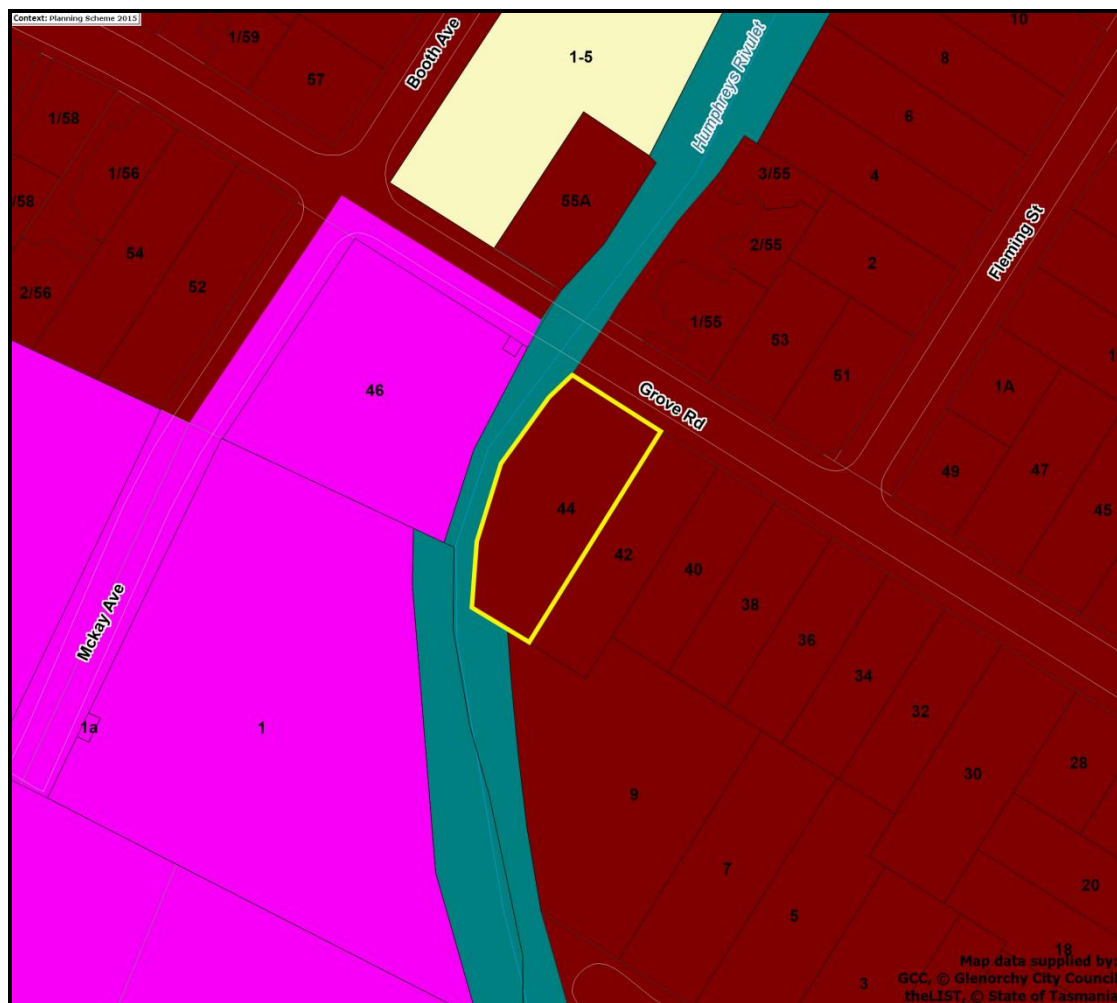


FIGURE 2: Excerpt from Exponare of Council's GIPS2015 Zoning Layer.

BACKGROUND

There is no background information 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?)

Yes. Code E6 Parking and Access, Code E7 Stormwater Management, Code E11 Waterway and Coastal Protection, and Code E15 Inundation Prove Areas.

(see later sections of this report).

Use Class Description (Table 8.2):

The use “multiple dwellings” falls within the “Residential” use class description of the Scheme.

Other relevant definitions (Clause 4.1):

The use of a multiple dwelling units is defined as the following in Clause 4.1 of the Glenorchy Interim Planning Scheme 2015:

means 2 or more dwellings on a site.

Part C: Special Provisions

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

Demolition

The proposal includes demolition of an existing outbuilding, 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 proposed demolition of the outbuilding forms part of the proposal for multiple dwellings.

Part D: Zones

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

Zone Purpose Statement

The Inner Residential zone purpose statements in Clause 11.1.1 of the Glenorchy Interim Planning Scheme 2015 are as follows:

11.1.1.1

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

11.1.1.2

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

11.1.1.3

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

11.1.1.4

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

The proposed 3 multiple dwellings (2 new and 1 existing) would provide for residential use and development where full infrastructure services are available. Therefore, the proposal is considered to be in accordance with the zone purpose statement in Clause 11.1.1 of the Glenorchy Interim Planning Scheme 2015.

Use Table

The proposed use of “multiple dwellings” is a permitted use without qualifications in accordance with the use table in Clause 11.2 of the Scheme.

Use Standards

There are no use standards applicable to residential development in the Inner Residential zone.

Development Standards for Residential Buildings & Works**Clause 11.4.1 – Standard A1**

The proposed multiple dwellings would require a maximum site area per dwelling of 400m² to be in accordance with Clause 11.4.1 – Standard A1 in the Scheme.

The proposal would provide a site area per dwelling of 432m². A variation may be considered in accordance with the performance criteria in Clause 11.4.1 – P1 as follows:

Site area per dwelling may be:

- (a) *less than 200m² if any of the following applies:*
 - (i) *the development contributes to a range of dwelling types and sizes appropriate to the locality;*
 - (ii) *the development provides for a specific accommodation need, such as aged care, special needs or student accommodation;*

- (b) *more than 400m² if any of the following applies:*
 - (i) *site constraints preclude development at a higher density;*
 - (ii) *the development is designed or located to make provision for future development with a site area per dwelling of 400m² or less.*

The proposal would be located on a site which is subject to flooding from Humphreys Rivulet. This constrains the potential for development at a higher density. Therefore, it is considered that a variation would be acceptable in this instance.

Clause 11.4.2 – Standard A3

Multiple Dwelling 2

The proposed multiple dwellings would require a setback of 1.5m (to the external landing) to the south-east side boundary to be in accordance with Clause 10.4.2 – Standard A3 in the Scheme.

The proposal would provide a setback of 0.5m (to the external landing) from the south-east side boundary. A variation may be considered in accordance with the performance criteria in Clause 11.4.2 – P3 as follows:

The siting and scale of a dwelling must:

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

The proposal is not considered to cause unreasonable overshadowing because the proposed variation would be for the landing of external stairs, thereby minimising the potential impact. Therefore, it is considered that a variation would be acceptable in this instance.

Multiple Dwelling 3

The proposed multiple dwellings would require a setback of 4m (to the external landing) to the south-west rear boundary to be in accordance with Clause 11.4.2 – Standard A3 in the Scheme.

The proposal would provide a setback of 2m (to the external landing) from the south-west rear boundary. A variation may be considered in accordance with the performance criteria in Clause 11.4.2 – P3 as follows:

The siting and scale of a dwelling must:

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

The setback is not considered to cause unreasonable overshadowing because the proposed variation would be for the landing of external stairs, and a part of the dwelling unit. The proposed variation would be located nearest to the southern rear, thereby minimising the potential impact. The proposed dwelling unit would be located adjacent a small group of outbuildings close to the boundary. Therefore, it is considered that a variation would be acceptable in this instance.

Clause 11.4.3 – Standard A2(c)

The applicant has not provided details of access to private open space from the existing dwelling. If approved, a condition has been recommended requiring waste storage in accordance with the acceptable solution in Clause 11.4.3(c) – Standard A2 Site coverage and private open space in the Scheme.

Multiple Dwelling 2

The proposed private open space would require direct access from a habitable room to be in accordance with Clause 11.4.3 – Standard A2 in the Glenorchy Interim Planning Scheme 2015.

The proposal would provide direct access from a laundry, and indirect access from a habitable area via a deck. Variations may be considered in accordance with the performance criteria in Clause 10.4.3 – P2 as follows:

A dwelling must have private open space that:

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

The proposed dwelling would have well in excess of the minimum amount of private open space. However, the design would not provide for direct access from a habitable room. The design would provide access via the laundry, and access from habitable room via a deck which is considered an appropriate design given the site constraints. Therefore, it is considered that a variation would be acceptable in this instance.

Multiple Dwelling 3

The proposed private open space would require direct access from a habitable room to be in accordance with Clause 11.4.3 – Standard A2 in the Scheme.

The proposal would provide direct access from a laundry, and in direct access from a habitable area via a deck. Variations may be considered in accordance with the performance criteria in Clause 11.4.3 – P2 as follows:

A dwelling must have private open space that:

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

The proposed dwelling would have well in excess of the minimum amount of private open space. However, the design would not provide for direct access from a habitable room. The design would provide access via the laundry, and access from a habitable room via a deck which again, is considered an appropriate design given the site constraints. Therefore, it is considered that a variation would be acceptable in this instance.

Clause 11.4.3 – Standard A2 (e)

Multiple Dwelling 1 (existing dwelling)

The proposed private open space between the dwelling and the frontage would require an orientation between 30 degrees west of north and 30 degrees east of north to be in accordance with Clause 11.4.3(e) – Standard A2 in the Scheme.

The proposal would provide private open space between the dwelling and frontage would be orientated approximately 32 degrees east of north. Variations may be considered in accordance with the performance criteria in Clause 10.4.3 – P2 as follows:

A dwelling must have private open space that:

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

(ii) *orientated to take advantage of sunlight;*
unless the projected requirements of the occupants are considered to be satisfied by communal open space or public open space in close proximity.

The proposed dwelling would have well in excess of the minimum amount of private open space. The design would provide an angle close to the requirement and has been located to provide a reasonable level of access to direct sunlight. Therefore, it is considered that a variation would be acceptable in this instance.

Clause 11.4.4 – Standard A1

Multiple Dwelling 2

The proposed window to a habitable room (other than a bedroom) would require an orientation between 30 degrees west of north and 30 degrees east of north to be in accordance with Clause 11.4.4 – Standard A1 in the Scheme.

The proposal would provide a window to a habitable room (other than a bedroom) between the dwelling and frontage would be orientated approximately 32 degrees east of north. Variations may be considered in accordance with the performance criteria in Clause 10.4.3 – P2 as follows:

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

The proposed dwelling has been designed and sited to allow sunlight to enter a habitable room other than a bedroom. The design would provide an angle close to the requirement and has been located to provide a reasonable level of access to direct sunlight. Therefore, it is considered that a variation would be acceptable in this instance.

Multiple Dwelling 3

The proposed window to a habitable room (other than a bedroom) would require an orientation between 30 degrees west of north and 30 degrees east of north to be in accordance with Clause 11.4.4 – Standard A1 in the Scheme.

The proposal would provide a window to a habitable room (other than a bedroom) between the dwelling and frontage would be orientated approximately 32 degrees east of north. Variations may be considered in accordance with the performance criteria in Clause 10.4.3 – P2 as follows:

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

The proposed dwelling has been designed and sited to allow sunlight to enter a habitable room other than a bedroom. The design would provide an angle close to the requirement and has been located to provide a reasonable level of access to direct sunlight. Therefore, it is considered that a variation would be acceptable in this instance.

*Clause 11.4.6 – Standard A1**Multiple Dwelling 2*

The proposed multiple dwelling would require 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% for the landing on the south-east side boundary to be in accordance with Clause 11.4.6 – Standard A1 in the Scheme.

The proposal would provide a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a transparency of no more than 25% between 1m and 1.7m for the landing. A variation may be considered in accordance with the performance criteria in Clause 11.4.6 – P1 as follows:

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 1m above natural ground level, must be screened, or otherwise designed, to minimise overlooking of:

- (a) a dwelling on an adjoining lot or its private open space; or*
- (b) another dwelling on the same site or its private open space; or*
- (c) an adjoining vacant residential lot.*

The proposal includes a solid/translucent privacy screen to a height of 1.7 m along the south-east side boundary to provide privacy between the proposed dwelling and a future dwelling on the neighbouring lot. The screen would be reduced to provide privacy between 1m and 1.7m above floor level for the landing. Therefore, in it is considered that a variation would be acceptable in this instance.

Multiple Dwelling 3

The proposed multiple dwelling would require 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% for the landing on the south-west rear boundary to be in accordance with Clause 11.4.6 – Standard A1 in the Scheme.

The proposal would provide a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a transparency of no more than 25% between 1m and 1.7m for the landing. A variation may be considered in accordance with the performance criteria in Clause 11.4.6 – P1 as follows:

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 1m above natural ground level, must be screened, or otherwise designed, to minimise overlooking of:

- (a) a dwelling on an adjoining lot or its private open space; or*
- (b) another dwelling on the same site or its private open space; or*
- (c) an adjoining vacant residential lot.*

The proposal includes a solid/translucent privacy screen to a height of 1.7 m along the south-west side boundary to provide privacy between the proposed dwelling and a future dwelling on the neighbouring lot. The screen would be reduced to provide privacy between 1m and 1.7m above floor level for the landing.

The setback is not considered to cause unreasonable loss of privacy because the site adjoins outbuildings on the neighbouring property on the south-west rear. Therefore it is considered that a variation would be acceptable in this instance.

Clause 11.4.6 – Standard A2

Multiple Dwelling 2

The proposal has not provided details of adjoining windows for the Dwelling 1 (the existing dwelling) and the adjoining dwelling to the south-east. If approved, a condition has been recommended requiring the windows for Dwelling 2 (lounge/dining and bedroom 3 on north-east side, and bedroom 3 on the south-east side) be in accordance with the acceptable solution in Clause 11.4.6 – Standard A2 Privacy in the Scheme.

Clause 11.4.6 – Standard A3

Multiple Dwelling 2

The proposal has not provided details of materials for a screen between the car parking and the north-west side of Dwelling 2 for bedroom 1. If approved, a condition has been recommended requiring the solid screen between the car park and the north-west (west) elevation of Dwelling 2 for bedroom 1 to be in accordance with the acceptable solution in Clause 11.4.6 – Standard A3 Privacy in the Scheme.

Clause 11.4.7 – Standard A1

The proposal has not provided details of the frontage fence, or the materials of a 1.8m high fence in the front setback. If approved, a condition has been recommended requiring waste storage in accordance with the acceptable solution in Clause 11.4.7 – Standard A1 Front fences in the Scheme.

Clause 11.4.8 – Standard A1

The proposal has not provided details of waste storage. If approved, a condition has been recommended requiring waste storage in accordance with the acceptable solution in Clause 11.4.8 – Standard A1 Waste storage for multiple dwellings in the Scheme.

Overall, it is considered that the variations to residential density for multiple dwellings, setbacks and building envelope, private open space, and privacy are acceptable as they are assessed as satisfying the Performance Criteria set forth in Clause 11.4.1 – P1, and Clause 11.4.2 – P3, Clause 11.4.3 – P2, Clause 11.4.4 – P1, Clause 11.4.6 – P1 of the Scheme.

