

GLENORCHY PLANNING AUTHORITY MEETING

AGENDA

MONDAY, 20 JANUARY 2020



GLENORCHY CITY COUNCIL

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

Chairperson: Alderman K. Johnston

Hour: 5.00 p.m.

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

2. APOLOGIES/LEAVE OF ABSENCE

3. PECUNIARY INTERESTS

4. CONFIRMATION OF MINUTES

That the minutes of the Glenorchy Planning Authority Meeting held on 16 December 2019 be confirmed.

5. PROPOSED USE AND DEVELOPMENT - EXTENSION TO CAR WASH (SERVICE INDUSTRY) - 45-47 HOPKINS STREET MOONAH

Author: Planning Officer (Grace Paisley)

Qualified Person: Planning Officer (Grace Paisley)

Property ID: 3062864

REPORT SUMMARY:

Application No.:	PLN-19-335
Applicant:	Shiners Car Wash
Owner:	Numeroace Pty Ltd
Zone:	General Business Zone
Use Class	Service Industry
Application Status:	Discretionary
Discretions:	9.1.1 Changes to an Existing Non-Conforming Use and 21.3.3 External Lighting (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	21 January 2019
Existing Land Use:	Car Wash (Service Industry)
Representations:	0
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL:**PROPOSAL**

The application proposes an extension to the Shiners Car Wash located at 45-47 Hopkins Street, Moonah.

The extension would have an overall area of 52sqm (8m x 6.5m) and would be located on the south eastern side of the car wash. The extension would have a setback of 1.05m from the south western boundary and would be setback 13.4m from Charles Street (figure 1). The extension would consist of a covered car parking bay and mechanical room (figure 2). The extension would be constructed to match the existing car wash with metal sheeting in red and white (figure 3). A 2.3m high Colorbond fence would be constructed between the extension and the south eastern boundary.

An existing dog wash would be relocated on the site from the location of the extension, to the south eastern boundary (figure 1).

The plans show signage along the south western elevation. This does not form part of the application.

The application is discretionary pursuant to Clause 9.1.1 Changes to an Existing Non-Conforming Use and 21.3.3 External Lighting.