Part E: Codes

The following codes of the Scheme apply to this proposal:

Parking and Access Code

Clause E6.6.1 – Standard A1

The proposal provides space for seven car parking spaces (two for each dwelling, and one visitor space) in accordance with Clause E6.6.1 – standard A1 of the Scheme. Please refer to the report by Council's Development Engineer in a later section of this report and Appendix 2.

Stormwater Management Code

Clause E7.7.1 – Standard A1, A2, A3, and A4.

The proposal provides space suitable stormwater management in accordance with Clause E7.7.1 – Standard A1, A2, A3 and A4 of the Scheme. Please refer to the report by Council's Development Engineer in a later section of this report and Appendix 3.

Inundation Prone Areas Code

Clause E15.7.4 – Standard A1

The proposal is not exempt under Clause E15.0 of the Glenorchy Interim Planning Scheme 2015 but the proposal complies with the standards in Section E15.0 of the Scheme.

As stated below in the Hydraulic Engineer's report:

'Given there is considerable flood risk identified in the previous flood studies and known to the Council through historical records, it is envisaged that floods will occur at this location again in the foreseeable future, and it is important that any development at this location addresses the potential inundation and flood risks.'

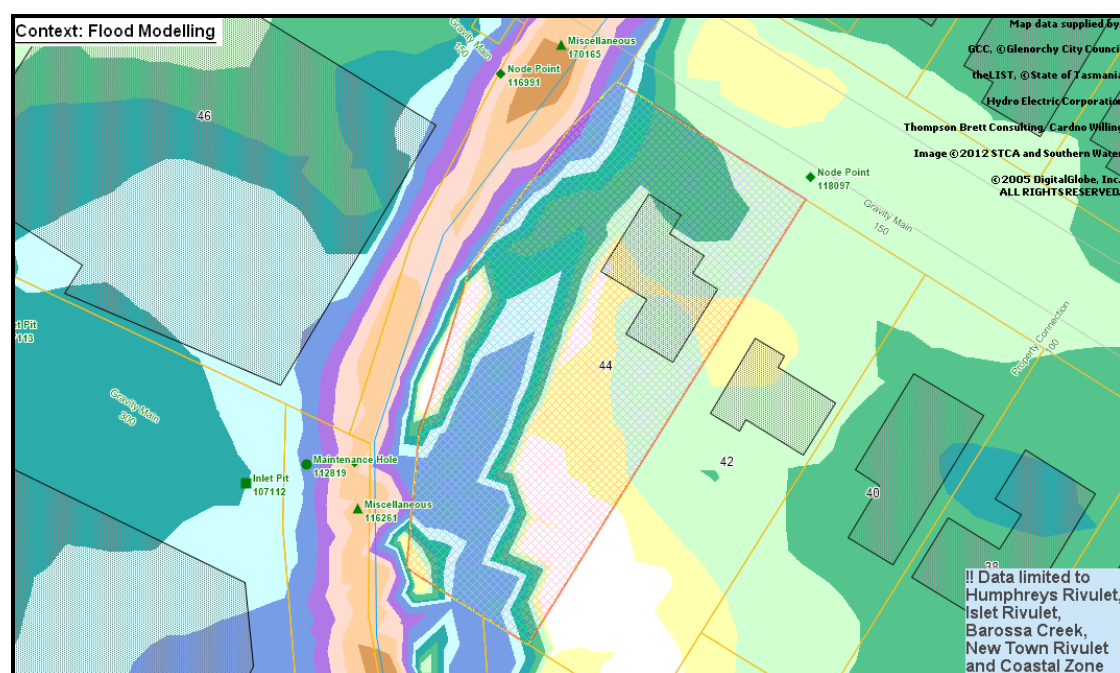


FIGURE 3: Excerpt from Exponare of Council's Inundation Overlay.

According to the submitted drawings received on 29th July 2015 and amended plans received on 12th Feb 2016, the proposed development is aiming to add two additional units, within the same lot, at the rear of an existing single dwelling (white building showing in the photos above). The existing single dwelling will be retained in the same location, and these two new units will be elevated by steel posts installed underneath the buildings to provide structural support, and to allow overland flow to pass through the site during major rainfall events.

The developer has proposed to elevate the floor level to address the concerns of flood flows entering habitable rooms, and therefore I have no objection to the 44 Grove Road redevelopment from a hydraulics engineering view point, subject to...conditions...'

Therefore, the proposal would in accordance with the Acceptable Solution set forth in Clause E15.7.4 – Standard A1, and Section E15.0 of the Scheme as can be seen in Appendix 4.

PART F: Specific Area Plans

No Specific Area Plans apply to the site.

INTERNAL REFERRALS

Development Engineer

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

Traffic, Access & Parking

Access to the development is from Grove Road. The access to the development is skewed with Grove Road and this is not expected to create any issues with turning/manoeuvring.

The development is not expected to have any significant detrimental impacts on the surrounding road network in terms of traffic efficiency or road safety.

Passing areas are proposed along the access and at the road frontage with Grove Road to comply with the Scheme. Adequate on-site turning is provided so that vehicles can exit the site in a forward direction.

The applicant is proposing seven car parking spaces. Table E6.1 of the Scheme requires six car parking spaces and seven spaces is over the 10% required under acceptable solution of Clause E6.6.1 of the Scheme. It is recommended that six car parking spaces be provided as a condition of approval, one less than the proposed seven car parking spaces.

The proposed turning area is larger than necessary for on-site turning and has the potential to be used for car parking. If a vehicle is parked within the proposed turning area this would restrict on-site turning / manoeuvring. It is recommended this be modified prior to building approval to reduce this area to provide for manoeuvring/turning only so that the area cannot be used for vehicle parking.,

GCC Services (Stormwater)

There are no GCC stormwater mains affected by this application. The existing stormwater connection servicing the property in Grove Road is a DN100 and unlikely to have capacity without internal detention being provided. The proposed development is marginal to being assessed under Glenorchy Interim Planning Scheme 2015 Clause E7.1 A2 to provide water sensitive urban design principles (stormwater treatment via bio-retention basin/swales) however, considering providing this will reduce the stormwater discharge from the site, in addition to stormwater treatment, it is recommend providing this, to comply with this clause of the scheme, be a condition of approval.

Other*Geoscience issues*

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

Flooding/Inundation issues

The proposed development backs onto Humphries Rivulet within an area of significant flooding/inundation issues. The application was referred to Council's Hydraulic Engineer for review and comments. Please refer to the Hydraulic Engineer's report for details and recommendation.

Hydraulics Engineer

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

44 Grove Road is located at the lower side of the Humphreys Rivulet catchment in Glenorchy, and the lot is adjacent to the eastern bank of the Humphreys Rivulet.

It was identified in the Humphreys Rivulet Flood Inundation and Hazard Mapping (Thompson & Brett & Cardno Willing, 2002) that the lot at 44 Grove Road is subject to riverine flooding during heavy rainfall events. It was estimated that the maximum inundation depth at such location would be up to 1.5 m above natural surface level in a 1% AEP event (map attached). In addition, part of the lot was also identified within the Medium to High Flood Hazard Area in the Flood Evacuation Management Plan and Early Warning System for CBD and Surround (BMT WBM) in 2013.

Footage found in the Council archive (recording date and rainfall intensity are unknown, but expected to be of the 1996/97 flood events) shows extensive water flowing through the lot as a result of the Rivulet having broken out from its banks further upstream, causing flooding and inundation to the property (see below).



FIGURES 4 & 5: Photographs of Site during Flooding of Humphreys Rivulet.

Given there is considerable flood risk identified in the previous flood studies and known to the Council through historical records, it is envisaged that floods will occur at this location again in the foreseeable future, and it is important that any development at this location addresses the potential inundation and flood risks.

According to the submitted drawings received on 29th July 2015 and amended plans received on 12th Feb 2016, the proposed development is aiming to add two additional dwellings, within the same lot, at the rear of an existing single dwelling (white building showing in the photos above). The existing single dwelling will be retained in the same location, and these two new dwellings will be elevated by steel posts installed underneath the buildings to provide structural support, and to allow overland flow to pass through the site during major rainfall events.

The developer has proposed to elevate the floor level to address the concerns of flood flows entering habitable rooms, and therefore I have no objection to the 44 Grove Road redevelopment from a hydraulics engineering view point, subject to the following conditions being met:

- 1. The owner is required to design, install and maintain the rear fence to achieve minimum impact on flood levels, to the satisfaction of Council's Hydraulics Engineer, and shall be subject to Council inspections in the future, and it is the owner's sole responsibility to negotiate with affected neighbouring properties regarding the design, installation and maintenance of the proposed fence.*
- 2. The minimum floor level for all habitable rooms shall be minimum 300 mm above the 1% AEP flood level.*
- 3. Prior to the issuing of the Building Permit the applicant shall enter into a registered agreement pursuant to Part 5 of the Land Use Planning and Approvals Act 1993, for the Area that Unit 2 & 3 occupies, including the building footprint, parking space, driveway and Private Open Space (POS), which is subject to this permit.*

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

a) *The Owner must not:*

- *Do or permit or suffer to be done anything which would obstruct or impede the free flow of floodwater in, over, under or through the Area in any way, without the prior consent in writing of the Council.*
- *Erect, construct or place on or within the Area or permit or suffer to be erected constructed or placed on or within the Area any building, structure, fence, retaining wall, obstruction of any nature without the prior consent in writing of the Council, or*
- *Otherwise alter or permit or suffer any alteration to the surface level of the Area without the prior consent in writing of the Council.*

b) *The Owner must:*

- *In relation to the use of the property described in Section 3(a) above, indemnify and agree to keep indemnified, the Council, without limiting any other right of the Council, from and against any claim, loss or damage (including legal costs on a full indemnity basis) which the Council may suffer due to, and/or which arises from, the damages to the building structures, driveways, vehicles parking within the Area and landscaping caused by overland flood flows through the site.*
- *Keep the Area clean and free from obstructions, rubbish and debris;*
- *Maintain and repair the Area at the sole expense of the Owner so that it functions (as an overland flow path for the free passage of floodwater) in a safe and efficient manner;*
- *Permit the Council from time to time and upon giving reasonable notice (but in the case of an emergency, at any time and without notice) to enter and inspect the Area for compliance with the requirements of this agreement;*
- *Comply with the terms of any written notice issued by the Council in respect of the requirements of this agreement within the time stated in the notice.*
- *Be in agreement that, in the event that the Owner fails to comply with any written notice from the Council as set out above, the Council may enter the lot burdened, with all necessary materials and equipment and carry out any work which the Council in its discretion considers reasonable to restore and maintain the overland flow path at the Owner's full cost.*
- *In relation to the use of the property described in Section 3(a) above, indemnify and agree to keep indemnified the Council, without limiting any other right of the Council, from and against any claim, loss or damage (including legal costs on a full indemnity basis) which the Council may suffer due to, and/or which arises from, the non-compliance with or departure from these terms above by the Owner.*

Reference List:

BMT WBM. (2013). Flood Evacuation Management Plan and Early Warning System for CBD and Surround. Brisbane: BMW WBM.

Thompson & Brett - Cardno Willing. (2002). Humphreys Rivulet Flood Inundation and Hazard Mapping. Glenorchy: Thompson & Brett - Cardno Willing.

Waste Management Officer

The proposal was referred to Council's Waste Management Officer who provided the following:

Waste Services to the proposed unit development at 44 Grove Rd Glenorchy would be Council's standard bin service collected fortnightly.

- *The Council's Standard Bin Service includes one (1) x 140L wheelie bin for Waste and one (1) x 240L wheelie bin for recycling to each of the dwelling units, collected fortnightly.*
- *Please note that this property would have a total of six (6) bins.*
- *This property has an existing kerbside/nature strip area for placement of the bins therefore the units would have their own individual bins.*
- *All bins are to be placed on the kerbside for collection.*
- *Council's Waste Management Contractor collection trucks will not enter the property to collect and empty the wheelie bins.*

EXTERNAL REFERRALS**TasWater**

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

REPRESENTATIONS

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

CONCLUSION

The proposal is for demolition, multiple dwellings (2 new and 1 existing) within 40m of a listed watercourse requiring variations to the standards of the Inner Residential Zone, the Parking and Access Code, the Waterway and Coastal Protection Code, and the Inundation Prone Areas Code at 44 Grove Road, Glenorchy.

The variations to residential density for multiple dwellings, setbacks and building envelope, private open space, and privacy are not considered to cause unreasonable overshadowing, loss of privacy or sunlight because the proposed reliance on performance criteria would be minimal. The proposed discretions are considered to accord with the standards of Clause 11.4.1 – P1, and Clause 11.4.2 – P3, Clause 11.4.3 – P2, Clause 11.4.3 – P2, Clause 11.4.6 – P1, in the Scheme.

Council's Development Engineer, and Hydraulics Engineer are supportive of the proposal subject to the recommended conditions and advice.

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 demolition, multiple dwellings (2 new and 1 existing) within 40m of a listed watercourse requiring variations to the standards of the Inner Residential Zone, the Parking and Access Code, the Waterway and Coastal Protection Code, and the Inundation Prone Areas Code at 44 Grove Road, Glenorchy subject to the following conditions:

PLANNING

1. Use and development shall be substantially in accordance with planning permit application No. PLN-15-168 and Drawing No. P3 submitted on 24 March 2016, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Appendix A, form part of this permit.
3. Fencing must be in accordance with the acceptable solution in Clause 11.4.7 – Standard A1 Frontage Fences in the Glenorchy Interim Planning Scheme 2015.
4. Access to private open space for the existing dwelling must be in accordance with the acceptable solution in Clause 11.4.3 – Standard A2 Site coverage and private open space in the Glenorchy Interim Planning Scheme 2015.
5. Waste Storage must be in accordance with the acceptable solution in Clause 11.4.8 – Standards A1 Waste Storage for Multiple Dwellings in the Glenorchy Interim Planning Scheme 2015.
6. The use/development must not start until amended plans are submitted and approved by Council's Senior Statutory Planner. The plans must be substantially in accordance with the originally lodged plans but modified to show:
 - Fencing within the front setback;
 - Access to private open space for the existing dwelling; and
 - Waste storage.

When approved, the plans will be endorsed and will then form part of the permit.

7. Windows for Dwelling 2 (lounge/dining and bedroom 3 on north-east side, and bedroom 3 on the south-east side) must be in accordance with the acceptable solution in Clause 11.4.6 – Standard A2 Privacy in the Glenorchy Interim Planning Scheme 2015.

8. Privacy screen/wall to a height of 1.7 m from the finished floor level of the car park must be constructed between the car park and the north-west (west) elevation of Dwelling 2 for bedroom 1. The privacy screen/wall must be constructed and finished with solid materials, to prevent direct overlooking of the adjacent lot.
9. Privacy screen/wall to a height of 1.7 m from the finished floor level of the landings for Dwelling 2 must be constructed on the south-east (east) elevation of the landing, and Dwelling 3 must be constructed on the south-west (south) elevation of the landing. The privacy screen/wall must be constructed and finished with solid or translucent materials (with uniform transparency of no more than 25%), to prevent direct overlooking of the adjacent lot between the height of 1m and 1.7m above floor level.
10. The privacy screens/walls must be maintained with solid materials (or translucent for the landings with uniform transparency of no more than 25%), to prevent direct overlooking of habitable rooms, balconies, decks and roof gardens on the adjacent lot and the privacy screen must remain in-situ, for the life of the dwelling.
11. Plans submitted with the building permit application must show landscaping in the form of fences, screens and/or planting to provide a satisfactory level of privacy between dwellings and open space areas to the satisfaction of Council's Senior Statutory Planner.

ENGINEERING

12. 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.
13. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
14. Detailed engineering drawings showing the driveway and manoeuvring areas, internal service lines and connections to existing infrastructure, surface drainage collection, pavement composition, finished levels and bio-retention details, must be submitted with the Building Application for approval by Council's Development Engineer.
15. To meet acceptable stormwater quality, a bio-retention basin for the treatment of stormwater discharging from the development must be incorporated into the development, in accordance with the Glenorchy Interim Planning Scheme Stormwater Management Code and be approved by Council's Development Engineer prior to the Building Approval.

Certification from a registered professional engineer must be provided prior to occupancy, that the stormwater treatment system has been constructed in accordance with the approved plans.

16. Driveways, car parking and turning areas must be constructed and sealed with an approved impervious surface treatment prior to occupancy of a second dwelling unit. All runoff from paved and driveway areas must be retained within site boundaries and discharged into Council's stormwater system. 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.
17. Six (6) clearly marked car parking spaces must be provided and kept available for these purposes at all times prior to occupancy of any of the additional dwelling units. Car parking spaces, manoeuvring areas and aisles must be provided in accordance with the Australian Standard AS 2890.1 – 2004 Off-Street Parking. In areas set aside for car parking, securely fixed wheel stops or kerbing must be provided to the satisfaction of Council to prevent damage to fences or landscaped areas. Note that minor amendments are required to the turning area and parking as shown on the proposal plan submitted with the application prior to building approval.
17. A passing bay of minimum width 5.5m and minimum length 6.0m must be provided at the road frontage of the driveway, generally as shown on the proposal plan P1 prior to occupancy of any of the additional dwelling units. A new vehicle crossing must be constructed to accommodate the 5.5m wide passing bay to Grove Road and constructed in accordance with standard drawing SD-1003 between the kerb and the property boundary. Any driveway / crossover work within Council's road reservation must be carried out by a Council approved contractor and all work must be reinstated to match the existing adjacent footpath/nature strip profile. A Property Access Works Application must be completed prior to any work being undertaken. The application is available from Council's planning department or available from Council's website at:
<http://gcc.tas.gov.au/content/Driveways.GCC?ActiveID=1304>
19. 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.

Hydraulic Engineering Conditions

20. The owner is required to design, install and maintain the rear fence to achieve minimum impact on flood levels, to the satisfaction of Council's Hydraulics Engineer, and shall be subject to Council inspections in the future, and it is the owner's sole responsibility to negotiate with affected neighbouring properties regarding the design, installation and maintenance of the proposed fence.

21. The minimum floor level for all habitable rooms shall be minimum 300 mm above the 1% AEP flood level.
22. Prior to the issuing of the Building Permit the applicant shall enter into a registered agreement pursuant to Part 5 of the Land Use Planning and Approvals Act 1993, for the Area that Unit 2 & 3 occupies, including the building footprint, parking space, driveway and Private Open Space (POS), which is subject to this permit.

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

a) The Owner must not:

- Do or permit or suffer to be done anything which would obstruct or impede the free flow of floodwater in, over, under or through the Area in any way, without the prior consent in writing of the Council.
- Erect, construct or place on or within the Area or permit or suffer to be erected constructed or placed on or within the Area any building, structure, fence, retaining wall, obstruction of any nature without the prior consent in writing of the Council, or
- Otherwise alter or permit or suffer any alteration to the surface level of the area without the prior consent in writing of the Council.

b) The Owner must:

- In relation to the use of the property described in Section 23(a) above, indemnify and agree to keep indemnified, the Council, without limiting any other right of the Council, from and against any claim, loss or damage (including legal costs on a full indemnity basis) which the Council may suffer due to, and/or which arises from, the damages to the building structures, driveways, vehicles parking within the Area and landscaping caused by overland flood flows through the site.
- Keep the Area clean and free from obstructions, rubbish and debris;
- Maintain and repair the Area at the sole expense of the Owner so that it functions (as an overland flow path for the free passage of floodwater) in a safe and efficient manner;
- Permit the Council from time to time and upon giving reasonable notice (but in the case of an emergency, at any time and without notice) to enter and inspect the Area for compliance with the requirements of this agreement;
- Comply with the terms of any written notice issued by the Council in respect of the requirements of this agreement within the time stated in the notice.

- Be in agreement that, in the event that the Owner fails to comply with any written notice from the Council as set out above, the Council may enter the lot burdened, with all necessary materials and equipment and carry out any work which the Council in its discretion considers reasonable to restore and maintain the overland flow path at the Owner's full cost.
- In relation to the use of the property described in Section 3(a) above, indemnify and agree to keep indemnified the Council, without limiting any other right of the Council, from and against any claim, loss or damage (including legal costs on a full indemnity basis) which the Council may suffer due to, and/or which arises from, the non-compliance with or departure from these terms above by the Owner.

Advice to Applicant

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

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 2000 are complied with. In addition to this planning permit, a building permit and/or plumbing permit may also be required. If further clarification is required, please contact Council's Building Section on 62166800.

APPENDIX 1

11.0 Inner Residential Zone

Standard	Acceptable Solution	Proposed	Complies?
11.4 Development Standards for Buildings and Works			
11.4.1 Residential density for multiple dwellings	A1 Multiple dwellings must have a site area per dwelling of not less than 200m ² and not more than 400m ² .	The proposed multiple dwellings would have a site area per dwelling unit of 432m ² . Compliance would require an area not less than 200m ² and not more than 400m ² , and this would result in a variation of 32m ² per dwelling unit.	Discretion. Refer to discussion in the report.
11.4.2 Setbacks and building envelope	A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is: (a) at least 3m, or, if the setback from the frontage is less than 3m, not less than the setback from the frontage of any existing dwelling on the site; (b) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street.	No details were provided for the materials or transparency of the fence within the front setback. If approved a condition has been recommended for the fence to comply.	Yes
	A2 A garage or carport must have a setback from a frontage of at least: (a) 4m, or alternatively 1m behind the façade of the dwelling; or (b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or	Not applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
	(c) 1m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage. A3 A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must: (a) be contained within a building envelope (refer to diagrams 11.4.2A, 11.4.2B, 11.4.2C and 11.4.2D) determined by: (i) a distance equal to the permitted frontage setback or, for an internal lot, a distance of 3m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 3m from the rear boundary; to a building height of not more than 9.5 m above natural ground level; and (b) only have a setback within 1.5 m of a side boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or (ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).	The proposed multiple dwellings would have a setback of 0.5m from the south-east side boundary, and 2m from the south-west rear boundary. Compliance would require the multiple dwellings to be setback of at least 1.5m from the south-east side boundary, and 4m from the south-west boundary. This would result in variations of 1m and 2m respectively.	Discretion. Refer to discussion.
11.4.3 Site coverage and private open space	A1 Dwellings must have: (a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and	Complies. The proposal will have a site coverage of approximately 28%, and a site area free from impervious surface of	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(b) for multiple dwellings, a total area of private open space of not less than 50m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and (c) a site area of which at least 25% of the site area is free from impervious surfaces.		
	A2 A dwelling must have an area of private open space that: (a) is in one location and is at least: (i) 24 m²; or (ii) 12 m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (b) has a minimum horizontal dimension of: (i) 3 m; or (ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and (d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and (e) located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of	The proposed units 2 and 3 would have access to private open space via a deck. Compliance would require the multiple dwellings to have direct access from a habitable room (other than a bedroom). This would result in variations to allow access to private open space via a deck. The existing dwelling would have private open space between the dwelling and the frontage where the frontage is approximately 32 degrees east of north. Compliance would require the private open space between the existing dwelling and frontage if the frontage is orientated between 30 degrees west of north and 30 degrees east of north. This would result in a variation of approximately 2 degrees to the east.	Discretion. Refer to discussion.

Standard	Acceptable Solution	Proposed	Complies?
	north, excluding any dwelling located behind another on the same site; and (f) has a gradient not steeper than 1 in 10; and (g) is not used for vehicle access or parking.		
11.4.4 Sunlight and overshadowing	A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west and 30 degrees east of north (see Diagram 11.4.4A).	Units 2 and 3 would have a window to a habitable room (other than a bedroom) in which there is a window that faces 32 degrees east of north. Compliance would require a window to one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west and 30 degrees east of north. This would result in a variation of approximately 2 degrees to the east.	Discretion. Refer to discussion.
	A2 A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 11.4.4A), must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 11.4.4B): (i) at a distance of 3 m from the window; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.	The multiple dwellings face approximately 32 degrees east of north.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 11.4.3, must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 11.4.4C): (i) at a distance of 3 m from the northern edge of the private open space; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.	Complies. The proposed multiple dwellings have been setback in accordance with Clause 11.4.4 – Standard 3(a) with a distance of 3m from the northern edge of the private open space, and vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.	Yes
11.4.5 Width of openings for garages and carports	A1 A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).	Not applicable.	N/A
11.4.6 Privacy for all dwellings	A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed	The proposed Unit 2 and 3 would have a deck (landing) setback of 0.5m from the south-east side boundary, and 2m from the south-west rear boundary respectively. Compliance would require the multiple dwellings to be setback of at least 3m from	Discretion. Refer to discussion.

Standard	Acceptable Solution	Proposed	Complies?
	screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: (a) side or rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the boundary; and (b) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m: (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.	the south-east side boundary, and 4m from the south-west boundary. Alternatively the proposal would require screening up to 1.7m above floor level for the deck. The proposal includes screening between 1m and 1.7m above the floor level of the deck. This would result in variations to the acceptable solution.	
	A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b): (a) the window or glazed door: (i) is to have a setback of at least 3 m from a side or rear boundary; and (ii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iii) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site. (b) the window or glazed door: (i) is to be offset, in the horizontal plane, at least 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; or	Complies. No details of windows for the existing dwelling or the adjoining dwelling were provided. However, the proposal would provide screening in accordance with the acceptable solution for the windows of Unit 2 (lounge/dining and bedrooms 3 on the north-east side, and bedroom 3 on the south-east side). If approved a condition has been recommended.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(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 (iv) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.		
	A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least: (a) 2.5 m; or (b) 1 m if: (i) it is separated by a screen of at least 1.7 m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.	Complies. The proposal has provided screening along the north-west side of Unit 2 (bedroom 1) where the windows are lower than 1.7m above natural ground level. If approved a condition has been recommended.	Yes
11.4.7 Frontage Fences	A1 A fence (including a free-standing wall) within 3 m of a frontage must have a height above natural ground level of not more than: (a) 1.2 m if the fence is solid; or (b) 1.5 m, if any part of the fence that is within 3m of a primary frontage has openings above a height of 1.2m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).	No details were provided for the materials or transparency of the fence within the front setback. If approved a condition has been recommended for the fence to comply.	Yes

Standard	Acceptable Solution	Proposed	Complies?
11.4.8 Waste Storage for multiple dwellings	A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m ² per dwelling and is within one of the following locations: (a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) in a communal storage area with an impervious surface that: (i) has a setback of at least 3 m from a frontage; and (ii) is at least 5.5 m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2m above the finished surface level of the storage area.	No details were provided for waste storage. If approved a condition has been recommended for the fence to comply.	Yes
11.4.9 Non-dwelling development	A1 Non-dwelling development must comply with all of the following acceptable solutions as if it were a dwelling: (a) 11.4.2 A1 and A3; (b) 11.4.3 A1 (a) and (c); (c) 11.4.7 A1.	Not applicable.	N/A
	A2 Non-residential garages and carports must comply with all of the following acceptable solutions as if they were ancillary to a dwelling: (a) 11.4.2 A2; (b) 11.4.5 A1.	Not applicable.	N/A
	A3 Outdoor storage areas must comply with all of the following: (a) be located behind the building line; (b) all goods and materials stored must be screened from public view; (c) not encroach upon car parking areas, driveways or landscaped area.	Not applicable.	N/A

APPENDIX 2

E6.0 Parking and Access Code

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

Standard	Acceptable Solution	Proposed	Complies?
E6.6.4 Number of Bicycle Parking Spaces	A1 The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.	Not applicable.	N/A
E 6.7 Development Standards			
E6.7.1 Number of Vehicle Accesses	A1 The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.	One.	Yes
E6.7.2 Design of Vehicular Accesses	A1 Design of vehicle access points must comply with all of the following: (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.	Complies. The proposal will widen the existing access to accommodate the passing bay.	Yes
E6.7.3 Vehicular Passing Areas Along an Access	A1 Vehicular passing areas must: (a) be provided if any of the following applies to an access: (i) it serves more than 5 car parking spaces; (ii) is more than 30 m long; (iii) it meets a road serving more than 6000 vehicles per day;	Complies. A 6 m long, 5.5 m wide passing bay has been proposed.	Yes.

Standard	Acceptable Solution	Proposed	Complies?
	(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway; (c) have the first passing area constructed at the kerb; (d) be at intervals of no more than 30 m along the access.		
E6.7.4 On-Site Turning	A1 On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following: (a) it serves no more than two dwelling units; (b) it meets a road carrying less than 6000 vehicles per day.	Complies.	Yes
E6.7.5 Layout of Parking Areas	A1 The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same Standard.	Complies.	Yes
E6.7.6 Surface Treatment of Parking Areas	A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following: (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.	Complies.	Yes
E6.7.7 Lighting of Parking Areas	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with 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

Standard	Acceptable Solution	Proposed	Complies?
E6.7.8 Landscaping of Parking Areas	A1 Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.	Not applicable.	N/A
E6.7.9 Design of Motorcycle Parking Areas	A1 The design of motorcycle parking areas must comply with all of the following: (a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) be located within 30 m of the main entrance to the building.	Not applicable.	N/A
E6.7.10 Design of Bicycle Parking Facilities	A1 The design of bicycle parking facilities must comply with all the following: (a) be provided in accordance with the requirements of Table E6.2; (b) be located within 30 m of the main entrance to the building.	Not applicable.	N/A
	A2 The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.	Not applicable.	N/A
E6.7.11 Bicycle End of Trip Facilities	A1 For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.	Not applicable.	N/A

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

APPENDIX 3

E7.0 Stormwater Management Code

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

APPENDIX 4**E15.0 Inundation Prone Areas Code**

Standard	Acceptable Solution	Proposed	Complies?
E15.6 Use Standards			
E15.6 Use Standards	A1 Change of use of a non-habitable building to a habitable building or a use involving habitable rooms must comply with all of the following: (a) floor level of habitable rooms is no less than the AHD level for the Coastal Inundation Low Hazard Area in Table E15.1; (b) floor level of habitable rooms is no less than the AHD level for the 1% AEP plus 300mm if in an area subject to riverine flooding.	Not Applicable.	N/A
E15.7 Development standards for Buildings and Works			
E15.7.1 Coastal Inundation High Hazard Areas	A1 For a habitable building, including extensions to existing habitable buildings, there is no Acceptable Solution.	Not Applicable.	N/A
	A2 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.	N/A