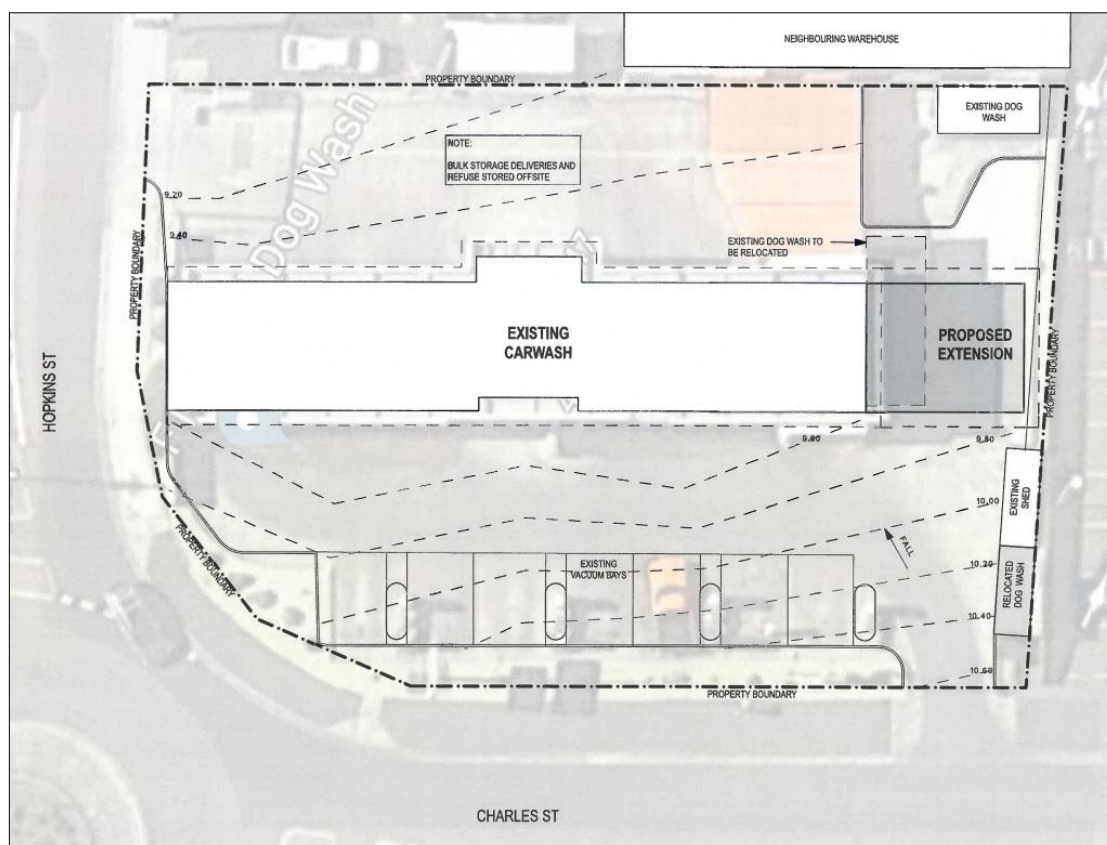


Figure 1: Proposed site plan

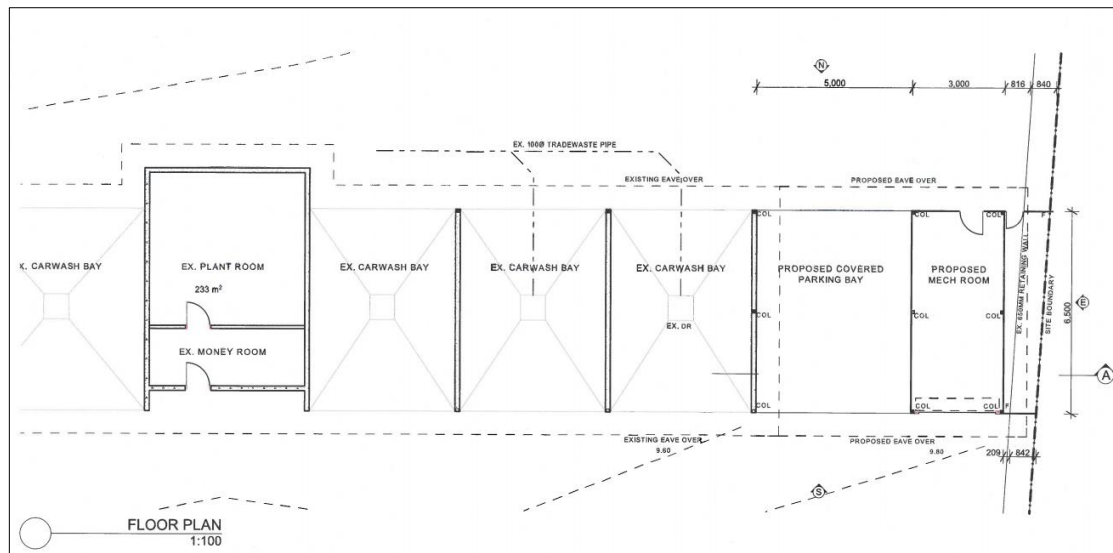


Figure 2: *Proposed floor plan*

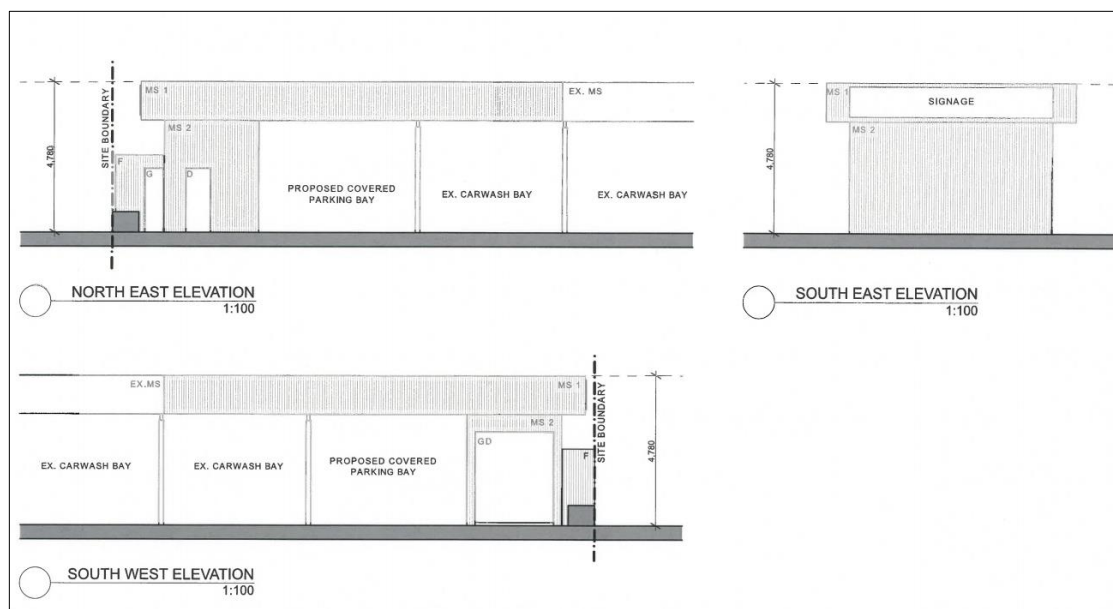


Figure 3: *Proposed elevation plans*

SITE and LOCALITY

The site is located on the south eastern corner of the intersection of Hopkins Street and Charles Street (figure 4). The site is rectangular in shape with an overall area of 1416sqm. The site has a frontage of 47.76m onto Hopkins Street and a frontage of 23.39m onto Charles Street. The site is used by Shiners Car Wash and has been used as a car wash since a permit was issued in March 1995.