E15.7.2 Coastal Inundation Medium Hazard Areas	A1 For a new habitable building there is no acceptable solution	Not Applicable.	N/A
	A2 An extension to an existing habitable building must comply with one of the following: (a) new habitable rooms must comply with both of the following: (i) floor level no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1, (ii) floor area of the extension no more than 40 m ² from the date of commencement of this planning scheme; (b) new habitable rooms must be above ground floor	Not Applicable.	N/A
	A3 A non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, must have a floor area no more than 40 m ² .	Not Applicable.	N/A
E15.7.3 Coastal Inundation Low Hazard Areas	A1 A new habitable building must comply with the following: (a) floor level no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1;	Not Applicable.	N/A
	A2 An extension to a habitable building must comply with either of the following: (a) floor level of habitable rooms is no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1; (b) floor area is no more than 60 m ² .	Not Applicable.	N/A

	A3 A non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, must have a floor area no more than 60 m ² .	Not Applicable.	N/A
E15.7.4 Riverine Inundation Hazard Areas	A1 A new habitable building must have a floor level no lower than the 1% AEP (100 yr ARI) storm event plus 300 mm.	Complies. The proposed new multiple dwellings would have a floor level no lower than the 1% AEP (100 yr ARI) storm event plus 300 mm.	Yes
	A2 An extension to an existing habitable building must comply with one of the following: (a) floor level of habitable rooms is no lower than the 1% AEP (100 yr ARI) storm event plus 300 mm; (b) floor area of the extension no more than 60 m ² as at the date of commencement of this planning scheme.	Not Applicable.	N/A
	A3 The total floor area of all non-habitable buildings, outbuildings and Class 10b buildings under the Building Code of Australia, on a site must be no more than 60 m ² .	Not Applicable.	N/A
15.7.5 Riverine, Coastal Investigation Area, Low, Medium, High Inundation Hazard Areas	A1 For landfill, or solid walls greater than 5 m in length and 0.5 m in height, there is no acceptable solution.	Not Applicable.	N/A
	A2 No acceptable solution.	Not Applicable.	N/A

	A3 A land application area for onsite wastewater management must comply with all of the following: (a) horizontal separation distance from high water mark or from the top of bank of a watercourse or lake must be no less than 100 m; (b) vertical separation distance from the water table must be no less than 1.5 m.	Not Applicable.	N/A
E15.7.6 Development Dependent on a Coastal Location	A1 An extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date.	Not Applicable.	N/A
	A2 No acceptable solution	Not Applicable.	N/A
	A3 No Acceptable Solution for coastal protection works initiated by the private sector.	Not Applicable.	N/A

Attachments/Annexures

- 1** Attachment - 44 Grove Road

7. PROPOSED USE AND DEVELOPMENT - BOUNDARY ADJUSTMENT, ADHESION OF TITLES AND FIVE MULTIPLE DWELLING UNITS (RESIDENTIAL) RELYING ON PERFORMANCE CRITERIA - 5 BEAKLEY DRIVE, GLENORCHY - 70 KENBRAE AVENUE, GLENORCHY - 7 BEAKLEY DRIVE, GLENORCHY AND 9 BEAKLEY DRIVE, GLENORCHY

Author: Planning Officer (Vanessa Tomlin)

Qualified Person: Planning Officer (Vanessa Tomlin)

Property ID: 3122708

REPORT SUMMARY:

Application No.:	PLN-16-030
Applicant:	Michael Cooper & Associates
Owner:	J Bolonja, Z Bolonja and E Kalis Properties Pty Ltd
Zone:	General Residential
Use Class	Residential (multiple dwellings)
Application Status:	Discretionary
Discretions:	Relying on performance criteria of 10.4.2 and 10.4.3 and subdivision (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	20 May 2016
Existing Land Use:	Residential (Single dwelling) and vacant land
Proposal In Brief:	Boundary adjustment, adhesion of titles and five Multiple Dwelling Units (Residential) relying on performance criteria.
Representations:	0
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL:**PROPOSAL**

The proposal involves the construction of five dwellings, a boundary adjustment and the consolidation of four lots.

Proposed dwelling 1 is to be located on the south-western corner of the site and is to consist of a single, attached garage, open-plan kitchen lounge and dining area with direct access to a courtyard positioned on the south-eastern side of the dwelling, laundry, powder room, entry and stairs to the first floor. The first floor is to consist of north-facing 23.3m² deck (over the ground floor garage), family room, two bedrooms, ensuite and bathroom. Two parking spaces are adjacent to and forward of proposed dwelling 1. The maximum building height of proposed dwelling 1 is 9.36m. Proposed dwelling 1 is to be setback 2 metres from the proposed dwelling 2.

Proposed dwelling 2 is to be to the east of proposed dwelling 1. Proposed dwelling 2 is to consist of an attached single garage, entry, open-plan kitchen, dining and lounge area, with access to an 18.9m² courtyard to the south-eastern side of the dwelling unit, laundry, powder room and stairs to the first floor. The first floor is to consist of a family room with an 18.3m² north-facing deck, two bedrooms, ensuite and bathroom. The maximum building height of proposed dwelling 2 is 9.13m. Proposed dwelling 2 is to be separated by 2 metres from proposed dwelling 3.

Proposed dwelling 3 is to be positioned to the east of proposed dwelling 2 and shares the same floor plan as dwelling 2. The maximum building height of proposed dwelling 3 is 9.43m.

Proposed dwelling 4 is to consist of an entry, single, attached garage with storage, laundry, open-plan kitchen dining and lounge room with a 31.3m² north-facing courtyard and stairs to the first floor. The first floor consists of three bedrooms, an ensuite and bathroom. A parking space is directly adjacent to single garage of this dwelling. The maximum building height of proposed dwelling 4 is 10 metres.

Proposed dwelling 5 is to consist of an attached, single garage, entry, open-plan kitchen, dining and lounge area, with access to a 19m² north-facing courtyard, laundry, powder room and stairs to the first floor. The first floor consists of three bedrooms, an ensuite and bathroom. The maximum building height of proposed dwelling 5 is 7.78 metres.

All proposed dwellings have provision for 60m² of private open space. However, proposed dwellings 1, 2 and 3 do not have private open space that is one location and is least 24m², with minimum width of 4m.

Access to the site is to be provided via an existing access that is to be widened to service the proposal. Eleven parking spaces are proposed throughout the site. The proposal includes a boundary adjustment between 70 Kenbrae Avenue, 5 Beakley Drive and 7 Beakley Drive. To enable the adjustment of the boundary, the rear boundary of 70 Kenbrae Avenue (CT 22133/25) is to be adjusted and will reduce 70 Kenbrae Avenue to 658m². The remaining 375m² of 70 Kenbrae Avenue is to be added to 5 Beakley Drive (CT 162070/3) and 7 Beakley Drive (CT 162070/4).

The proposal involves the consolidation of 5 Beakley Drive, 7 Beakley Drive, 9 Beakley Drive (CT 162070/5) and the 375m² of 70 Kenbrae Avenue, to create a single lot, on which the proposed dwellings are to be constructed.

The proposal relies on the performance criteria of the setback and building envelope standard and site coverage and private outdoor space standard.

SITE and LOCALITY

The proposal site incorporates 5 Beakley Drive, 7 Beakley Drive, 9 Beakley Drive (CT 162070/5) and 70 Kenbrae Avenue, Glenorchy.

The site, is located on the south-eastern side of Beakley Drive, approximately 76m south of Jameson Street, Glenorchy. The combined area of these three lots is 1967m². The site, 70 Kenbrae Avenue is 1037m² in area and is located on the western side of Kenbrae Avenue, approximately 78m south-east of Jameson Street. The rear boundary of 70 Kenbrae Avenue borders 5 Beakley Drive and 7 Beakley Drive (Fig. 1).



Figure 1. Snapshot from Exponare (Council record) of the sites and locality

The site (specifically 7 Beakley Drive) has an average slope gradient of approximately 1 in 3.5m. The slope falls across the site from the highest point adjacent to Beakley Drive down to Kenbrae Avenue, where the slope gradient decreases to approximately 1 in 5m. An existing retaining wall, adjacent to the frontage of Beakley Drive, forms an embankment to Beakley Drive.

5 Beakley Drive, 7 Beakley Drive and 9 Beakley Drive are vacant lots and 70 Kenbrae Avenue is occupied by a single dwelling and associated outbuildings. The site is located amongst residential use and development in varying densities (single dwellings and multiple dwellings).

ZONE

General Residential (Fig. 2)

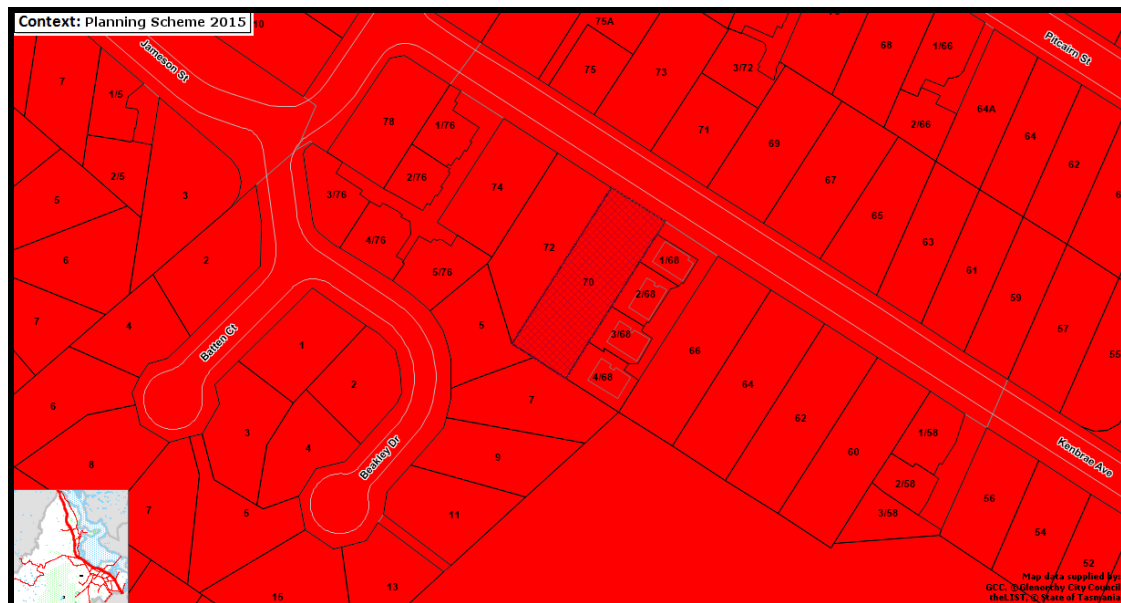


Figure 2. A snapshot of the zoning of the locality, showing the sites within the General Residential Zone.

BACKGROUND

There is no background information on file relevant to the assessment of this application for the properties of 5 Beakley Drive, Glenorchy, 7 Beakley Drive, Glenorchy, 9 Beakley Drive, Glenorchy and 70 Kenbrae Avenue, Glenorchy.

For the purpose of the assessment of the proposal, the rear boundary of the unusually shaped lot is the south-eastern boundary of 7 and 9 Beakley Drive, the north-eastern boundary of the land to be excised from 70 Kenbrae Avenue and the north-eastern boundary of 5 Beakley Drive (Fig. 3).



Figure 3. Excerpt from the submitted plans, showing the rear boundaries of the proposal site in red.

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?)

There are no SAP or Code provisions that override the Zone provisions in the assessment of this application.

Use Class Description (Table 8.2):

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

Other relevant definitions (Clause 4.1):

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

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

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

Multiple Dwellings means two or more dwellings on a site.

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

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

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

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

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

- (a) a lease of a building or of the land belonging to and contiguous to a building between the occupiers of that building;
- (b) a lease of airspace around or above a building;

- (c) a lease of a term not exceeding 10 years or for a term not capable of exceeding 10 years;
- (d) the creation of a lot on a strata scheme or a staged development scheme under the Strata Titles Act 1998; or
- (e) an order adhering existing parcels of land.

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

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

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

Building area means the area shown on a plan or plan of subdivision to indicate where all buildings will be located.

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

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.

Building envelope means the three-dimensional space within which buildings are to occur.

Part C: Special Provisions

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

Adjustment of a Boundary

A special provision for the adjustment of boundaries is provided for in Clause 9.3 of this Part. Pursuant to Clause 9.3.1, the special provision allows for the consideration of a boundary adjustment to be permitted if no additional lots are created; there is only minor change to the relative size, shape and orientation of the existing lots; no setback from an existing building will be reduced below the applicable minimum setback requirement no frontage is reduced below the applicable minimum frontage requirement; and no lot boundary that aligns with a zone boundary will be changed.

The proposed boundary to be adjusted is the rear boundary of 70 Kenbrae Avenue (CT 22133/25). This boundary abuts 5 Beakley Drive (CT 162070/3) and 7 Beakley Drive (CT 162070/4). The proposal includes the consolidation of 5 Beakley Drive, 7 Beakley Drive and 9 Beakley Drive (CT 162070/5). The proposed boundary adjustment involves the excise of 378m² from 70 Kenbrae Avenue. This land would be adhered to the consolidated titles of 5 Beakley Drive, 7 Beakley Drive and 9 Beakley Drive, Glenorchy. No new lots would be created.

Considering that 378m², which equates to 36% of 70 Kenbrae Avenue, is to be excised, it is assessed that the boundary adjustment is not minor, in respect of the relative size of existing lots. As such, the proposed boundary adjustment is discretionary.

Subdivision

In accordance with Clause 9.7.2 development involving subdivision is discretionary, unless for a boundary adjustment in accordance with 9.3.1; the subdivision is prohibited in accordance with clause 8.9; or the plan of subdivision must not be approved under section 84 Local Government (Building and Miscellaneous Provisions) Act 1993.

In view of the proposed boundary adjustment being assessed as not in accordance with Clause 9.3.1, the proposal is discretionary and the relevant subdivision standards prevail.

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 Statement

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

The proposal is assessed as consistent with the Zone Purpose Statement.

Use Table

Residential (multiple dwellings) is a permitted use class in table 10.2. However, the proposal involves discretionary consideration for the subdivision (boundary adjustment) and relies on performance criteria of the setback and building envelope standard and site coverage and private outdoor space standard. The proposal is discretionary.

Use Standards

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

Development Standards for Residential Buildings & Works

The proposed development complies with all relevant development standards as can be seen in Appendix 1, except for the following:

Setbacks and building envelope for all dwellings

The proposal relies on performance criteria A3 of the setbacks and building envelope for all dwellings standard, Clause 10.4.2 owing to the proposed multiple dwellings being outside the prescribed building envelope.

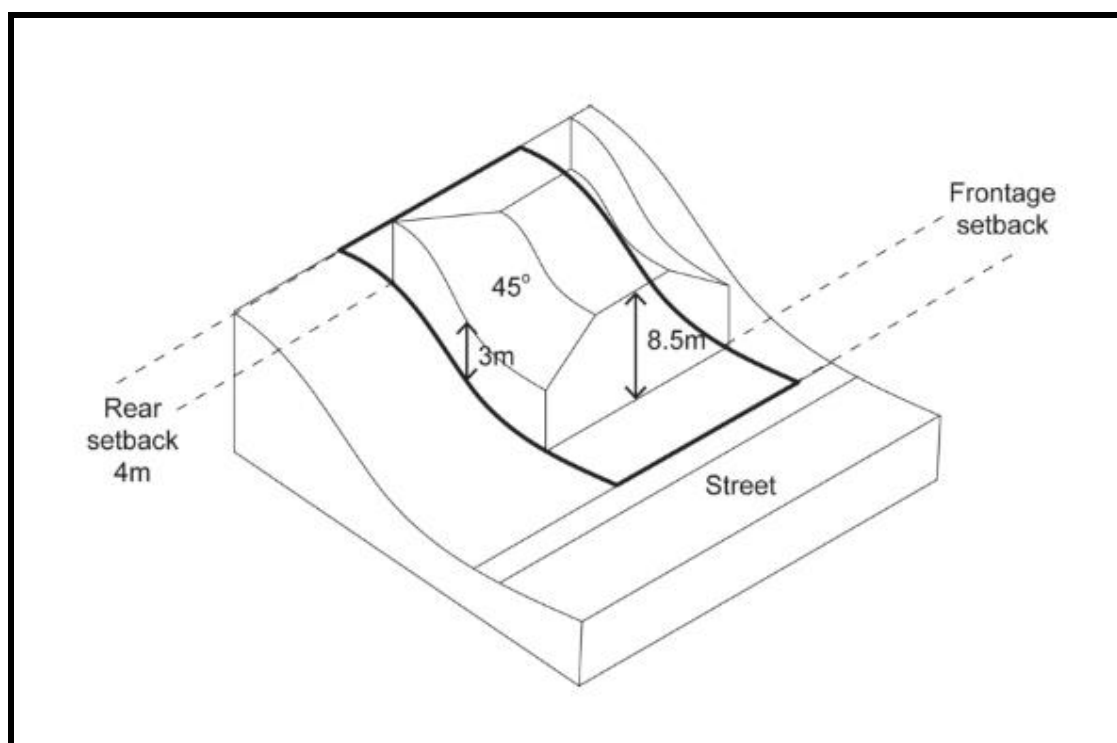


Figure 4. An excerpt from the Glenorchy Interim Planning Scheme 2015 of Diagram 10.4.2B Building envelope for sloping sites as required by subclause 10.4.2 A3(a)

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

The objective of the standard is to control the siting and scale of dwellings to provide reasonably consistent separation between dwellings on adjacent sites and a dwelling and its frontage; and assist in the attenuation of traffic noise or any other detrimental impacts from roads with high traffic volumes; and provide consistency in the apparent scale, bulk, massing and proportion of dwellings; and provide separation between dwellings on adjacent sites to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.

The south-eastern elevation of proposed dwelling unit 1 extends outside the vertical building envelope (Fig. 5).

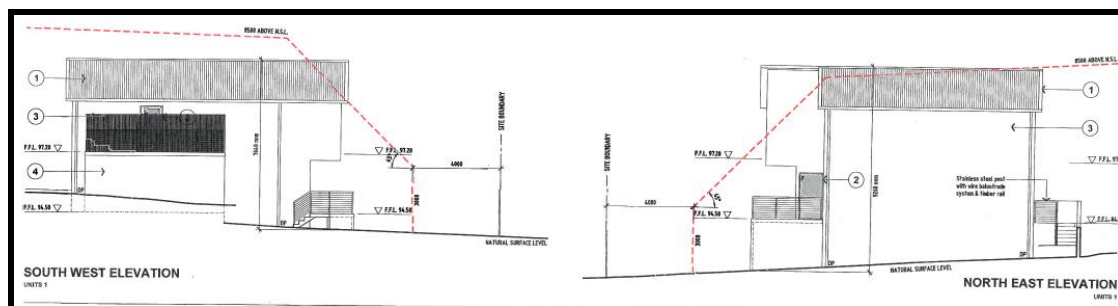


Figure 5. An excerpt from the submitted plans showing the extent of the building protruding outside the building envelope.

Shadow diagrams demonstrate that the adjoining property would not be unreasonably overshadowed. Proposed dwelling 1 is to be setback more than 4 metres from the rear boundary and is considered to be adequately separated from the adjoining vacant lot. Proposed dwelling 1 is assessed as satisfying the performance criteria.

Proposed dwellings 2 and 3 extend outside vertical building envelope and are setback less than 4 metres from the south-eastern rear boundary. The north-western elevation of proposed dwellings 2 and 3 are to sit within the vertical building envelope. However, as the site slopes away, the south-eastern elevations of these dwellings, adjacent to the rear boundary, extend outside of the building envelope. It is noted that the elevated ground-floor courtyards are to be setback 3 metres from the rear boundary setback (Fig. 6).

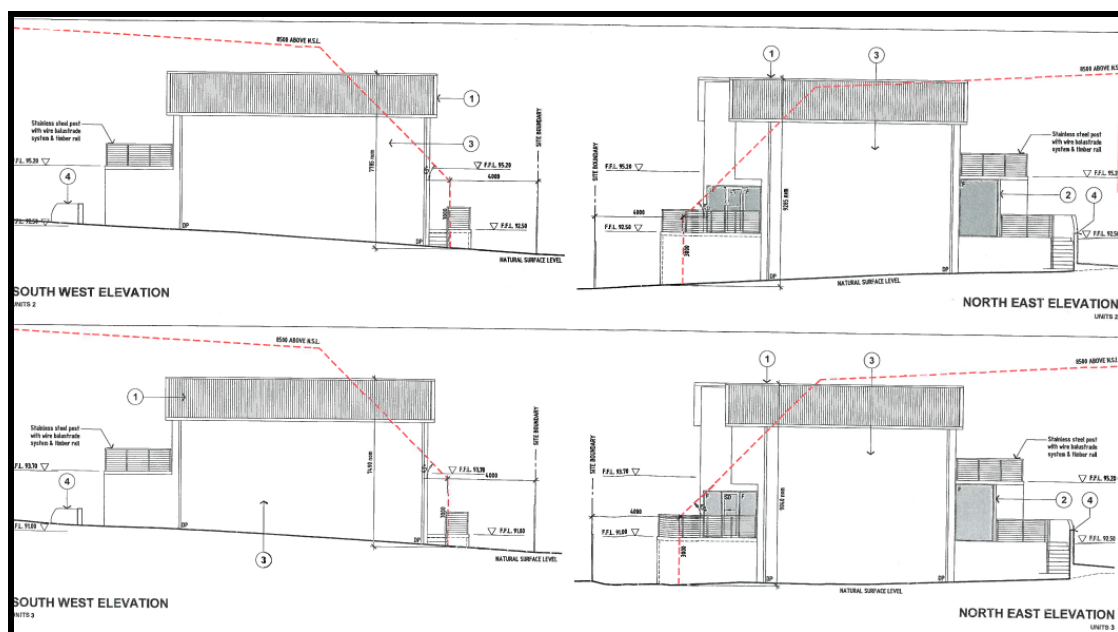


Figure 6. An excerpt from the submitted plans showing the extent of proposed dwelling units 2 and 3 protruding outside the building envelope.

Landscaping in the form of trees and shrubs is proposed along the rear boundary adjacent to dwellings 1, 2 and 3. The submitted shadow diagrams demonstrate that the proposed dwellings would not unreasonably overshadow the neighbouring properties. Given the vegetative screening and the lack of overshadowing of the neighbouring properties, the proposal is assessed as not causing an unreasonable loss of amenity through siting or scale.

Proposed dwelling 4 is to extend outside the vertical building envelope. Owing to the slope, proposed dwelling 4 is to have a maximum height of 10 metres. However, proposed dwelling 4 is assessed as not unreasonably overshadowing the neighbouring lots and landscaping in the form of trees and shrubs is to be utilised to minimise the visual impact of the proposed dwelling, when viewed from the neighbouring site. Proposed dwelling 4 is assessed as satisfying the performance criteria.

The north-eastern elevation of proposed dwelling 5 sits outside the vertical building envelope. The submitted shadow diagrams show no unreasonable overshadowing of the neighbouring lot (Fig. 7).



Figure 7. The submitted shadow diagrams demonstrating the extent of potential shadowing cast from the proposed dwelling units.

Proposed dwelling unit 5 is to be setback 4m from the rear boundary and is considered to be adequately separated from the neighbouring lot. Proposed dwelling 5 is assessed as satisfying the performance criteria.

The proposed dwellings are assessed as satisfying the performance criteria. Accordingly, the proposal is assessed as complying with the standard.

Site coverage and private open space for all dwellings

Proposed dwellings 1, 2 and 3 do not provide direct access to private open space that is in one location, with a minimum width of 4m. The proposal relies on performance criteria P2. Performance criteria P2 requires a dwelling to have private open space that 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 conveniently located in relation to a living area of the dwelling; and orientated to take advantage of sunlight.

The private open space for proposed dwelling 1 is to be a 3.7m by 6.3m roof-top deck and a 17m² courtyard to the rear of the dwelling. Dwellings 2 and 3 each have direct access to a 19m² rear courtyard and an 18.3m² north-facing deck, which may serve as extension of the dwelling for outdoor relaxation, dining, entertaining and children's play. The proposal is assessed as satisfying the performance criteria by providing private open space that is conveniently located and orientated to take advantage of sunlight. The proposal complies with the standard.

Development Standards for Subdivisions

The proposed boundary adjustment is assessed as satisfying the acceptable solutions and complies with the subdivision standards.

The consolidation of the lots is an adhesion order, which must be in accordance with s110 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*. The purpose of the adhesion order is to prevent the lots from coming into the possession of different persons, when a building straddles the title boundaries of the lots involved. The proposed adhesion order is assessed as satisfying the requirements of s110.

Part E: Codes

The following codes of the Scheme apply to this proposal:

Parking and Access Code

Council's Development Engineer has reviewed the proposal and has concluded that the proposal complies with the standards of the Parking and Access Code (see Appendix 2). Conditions of approval have been recommended.

Stormwater Management Code

The proposal is assessed as complying with the standards (see Appendix 3) and condition of approval are recommended.

PART F: Specific Area Plans

No Specific Area Plan applies to the sites or the proposal.

INTERNAL REFERRALS

Development Engineer

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

Traffic, Access & Parking

Access to the development is from Beakley Drive. The development is not expected to have any significant detrimental impacts on the surrounding road network in terms of traffic efficiency or road safety.

The applicant is proposing eleven car parking spaces. This complies with the minimum requirement of Table E6.1 and is not in excess of 10% under acceptable solution of Clause E6.6.1 of the Glenorchy Interim Planning Scheme 2015.

A passing area is proposed at the road frontage with Beakley Drive and opportunities along the access that complies with the Glenorchy Interim Planning Scheme 2015. Adequate on-site turning is provided so that vehicles can exit the site in a forward direction.

GCC Services (Stormwater)

A single new stormwater connection is proposed to be constructed to the existing stormwater main at the rear of the development. This will provide a single stormwater connection once the boundary adjustment and adherence of the lots is complete. It is recommended this be undertaken prior to sealing the final plan of survey.

The proposed development is providing water sensitive urban design principles (stormwater treatment via bio-retention basin/swales) as required under Glenorchy Interim Planning Scheme 2015 Clause E7.1 A2. It is recommended Certification from a registered professional engineer be provided prior to occupancy, that the stormwater treatment system has been constructed in accordance with the approved plans.

Other

Geoscience issues

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

Flooding/Inundation issues

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

Waste Management Officer

Council's Waste management Officer has made the following comments and recommended advice.

Waste Services to the proposed unit development at the 5, 7, 9 Beakley Drive & 70 Kenbrae Ave Glenorchy would be Council's standard bin service collected fortnightly

EXTERNAL REFERRALS

TasWater

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

REPRESENTATIONS

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

CONCLUSION

The proposal is relying on the performance criteria to comply with the setback and building envelope standard and site coverage and private outdoor space standard. The proposal is assessed as satisfying the performance criteria and complies with the setback and building envelope standard and site coverage and private outdoor space standard. The proposal is assessed as complying with all other use and development standards in the General Residential Zone, as well as the relevant standards of the Parking and Access Code and Stormwater Management Code. The application was publicly advertised for the statutory 14-day period and no representations were received.

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

Recommendation:

That a permit be granted for the proposed use and development of Boundary adjustment, adhesion of titles and five Multiple Dwellings (Residential) relying on performance criteria at 5 Beakley Drive, Glenorchy - 70 Kenbrae Avenue, Glenorchy 7 Beakley Drive, Glenorchy and 9 Beakley Drive, Glenorchy subject to the following conditions:

Planning

1. Use and development shall be substantially in accordance with planning permit application No. PLN-16-030 and Drawing No. P4 submitted on 5 April 2016, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Appendix A, form part of this permit.
3. Landscaping works, as shown on the endorsed plans must be completed within six months from issue of Certificate of Occupancy to the satisfaction of Council's Senior Statutory Planner and then maintained to the satisfaction of Council's Senior Statutory Planner.
4. The communal storage area, as shown on the endorsed plans must be constructed prior to the Certificate of Occupancy, to the satisfaction of Council's Senior Statutory Planner.

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. Prior to sealing the final plan of survey, a stormwater connection must be constructed to the existing stormwater main at the rear of the development and all redundant stormwater connections shall be cut and sealed by Council at the developer's cost.
8. An original and two copies of each of the Plan of Survey and Schedule of Easements shall be submitted to Council for sealing for the boundary adjustment and adhesion of titles prior to building approval.
9. Detailed engineering drawings showing the driveway and manoeuvring areas, internal service lines and connections to existing infrastructure, surface drainage collection, pavement composition, finished levels and bio-retention details, must be submitted with the Building Application for approval by Council's Development Engineer.
10. To meet acceptable stormwater quality, a bio retention basin for the treatment of stormwater discharging from the development must be incorporated into the development generally as shown on the proposal plan, in accordance with the Glenorchy Interim Planning Scheme Stormwater Management Code and be approved by Council's Development Engineer prior to the Building Approval. Certification from a registered professional engineer must be provided prior to occupancy, that the stormwater treatment system has been constructed in accordance with the approved plans.
11. Driveways, car parking and turning areas must be constructed and sealed with an approved impervious surface treatment prior to occupancy of the dwelling units. All runoff from paved and driveway areas must be retained within site boundaries and discharged into Council's stormwater system. 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.
12. Eleven (11) clearly marked car parking spaces must be provided and kept available for these purposes at all times prior to occupancy of any of the dwelling units. Car parking spaces, manoeuvring areas and aisles must be provided in accordance with the Australian Standard AS 2890.1 – 2004 Off-Street Parking. In areas set aside for car parking, securely fixed wheel stops or kerbing must be provided to the satisfaction of Council to prevent damage to fences or landscaped areas.
13. A passing bay of minimum width 5.5m and minimum length 6.0m must be provided at the road frontage of the driveway, generally as shown on the proposal plan P1 prior to occupancy of any of the additional dwelling units. A new vehicle crossing must be constructed to accommodate the 5.5m wide passing bay to Grove Road and constructed in accordance with standard drawing SD-1003 between the kerb and the property boundary. Any driveway / crossover work within Council's road reservation must be carried out by a Council approved contractor and all work must be reinstated to match the existing adjacent footpath/nature strip profile. A Property Access Works Application must be completed prior to any work being undertaken. The application is available from Council's planning department or available from Council's website at:
<http://gcc.tas.gov.au/content/Driveways.GCC?ActiveID=1304>

14. Building works must be maintained at a minimum horizontal clearance of one (1.0) metre from any Council services. It shall be the developer's responsibility to accurately determine the location of easements and existing services.
- 15 All internal hydraulic service works required for the development shall be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor.

Advice to Applicant

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

- The developer is required to contact Council's Development Technical Officer on (03) 62166426 to organise for Council to provide an estimate of costs for a stormwater connection to the rear of the development and sealing of the redundant stormwater connections.
- The Council's Standard Bin Service includes one (1) x 140L wheelie bin for Waste and one (1) x 240L wheelie bin for recycling to each of the dwelling units, collected fortnightly. Please note that this property would have a total of twelve (12) bins, includes the existing wheelie bins at 70 Kenbrae Ave Glenorchy. This property has an existing kerbside/nature strip area for placement of the bins therefore the units would have their own individual bins. All bins are to be placed on the kerbside for collection. Council's Waste Management Contractor collection trucks will not enter the property to collect and empty the wheelie bins.
- Other Permits and approvals

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 2000 are complied with. In addition to this planning permit, a building permit and/or plumbing permit may also be required. If further clarification is required, please contact Council's Building Section on 62166800.

Appendix 1

10.0 General Residential Zone.

Standard	Acceptable Solution	Proposed	Complies?
10.4 Development Standards for Residential Buildings and Works			
10.4.1 Residential density for multiple dwellings.	A1 Multiple dwellings must have a site area per dwelling of not less than: (a) 325m ² ; or (b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.	The site is 2345m ² and complies with the acceptable solution.	Yes
10.4.2 Setbacks and building envelopes for all dwellings:	A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is: (e) 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 (f) 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 (g) 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 proposed dwellings are to be setback more than 4.5m from the primary frontage	Yes

	(h) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.		
	A2 A garage or carport must have a setback from a primary frontage of at least: (a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or (b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.	All proposed dwellings contain a garage. These garages are setback more than 5.5m from the frontage.	Yes
	A3 A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must: (c) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by: (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and (d) only have a setback within 1.5 m of a side boundary if the dwelling:	Dwelling 1 – the rear corner of the garage with deck over is to be setback a minimum of 1.5m from the side boundary. The stairs and rear courtyard are within 1.5m of the side boundary. The garage with deck over, the stair and courtyard structures fit within the building envelope as described in (a) and (b). However, the maximum height of Dwelling 1 is 9.2m and exceeds the height requirement. Dwelling 2 – the ground floor courtyard has a maximum height of 3.9m (including privacy screen) and setback 3m from the side boundary. This element does not comply with the standard. The maximum height of Dwelling 2 is 9.1m and exceeds the height requirement. Dwelling 3 - the ground floor courtyard has a maximum height of 4.2m (including privacy screen) and setback 3m from the side boundary. This element does not comply with the standard. The maximum height of Dwelling 2 is 9m and exceeds the height requirement. Dwelling 4 – exceeds the height requirement of	No

	(v) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or (vi) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).	the standard. Dwelling 5 – exceeds the height requirement adjacent to the rear boundary.	
10.4.3 Site coverage and private open space for all dwellings	A1 Dwellings must have: (b) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and (c) for multiple dwellings, a total area of private open space of not less than 60 m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) a site area of which at least 25% of the site area is free from impervious surfaces.	The site coverage is not more than 50%. The multiple dwellings provide 60m² of private open space.	Yes
	A2 A dwelling must have an area of private open space that: (a) is in one location and is at least: (i) 24 m²; or (ii) 12 m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (b) has a minimum horizontal dimension of: (i) 4 m; or (ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and	Proposed dwellings 4 and 5 are assessed as complying with the acceptable solution. However, proposed dwellings do not provide direct access to private open space that is provided in one location with a minimum width of 4m.	No

	(d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and (e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and (f) has a gradient not steeper than 1 in 10; and (g) is not used for vehicle access or parking.		
10.4.4 Sunlight and overshadowing of all dwellings	A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).	Each dwelling has a window to a habitable room other than a bedroom	Yes
	A2 A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B): (i) at a distance of 3 m from the window; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or	Dwelling 2 is north of Dwelling 1 and Dwelling 3 is north of Dwelling 2. However, the respective units are not north of the window(s) of the habitable room which faces between 30 degrees west of north and 30 degrees east of north	Yes

	(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.		
	A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C): (i) at a distance of 3 m from the northern edge of the private open space; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.	The proposal does not include private open space of one dwelling north of another.	Yes
10.4.5 Width of openings for garages and carports for all dwellings	A1 A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).	All proposed garages within 12m of the frontage are to be single garages, less than 6m in width.	Yes
10.4.6 Privacy for all dwellings	A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a	The proposal includes privacy screening to all decks that are to be within 3m of the side boundary and 4m of the rear boundary, with a floor level more than 1m above natural ground level	Yes

	height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary; and (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4 m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m: (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.		
	A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b): (a) The window or glazed door: (i) is to have a setback of at least 3 m from a side boundary; and (ii) is to have a setback of at least 4 m from a rear boundary; and (iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site. (b) The window or glazed door:	The proposal satisfies (b)(i), as all windows and glazed doors are offset, in the horizontal plane, to a window or door to a habitable room of another dwelling.	Yes

	(i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.		
	A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least: (a) 2.5 m; or (b) 1 m if: (i) it is separated by a screen of at least 1.7 m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.	The driveway or parking spaces, other than those allocated to that dwelling, are separated from habitable rooms by more than 1m.	Yes
10.4.7 Frontage Fences for all dwellings	A1 A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than: (c) 1.2 m if the fence is solid; or (d) 1.8 m, if any part of the fence that is within 4.5 m of a primary frontage has openings above a height of 1.2 m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).	No frontage fences are proposed	NA

10.4.8 Waste Storage for multiple dwellings.	A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m ² per dwelling and is within one of the following locations: (a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) in a communal storage area with an impervious surface that: (i) has a setback of at least 4.5 m from a frontage; and (ii) is at least 5.5 m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2 m above the finished surface level of the storage area.	A communal storage area is proposed. A condition is recommended accordingly.	Yes
10.6 Development Standards for Subdivision			
10.6.1 Lot Design	A1 The size of each lot must comply with the minimum and maximum lot sizes specified in Table 10.1, except if for public open space, a riparian or littoral reserve or utilities.	The boundary adjustment achieves the minimum (450m ²) and maximum lot sizes (1000m ²). Considering the consolidation of the lots involves the creation of no new lots, the maximum lot size for the consolidated lots (5,7 and 9 Beakley Drive, plus the excised land from 70 Kenbrae Avenue) is not applicable.	Yes
	A2 The design of each lot must provide a minimum building area that is rectangular in shape and complies with all of the following, except if for public open space, a riparian or littoral reserve or utilities: (a) clear of the frontage, side and rear boundary setbacks; (b) not subject to any codes in this planning scheme; (c) clear of title restrictions such as easements and restrictive covenants; (d) has an average slope of no more than 1 in 5;	Noting that no new lots are to be created, the proposed re-configuration/consolidation of the existing lots is assessed as having the capacity to provide 10m x 15m building areas that are clear of the frontage, side and rear boundary's. The proposed consolidated lots are not subject to any code and a building area can be designed to be clear of title restrictions; and the long axis of the building area could face north or within 20 degrees west or 30 degrees east of north. The slope is no more than 1 in 5.	Yes

	(e) the long axis of the building area faces north or within 20 degrees west or 30 degrees east of north; (f) is 10 m x 15 m in size.		
	A3 The frontage for each lot must comply with the minimum and maximum frontage specified in Table 10.2, except if for public open space, a riparian or littoral reserve or utilities or if an internal lot.	The minimum frontage is 15m and there is not a maximum frontage. The proposal complies with the frontage requirement.	Yes
	A4 No lot is an internal lot.	No internal lots are proposed. Not applicable standard	NA
	A5 Subdivision is for no more than 3 lots.	Not applicable standard	NA
10.6.2 Roads.	A1 The subdivision includes no new road.	No new road is proposed	NA
10.6.3 Ways and Public Open Space.	A1 No Acceptable Solution.	No new lots are to be created and public open space is not required. Not applicable standard	NA
10.6.4 Services.	A1 Each lot must be connected to a reticulated potable water supply.	TasWater is in support of the proposal	Yes
	A2 Each lot must be connected to a reticulated sewerage system.	TasWater is in support of the proposal	Yes
	A3 Each lot must be connected to a stormwater system able to service the building area by gravity.	The proposal has the capacity to connect to a gravity feed stormwater system. A condition of approval is recommended	Yes
	A4 The subdivision includes no new road.	Not an applicable standard	NA

Appendix 2

E6.0 Parking and Access Code

STANDARD	ACCEPTABLE SOLUTION	PROPOSED	COMPLIES
Use Standards			
E6.6.1 Number of Car Parking Spaces	A1 The number of on-site car parking spaces must be: (c) no less than the number specified in Table E6.1 and no more than 10% greater than that number; except if: (i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (ii) this provision was not used in this planning scheme.	11 Proposed	Yes
E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability	A1 Car parking spaces provided for people with a disability must: (a) satisfy the relevant provisions of the Building Code of Australia; (b) be incorporated into the overall car park design; (c) be located as close as practicable to the building entrance.	Not an applicable standard	N/A
E6.6.3 Number of Motorcycle Parking Spaces	A1 The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.	Not an applicable standard	N/A
Development Standards			
E6.7.1 Number of Vehicle Accesses	A1 The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.	Not an applicable standard	N/A

STANDARD	ACCEPTABLE SOLUTION	PROPOSED	COMPLIES
E6.7.2 Design of Vehicular Accesses	A1 Design of vehicle access points must comply with all of the following: (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (d) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.		Yes - conditioned
E6.7.3 Vehicular Passing Areas Along an Access	A1 Vehicular passing areas must: (a) be provided if any of the following applies to an access: (i) it serves more than 5 car parking spaces; (ii) is more than 30 m long; (iii) it meets a road serving more than 6000 vehicles per day; (b) be 6 m long, 5.5 m wide, and taper to the width of the driveway; (c) have the first passing area constructed at the kerb; (d) be at intervals of no more than 30 m along the access.		Yes - conditioned
E6.7.4 On-Site Turning	A1 On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following: (a) it serves no more than two dwelling units; (b) it meets a road carrying less than 6000 vehicles per day.		Yes
E6.7.5 Layout of Parking Areas	A1 The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same		Yes - conditioned

STANDARD	ACCEPTABLE SOLUTION	PROPOSED	COMPLIES
	Standard.		
E6.7.6 Surface Treatment of Parking Areas	A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following; (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.		Yes - conditioned
E6.7.7 Lighting of Parking Areas	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.	Not an applicable standard	
E6.7.8 Landscaping of Parking Areas	A1 Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.	Not an applicable standard	
E6.7.9 Design of Motorcycle Parking Areas	A1 The design of motorcycle parking areas must comply with all of the following: (a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) be located within 30 m of the main entrance to the building.	Not an applicable standard	
E6.7.10 Design of Bicycle Parking Facilities	A1 The design of bicycle parking facilities must comply with all the following; (a) be provided in accordance with the requirements of Table E6.2; (b) be located within 30 m of the main entrance to the building.	Not an applicable standard	

STANDARD	ACCEPTABLE SOLUTION	PROPOSED	COMPLIES
	A2 The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.		
E6.7.11 Bicycle End of Trip Facilities	A1 For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.	Not an applicable standard	
E6.7.12 Siting of Car Parking	A1 Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.	Not an applicable standard	NA
E6.7.1.13 Facilities for Commercial Vehicles	A1 Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless: (a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site; (b) the use is not primarily dependent on outward delivery of goods from the site.	Not an applicable standard	
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements of the road authority.		Yes

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

Standard	Acceptable Solution	Proposed	Complies?
E7.7.1 Stormwater Drainage and Disposal	A1 Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.		Yes - conditioned
	A2 A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply: (d) the size of new impervious area is more than 600 m ² ; (e) new car parking is provided for more than 6 cars; (f) a subdivision is for more than 5 lots.		Yes - conditioned
	A3 A minor stormwater drainage system must be designed to comply with all of the following: (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed; (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.	Not an applicable standard	
	A4 A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.	Not an applicable standard	

Attachments/Annexures

- 1** Attachment - Beakley Drive

8. PROPOSED USE AND DEVELOPMENT - RESIDENTIAL (MULTIPLE DWELLINGS) RELYING ON PERFORMANCE CRITERIA - 356A BROOKER HIGHWAY, MOONAH

Author: Planning Officer (Vanessa Tomlin)

Qualified Person: Planning Officer (Vanessa Tomlin)

Property ID: 5408590

REPORT SUMMARY:

Application No.:	PLN-16-049
Applicant:	Pinnacle Drafting & Design
Owner:	L M Webberley
Zone:	General Residential
Use Class	Residential (multiple dwellings)
Application Status:	Discretionary
Discretions:	Setbacks and building envelope standard, site coverage and private outdoor space standard (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	3 June 2016
Existing Land Use:	Vacant land
Representations:	0
Recommendation:	Approval subject to conditions

REPORT IN DETAIL:**PROPOSAL**

The proposal involves the construction of four dwelling, where two dwelling (proposed dwelling 1 and 2) are to be detached and the other two dwelling (proposed dwelling 3 and 4) are designed to be semi-detached.

Proposed dwelling unit 1 is to be setback 5m from the frontage and is to consist of a single attached garage, laundry, three bedrooms bathroom, entry and open-plan kitchen, living and dining area, with access to a 4.5m² deck. The proposed deck is to be 0.82m above natural ground level and includes stairs to the remaining private outdoor space. A parking space is adjacent to the dwelling and is positioned forward of the building line of dwelling 1. The shared driveway to the remaining dwelling is to be within 1m of the living room of proposed dwelling 1. Two parking spaces and a 1.5m high retaining wall separate proposed dwelling 1 from proposed dwelling 2.

Proposed dwelling 2 is to contain two bedrooms, bathroom, open plan kitchen living and dining area, entry and a single garage with laundry. The living area opens out on to the north facing private outdoor space. Proposed dwelling 2 is to be setback 1.82m from the rear boundary. A car parking space separates proposed dwelling 2 from proposed dwelling 3.

Proposed dwelling 3 is to be setback 2.12m from the rear boundary and is to be setback less than 2.5m from the shared driveway. A fixed timber screen to a height of 1.7m is designed to screen the kitchen of proposed dwelling 3 from the shared driveway, as is vegetative screening to bedroom 1. Proposed dwelling 3 includes two bedrooms, bathroom, entry, open plan kitchen living and dining area, with access to the private outdoor space and a single garage with laundry. The garage wall is shared by proposed dwelling 4.

Proposed dwelling 4 consists of an entry, two bedrooms, bathroom, laundry, a single attached garage and open plan kitchen, living and dining area, with access to the private outdoor space. The landing, which provides access to the private outdoor space is to have a rear boundary setback of 1.72m and is to be 0.98m above natural ground level. The proposed dwelling is to be setback 2.38m from the rear boundary.

Landscaping is proposed throughout the site. Vegetative screening is proposed along the frontage and adjacent to bedroom 1 of proposed dwelling 3. Each dwelling is to have a 1.5m² storage area for the waste and recycling bins.

The proposal relies on the performance criteria of the setbacks and building envelope standard and the site coverage and private outdoor space standard.

SITE and LOCALITY

The site is located on the northern side of Bayswater Road, approximately 102m east of Fletcher Avenue, Moonah. The site is 'L' shaped, with approximately 17m of frontage to Bayswater Road and an area of 1379m². The site is situated within a row of existing dwellings and is within 50m of the Brooker Highway (Fig.1).



Figure 1. An aerial view of the site and surrounds, Council's Record, Exponare.

ZONE

The site is situated within the General Residential Zone (red), with the Recreation Zone (AYC Netball Centre) (green) across the road and the Utility Zone (Brooker Highway) (yellow) to the east of the site (Fig. 2).

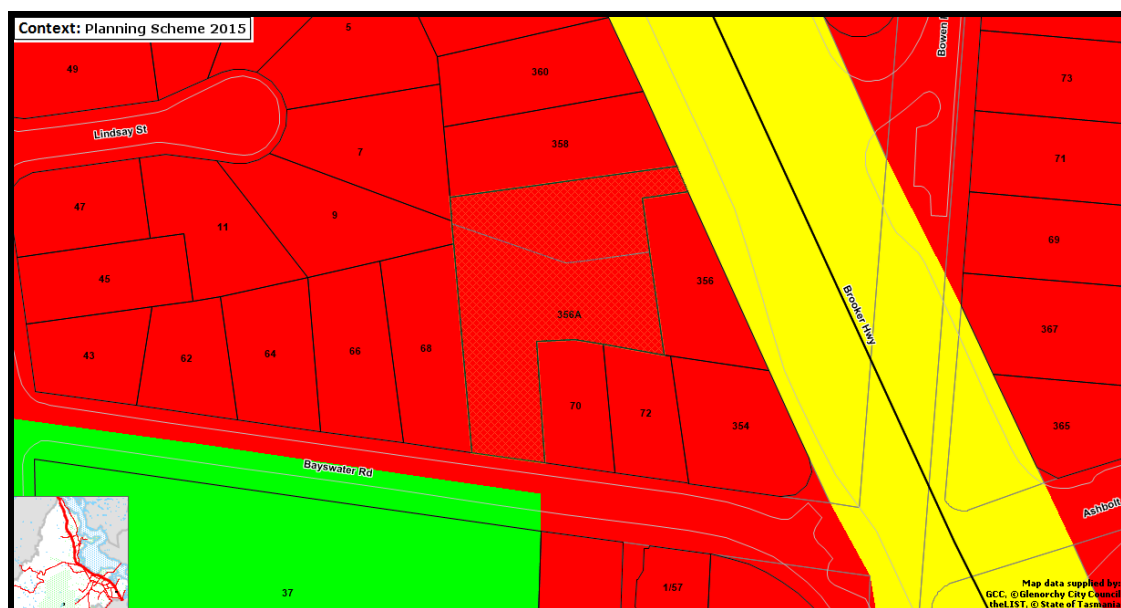


Figure 2. A snapshot of the zoned area, Council record, Exponare.

BACKGROUND

PLN-04-02864 Boundary adjustment, approved 04/11/04. This permit lapsed.

PLN-14-083 Boundary adjustment creating no new lots, approved 26/05/14.

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 provision(s) overrides the zone provisions.

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):

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

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

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

Building envelope means the three-dimensional space within which buildings are to occur.

E6.3 defines **building line** as a line coincident with the front wall of a building extending either side of the building.

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.

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.

Private open space means an outdoor area of the land or dwelling for the exclusive use of the occupants of the land or dwelling.

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

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 Statement

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

Use Table

The use class Residential with the sub-class of multiple dwellings, is a permitted use within the General Residential zone. However, the proposal relies on the performance criteria of the setbacks and building envelope standard, the site coverage and private outdoor space standard and the privacy for all dwellings standard and is discretionary.

Use Standards

Not applicable standards, owing to the use standards relating to non-residential uses in the General Residential zone.

Development Standards for Residential Buildings & Works

Clause 10.4.2 Setbacks and building envelope standard

Performance criteria P2

The garage to proposed dwelling 1 is to be setback 5m from the frontage, where a frontage setback of 5.5m is required for garages. The proposal relies on performance criteria P2. The performance criteria requires a garage or carport to have a setback from a primary frontage that is compatible with the existing garages or carports in the street, taking into account any topographical constraints.

Other properties in the street have garages or carports with frontage setbacks ranging from 3m to 4.5m. The proposal is assessed as compatible with the existing garages or carports in the street and satisfies the objective of with the standard.

Performance criteria P3

Proposed dwelling 2, 3 and 4 are to have a rear boundary setback less than the required 4m. The proposal relies on performance criteria P3. (Fig. 3).

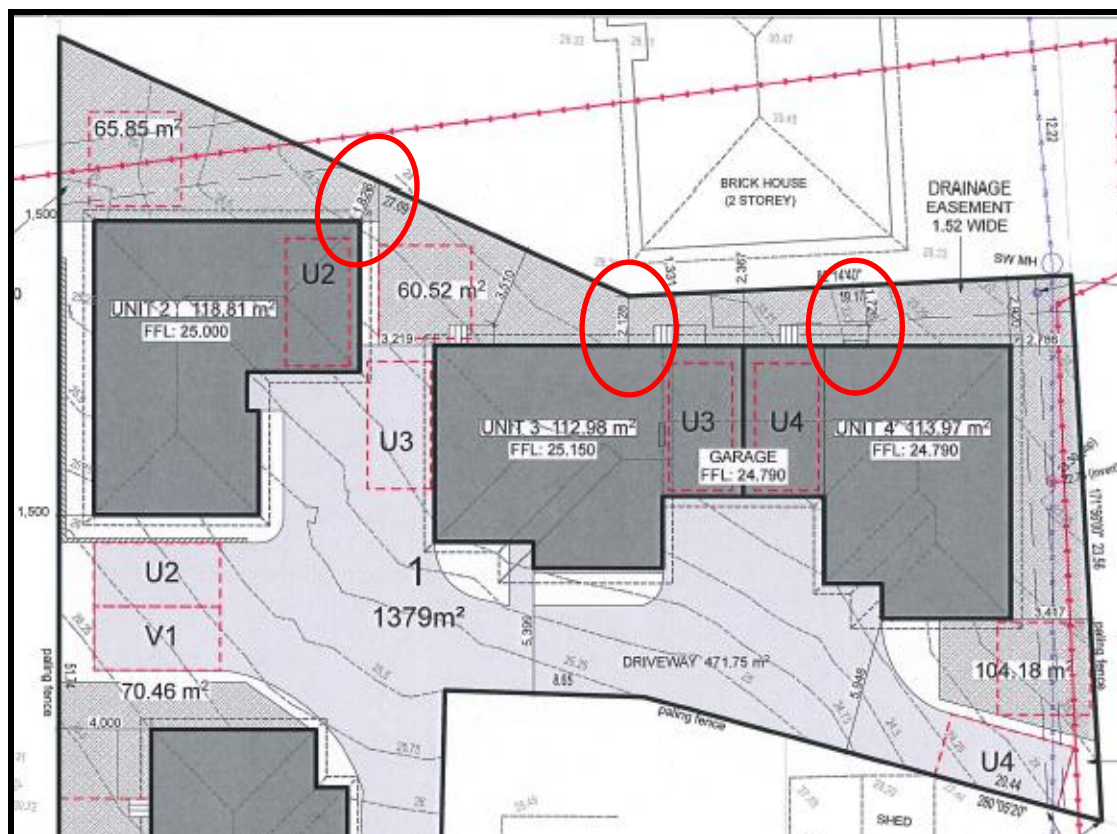


Figure 3. Excerpt of the site plan depicting the location of the rear boundary setbacks for proposed dwelling units 2, 3 and 4, circled in blue.

The objective of the standard is to control the siting and scale of dwellings to provide reasonably consistent separation between dwellings on adjacent sites and a dwelling and its frontage; and assist in the attenuation of traffic noise or any other detrimental impacts from roads with high traffic volumes; and provide consistency in the apparent scale, bulk, massing and proportion of dwellings; and provide separation between dwellings on adjacent sites to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.

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

Proposed dwelling 2 is to have a rear boundary setback of 1.86m, proposed dwelling 3 is to have a rear boundary setback of 2.12m and proposed dwelling 4 is to have a rear boundary setback of 1.72m. Considering that the proposed dwellings are positioned to the south of the adjoining property, the proposed dwellings are not expected to unreasonably overshadow the adjoining property. The adjoining property contains a double storey dwelling that has a side boundary setback of approximately 1.5m. Given that the separation between the proposed dwellings and the adjoining lot is compatible with the prevailing side boundary setbacks in the surrounding area and the private outdoor space, that would typically be located to the rear of a dwelling, is to be provided elsewhere on the site, the proposal is assessed as not causing an unreasonable loss of amenity as a result of siting and scale. The proposal satisfies the objective of the standard.

Clause 10.4.3 Site coverage and private outdoor space standard

Performance criteria P2

The siting of the private outdoor space dedicated to proposed dwelling 4 is not directly accessible from or adjacent to a habitable room other than a bedroom and relies on the performance criteria (Fig. 4).

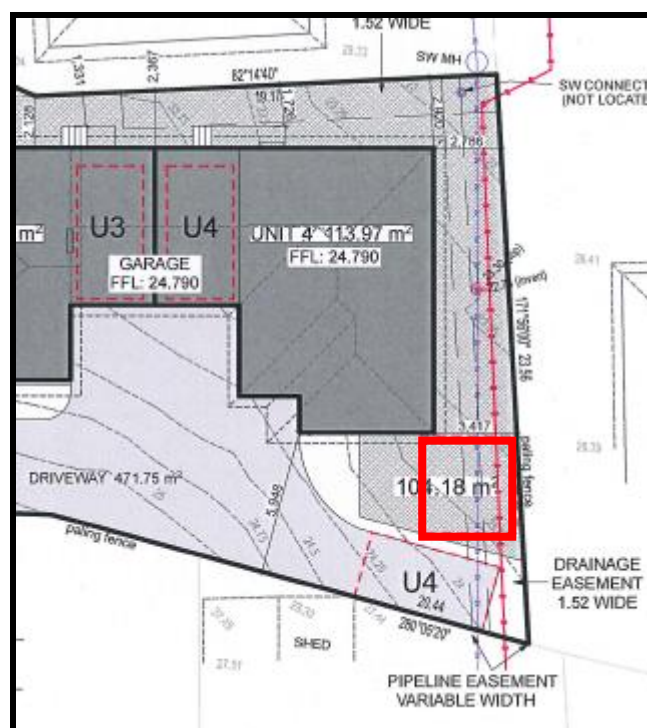


Figure 4. An excerpt of the site plan showing the location of the private outdoor space of dwelling 4

The performance criteria requires a dwelling to have private open space that 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 conveniently located in relation to a living area of the dwelling; and orientated to take advantage of sunlight.

The landing from the kitchen leads to an area to the rear of the dwelling that would be a useable space for outdoor relaxation, where at least three hours of sunlight could be received. The proposal assessed as satisfying the performance criteria and complies with the standard.

Part E: Codes

The following codes of the Scheme apply to this proposal:

Road and Rail Asset Code

The Road and Rail Assets Code applies to the proposal, owing to the lot being within 50m of the Brooker Highway, Clause E5.2.1 (c). The development adjacent to road and railways development standards is applicable. The proposal is assessed as complying with the acceptable solution, given the proposal is to be located within a row of existing buildings and is to be setback no closer than the immediately adjacent building.

Parking and Access Code

The proposal is assessed as complying with the standards of the Parking and Access Code. Conditions of approval have been recommended to ensure compliance.

Stormwater Management Code

The proposal is assessed as complying with the standards of the Stormwater Management Code. Conditions of approval have been recommended to ensure compliance.

PART F: Specific Area Plans

No Specific Area Plan applies to the site.

INTERNAL REFERRALS

Development Engineer

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

Traffic, Access & Parking

Access to the development is from Bayswater Road. The development is not expected to have any significant detrimental impacts on the surrounding road network in terms of traffic efficiency or road safety.

Passing areas are proposed along the access and at the road frontage with Bayswater Road to comply with the Glenorchy Interim Planning Scheme 2015. Adequate on-site turning is provided so that vehicles can exit the site in a forward direction.

The applicant is proposing nine car parking spaces. Table E6.1 of the scheme requires eight car parking spaces the proposed nine spaces is over the 10% required under acceptable solution of Clause E6.6.1 of the Glenorchy Interim Planning Scheme 2015. It is recommended that eight car parking spaces provided as a condition of approval, one less than the proposed nine car parking spaces.

GCC Services (Stormwater)

There are no GCC stormwater mains affected by this application.

Water sensitive urban design principles (stormwater treatment via bio-retention basin/swales) are required to be provided under Glenorchy Interim Planning Scheme 2015 Clause E7.1 A2 and recommended a condition of approval that this is to be provided prior to building approval for approval by Council's Development Engineer. Certification from a registered professional engineer should be provided prior to occupancy, that the stormwater treatment system has been constructed in accordance with the approved plans.

*Other**Geoscience issues*

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

Flooding/Inundation issues

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

Waste Management Officer

Council's Waste Management Officer has made the following comments and recommended conditions.

Waste management services to the proposed unit development at 356a Brooker Highway Moonah for four multiple dwellings would be Council's shared bin service, collected weekly. The wheelie bins should be stored in a bin enclosure within the property boundary and are not to be taken to individual units. All wheelie bins should be placed on the existing kerbside for collection.

EXTERNAL REFERRALS**TasWater**

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

REPRESENTATIONS

The application was advertised for the statutory 14-day period with no representations being received. The issues raised are as follows:

CONCLUSION

The proposal is relying on the performance criteria to comply with the setbacks and building envelope standard and site coverage and private outdoor space standard. The proposal is assessed as satisfying the performance criteria and complies with the setbacks and building envelope standard and site coverage and private outdoor space standard. The proposal is assessed as complying with all other use and development standards in the General Residential zone, as well as the relevant standards of the Parking and Access Code and Stormwater Management Code.

The application was publicly advertised for the statutory 14-day period and no representations were received. It is concluded that the proposal is consistent with the Scheme's zone purpose statements and is satisfactory.

Recommendation:

That a permit be granted for the proposed use and development of Residential (Multiple Dwellings) relying on performance criteria at 356a Brooker Highway Moonah subject to the following conditions:

Planning

1. Use and development shall be substantially in accordance with planning permit application No. PLN-16-049 and Drawing No. P2 submitted on 25 March 2016, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Appendix A, form part of this permit.
3. Landscaping works, as shown on the endorsed plans must be completed within six months from issue of Certificate of Occupancy to the satisfaction of Council's Senior Statutory Planner and then maintained to the satisfaction of Council's Senior Statutory Planner.

Engineering

4. Soil and water management is to comply with best practice to prevent any transfer of soil material outside of the area specifically and necessarily disturbed for construction. Particular attention is to be paid to ensure no soil material is tracked onto roads and footpaths or to enter the Council's stormwater system. All aspects and protection measures in connection with soil and water management are to comply with the requirements of Council's Development Engineer and be installed prior to the removal of and/or disturbance of any soil or vegetation.
5. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
6. Detailed engineering drawings showing the driveway and manoeuvring areas, internal service lines and connections to existing infrastructure, surface drainage collection, pavement composition, finished levels and bio-retention details, must be submitted with the Building Application for approval by Council's Development Engineer.
7. To meet acceptable stormwater quality, a bio retention basin for the treatment of stormwater discharging from the development must be incorporated into the development, in accordance with the Glenorchy Interim Planning Scheme Stormwater Management Code and be approved by Council's Development Engineer prior to the Building Approval. Certification from a registered professional engineer must be provided prior to occupancy, that the stormwater treatment system has been constructed in accordance with the approved plans.

8. Driveways, car parking and turning areas must be constructed and sealed with an approved impervious surface treatment prior to occupancy of a second dwelling unit. All runoff from paved and driveway areas must be retained within site boundaries and discharged into Council's stormwater system. 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. Eight (8) clearly marked car parking spaces must be provided and kept available for these purposes at all times prior to occupancy of any of the additional dwelling units. Car parking spaces, manoeuvring areas and aisles must be provided in accordance with the Australian Standard AS 2890.1 – 2004 Off-Street Parking. In areas set aside for car parking, securely fixed wheel stops or kerbing must be provided to the satisfaction of Council to prevent damage to fences or landscaped areas. Note that minor amendments are required to the parking as shown on the proposal plan submitted with the application prior to building approval.
10. A passing bay of minimum width 5.5m and minimum length 6.0m must be provided at the road frontage of the driveway, generally as shown on the proposal plan prior to occupancy of any of the dwelling units and constructed in accordance with standard drawing SD-1003 between the kerb and the property boundary. Any driveway / crossover work within Council's road reservation must be carried out by a Council approved contractor and all work must be reinstated to match the existing adjacent footpath/nature strip profile. A Property Access Works Application must be completed prior to any work being undertaken. The application is available from Council's planning department or available from Council's website at:
<http://gcc.tas.gov.au/content/Driveways.GCC?ActiveID=1304>
11. 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.

Waste Management

12. Prior to occupancy of the dwelling units the shared bin enclosure must be constructed to the satisfaction of Council's Waste Services Co-ordinator. The design for the shared bin enclosure must comply with the following:
 - (a) it must be built on a flat surface with a concrete base/pad and surround of a brick or painted block enclosure or other suitable material to Council's approval,
 - (b) it must have concrete at the entrance to the bin enclosure;
 - (c) it must suit 4x 240L wheelie bins of size 1100 height x 600mm wide x 800mm deep and must allow for 300mm space in between each bin;
 - (d) recommended minimum height of the enclosure is 1200mm and minimum recommended depth is 930mm;

- (e) the front of the enclosure must face the internal access driveway, and be left open throughout the length of the bin enclosure to enable the bins to be removed, and returned in a safe and efficient manner;
- (f) there must be no lip on the concrete slab of the bin enclosure;

Advice for Applicant

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

- Four (4) units would be eligible for a maximum of one (1) x 140L and one (1) x 240L waste wheelie bins and two (2) x 240L recycling bins collected weekly to be shared by all five (4) units. Collection of bins would be from the kerbside. The bin enclosure should be built within the property boundary preferably at the entrance of the property allowing a 4.5 metre distance from the entrance to prevent impacting on sight distances for vehicles leaving the site. It is recommended that no bin enclosure be built closer than a minimum of 5.5 metres to any residence to avoid odour and nuisance issues arising. Council's Waste Management Contractor would not enter the property to collect and empty bins. All wheelie bins should be placed on the existing kerbside for collection.
- Other Permits and approvals

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 2000* are complied with. In addition to this planning permit, a building permit and/or plumbing permit may also be required. If further clarification is required, please contact Council's Building Section on 62166800.

APPENDIX 1**10.0 General Residential Zone.**

Standard	Acceptable Solution	Proposed	Complies?
10.3 Use Standards			
10.3.1 Non-Residential Use	A1 Hours of operation must be within 8.00 am to 6.00 pm, except for office and administrative tasks or visitor accommodation.	Not applicable	NA
	A2 Noise emissions measured at the boundary of the site must not exceed the following: (d) 55 dB(A) (LAeq) between the hours of 8.00 am to 6.00 pm; (e) 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; (f) 65dB(A) (LAm _{ax}) at any time. Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness. Noise levels are to be averaged over a 15 minute time interval.	Not applicable	NA
	A3 External lighting must comply with all of the following: (k) be turned off between 6:00 pm and 8:00 am, except for security lighting; (l) security lighting must be baffled to ensure they do not cause emission of light into adjoining private land.	Not applicable	NA

	A4 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site must be limited to 20 vehicle movements per day and be within the hours of: (e) 7.00 am to 5.00 pm Mondays to Fridays inclusive; (m) 9.00 am to 12 noon Saturdays; (n) nil on Sundays and Public Holidays.	Not applicable	NA
10.3.2 Visitor Accommodation	A1 Visitor accommodation must comply with all of the following: (b) is accommodated in existing buildings; (f) provides for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site; (g) has a floor area of no more than 160m ² .	Not applicable	NA
10.3.3 Local Shop	A1 A local shop must have a gross floor area no more than 200m ² .	Not applicable	NA
10.4 Development Standards for Residential Buildings and Works			
10.4.1 Residential density for multiple dwellings.	A1 Multiple dwellings must have a site area per dwelling of not less than: (a) 325m ² ; or (b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.	The lot is 1379m ² and four dwellings are proposed. The site area per dwelling is 345m ² .	Yes
10.4.2 Setbacks and building envelopes for all dwellings:	A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is: (i) 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	Frontage setback is to be 5m.	Yes

	(j) 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 (k) 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 (l) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.		
	A2 A garage or carport must have a setback from a primary frontage of at least: (c) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or (d) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.	A garage, which forms part of proposed dwelling unit 1 is to be within 5.5m of the frontage and does not comply with A2.	No
	A3 A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must: (e) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by: (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and	Proposed dwelling 2 is to be setback 1.82m from the rear (northern) boundary and the proposed dwelling units 3 and 4 are to be setback 2.12m and 2.37m respectively, with the landings to these proposed dwellings within 1.72m of the rear boundary.	No

	(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 (f) only have a setback within 1.5 m of a side boundary if the dwelling: (vii) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or (viii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).		
10.4.3 Site coverage and private open space for all dwellings	A1 Dwellings must have: (d) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and (e) for multiple dwellings, a total area of private open space of not less than 60 m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) a site area of which at least 25% of the site area is free from impervious surfaces.	The site coverage is 35.05%. Each dwelling is to have more than 60m ² of private open space. A minimum of 25% of the site is to be free from impervious surfaces.	Yes
	A2 A dwelling must have an area of private open space that: (h) is in one location and is at least: (iv) 24 m²; or (v) 12 m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (i) has a minimum horizontal dimension of: (i) 4 m; or	The proposal is assessed as complying with A2, except for proposed dwelling unit 4, which does not provide 24m ² of private open space in one location, with a minimum horizontal dimension of 4, that is directly accessible from or adjacent to a habitable room other than a bedroom.	No

	(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 (j) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and (k) 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 (l) 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 (m) has a gradient not steeper than 1 in 10; and (n) is not used for vehicle access or parking.		
10.4.4 Sunlight and overshadowing of all dwellings	A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).	Each proposed dwelling unit has at least one habitable room (other than a bedroom) window that faces between 30 degrees west of north and 30 degrees east of north.	Yes
	A2 A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c): (c) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B): (i) at a distance of 3 m from the window; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.	Proposed dwelling unit 2 is north of proposed dwelling unit 1. The two dwelling units are to be separated by more than 3m and is not expected to overshadow the other dwelling unit.	Yes

	(d) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.		
	A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c): (d) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C): (i) at a distance of 3 m from the northern edge of the private open space; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (e) 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. (f) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.	Proposed dwelling unit 2 is north of the private outdoor space of proposed dwelling unit 1. Proposed dwelling unit 2 is to be separated from dwelling unit 1 by at least 6m and is not expected to overshadow the private outdoor space.	Yes
10.4.5 Width of openings for garages and carports for all dwellings	A1 A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).	The opening of the attached garage of proposed dwelling unit 1 is to be 3m.	Yes

10.4.6 Privacy for all dwellings	A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: (c) 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 (d) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4 m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m: (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.	Proposed unit 1 is to have a deck within 3m of the side boundary. The finished floor level is less than 1m above natural ground level and comply with A1. Proposed dwelling unit 4 is to have a deck within 4m of the rear boundary, with a finished floor level of less than 1m above natural ground level and comply with A1..	Yes
	A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b): (c) The window or glazed door: (i) is to have a setback of at least 3 m from a side boundary; and (ii) is to have a setback of at least 4 m from a rear boundary; and (iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be	Proposed dwelling unit 1 and 2 are to have windows to habitable rooms within 3m of the side boundary. However, the floor levels are not more than 1m from natural ground level. Proposed dwelling unit 3 and 4 are to have a combination of windows and glazed doors to habitable rooms other than a bedroom and non -habitable rooms within 4m of the rear boundary. However, these windows and glazed doors are to be offset in the horizontal plane, of at least 1.5 m from the edge of a window or glazed door, to a habitable room of the neighbouring dwelling and	Yes

	at least 6 m from the private open space of another dwelling on the same site. (d) The window or glazed door: (i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or (vi) 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%.	complies with A2. Proposed dwelling unit 2 and 3 are to be separated by less than 6m. However, the windows to habitable rooms are to be offset by at least 1.5m. The eastern elevation of proposed dwelling unit 2 is to be within 6m of the private open space of proposed dwelling unit 3. However, a window or glazed door is not proposed for the eastern elevation of dwelling unit 2. The proposal complies.	
	A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least: (c) 2.5 m; or (d) 1 m if: (iii) it is separated by a screen of at least 1.7 m in height; or (iv) 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.	Proposed dwelling unit 1 is to have sill heights of 1.7m above the shared driveway for the living room and bedroom 2. The entry is to be within 2.5m of the shared driveway, but this is not a habitable room. Complies with A3 Proposed dwelling unit 2 is to be separated 2.5m from the shared driveway, owing to the access to the attached garage and a parking space (U2) dedicated to proposed dwelling unit 2. The kitchen of proposed dwelling unit 3 is to be screened by a freestanding screen to a height of 1.8m. Bedroom 1 is to be within 2.5m of the shared driveway and is screened by vegetation, to a height of 1.7m. The entry (lobby) is not a habitable room. No window or glazed door to a habitable room of proposed dwelling unit 4 is to be within 2.5m of the shared driveway.	Yes

10.4.7 Frontage Fences for all dwellings	A1 A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than: (e) 1.2 m if the fence is solid; or (f) 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).	A 1.2m high frontage fence is proposed.	Yes
10.4.8 Waste Storage for multiple dwellings.	A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m ² per dwelling and is within one of the following locations: (c) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (d) in a communal storage area with an impervious surface that: (i) has a setback of at least 4.5 m from a frontage; and (ii) is at least 5.5 m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2 m above the finished surface level of the storage area.	Each dwelling unit is to have a 1.5m ² storage area for waste and recycling bins consistent with A1 (a).	Yes

Appendix 2

E6.0 Parking and Access Code

STANDARD	ACCEPTABLE SOLUTION	PROPOSED	COMPLIES
Use Standards			
E6.6.1 Number of Car Parking Spaces	A1 The number of on-site car parking spaces must be: (e) no less than the number specified in Table E6.1 and no more than 10% greater than that number; except if: (i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (ii) this provision was not used in this planning scheme.	9 Proposed however 8 required under scheme	Yes - conditioned
E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability	A1 Car parking spaces provided for people with a disability must: (a) satisfy the relevant provisions of the Building Code of Australia; (b) be incorporated into the overall car park design; (c) be located as close as practicable to the building entrance.	Not an applicable standard	N/A
E6.6.3 Number of Motorcycle Parking Spaces	A1 The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.	Not an applicable standard	N/A
Development Standards			
E6.7.1 Number of Vehicle Accesses	A1 The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.		Yes

STANDARD	ACCEPTABLE SOLUTION	PROPOSED	COMPLIES
E6.7.2 Design of Vehicular Accesses	A1 Design of vehicle access points must comply with all of the following: (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (f) 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 - conditioned
E6.7.3 Vehicular Passing Areas Along an Access	A1 Vehicular passing areas must: (a) be provided if any of the following applies to an access: (i) it serves more than 5 car parking spaces; (ii) is more than 30 m long; (iii) it meets a road serving more than 6000 vehicles per day; (b) be 6 m long, 5.5 m wide, and taper to the width of the driveway; (c) have the first passing area constructed at the kerb; (d) be at intervals of no more than 30 m along the access.		Yes
E6.7.4 On-Site Turning	A1 On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following: (a) it serves no more than two dwelling units; (b) it meets a road carrying less than 6000 vehicles per day.		Yes
E6.7.5 Layout of Parking Areas	A1 The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same		Yes - conditioned

STANDARD	ACCEPTABLE SOLUTION	PROPOSED	COMPLIES
	Standard.		
E6.7.6 Surface Treatment of Parking Areas	A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following; (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.		Yes - conditioned
E6.7.7 Lighting of Parking Areas	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.	Not an applicable standard	
E6.7.8 Landscaping of Parking Areas	A1 Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.	Not an applicable standard	
E6.7.9 Design of Motorcycle Parking Areas	A1 The design of motorcycle parking areas must comply with all of the following: (a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) be located within 30 m of the main entrance to the building.	Not an applicable standard	
E6.7.10 Design of Bicycle Parking Facilities	A1 The design of bicycle parking facilities must comply with all the following; (a) be provided in accordance with the requirements of Table E6.2; (b) be located within 30 m of the main entrance to the building.	Not an applicable standard	

STANDARD	ACCEPTABLE SOLUTION	PROPOSED	COMPLIES
	A2 The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.		
E6.7.11 Bicycle End of Trip Facilities	A1 For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.	Not an applicable standard	
E6.7.12 Siting of Car Parking	A1 Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.	Not an applicable standard	
E6.7.1.13 Facilities for Commercial Vehicles	A1 Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless: (a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site; (b) the use is not primarily dependent on outward delivery of goods from the site.	Not an applicable standard	
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements of the road authority.		Yes

APPENDIX 4**E7.0 Stormwater Management Code**

Standard	Acceptable Solution	Proposed	Complies?
E7.7.1 Stormwater Drainage and Disposal	A1 Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.		Yes - conditioned
	A2 A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply: (g) the size of new impervious area is more than 600 m ² ; (h) new car parking is provided for more than 6 cars; (i) a subdivision is for more than 5 lots.		Yes - conditioned
	A3 A minor stormwater drainage system must be designed to comply with all of the following: (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed; (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.	Not an applicable standard	
	A4 A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.	Not an applicable standard	

Attachments/Annexures

- 1** Attachment - 356A Brooker Highway

CLOSED TO MEMBERS OF THE PUBLIC

9. COMPLIANCE REPORT

This item is to be considered at a closed meeting of the Glenorchy Planning Authority by authority of the Local Government (Meeting Procedures) Regulations 2015 Section 15(4).

10. APPEALS REPORT

This item is to be considered at a closed meeting of the Glenorchy Planning Authority by authority of the Local Government (Meeting Procedures) Regulations 2015 Section 15(4).