To the north east, the site is adjoined by 49 Hopkins Street, a lot within the General Business Zone used as a loading area for Coogans. The land to the south east is within the General Business Zone and is used as a car park which contains the Coogans building. The land on the opposite side of Charles Street is within the Inner Residential Zone and is predominately used for residential purposes. The site is located 95m west of Main Road.



Figure 4: Aerial view of the subject site and surrounds

ZONE

The site is located within the General Business Zone. The land to the west is within the Inner Residential Zone (figure 5).

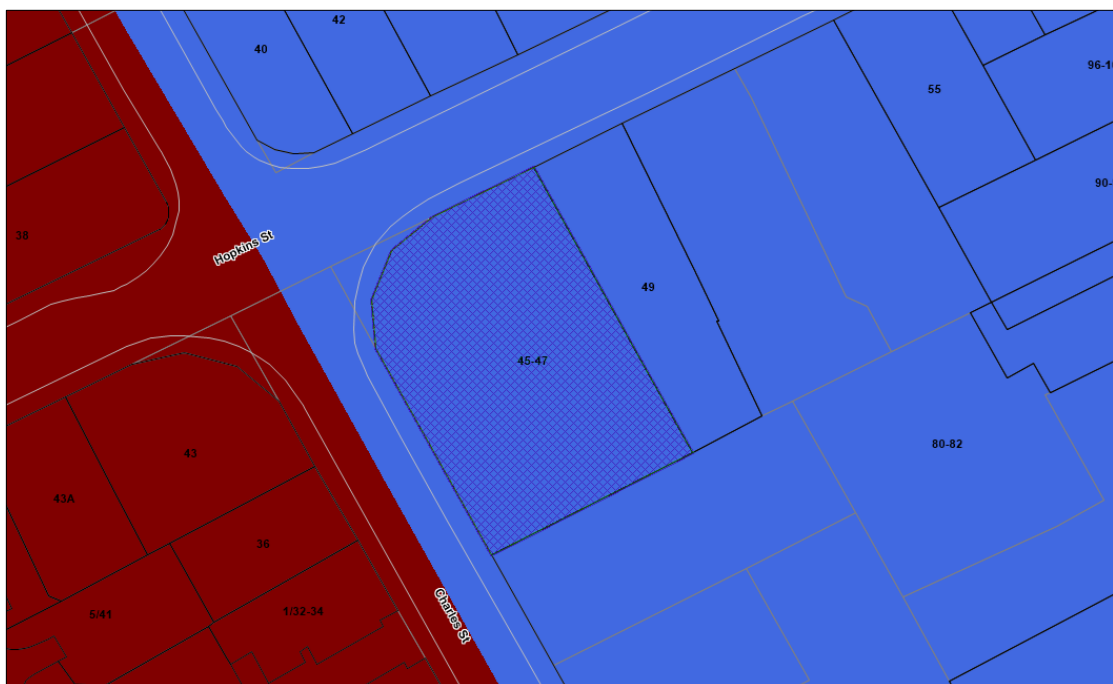


Figure 5: Zoning map of the subject site and surrounds

BACKGROUND

The application is required to be determined by the Glenorchy Planning Authority as the proposal is associated with a non-conforming use.

The car wash has been operating on the site for some time with the original permit issued in 1995 (DA25-95 Six bay car wash on the site). A permit was then issued in 1996 for the car wash to operate 24 hours a day, seven days a week (DA260-96 Extension to operating hours (24 hours a day) for carwash).

DA260-96 included a number of conditions to address any potential amenity impacts on nearby residential land uses. These included limiting the hours of certain wash bays and requiring the beeper systems on the vacuum cleaner unit and wash bays to not operate between 10.00pm and 7.00am.

A car wash bay was then converted to an automatic car wash through planning permit PLN-04-02418-01.

The Glenorchy Interim Planning Scheme was introduced on 15 July 2015, which changed the zoning of the land to General Business Zone. This subsequently made the car wash a non-conforming use.

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?)

A SAP or Code provision does not override Zone provisions in this assessment.

Use Class Description (Table 8.2):

Service industry means use of land for cleaning, washing, servicing or repairing articles, machinery, household appliances or vehicles. Examples include a car wash, commercial laundry, electrical repairs, motor repairs and panel beating.

Other relevant definitions (Clause 4.1):

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

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

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

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;

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

Part C: Special Provisions

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

Changes to an Existing Non-Conforming Use

The proposed extension is in association with an existing non-conforming use for Service Industry, therefore Special Provision 9.1.1 applies as follows:

Changes to an Existing Non-Conforming Use

Notwithstanding any other provision in this planning scheme, whether specific or general, the planning authority may at its discretion, approve an application:

- (a) to bring an existing use of land that does not conform to the scheme into conformity, or greater conformity, with the scheme; or*
- (b) to extend or transfer a non-conforming use and any associated development, from one part of a site to another part of that site; or*
- (c) for a minor development to a non-conforming use,*

where there is –

- (a) no detrimental impact on adjoining uses; or*
- (b) the amenity of the locality; and*
- (c) no substantial intensification of the use of any land, building or work.*

In exercising its discretion, the planning authority may have regard to the purpose and provisions of the zone and any applicable codes.

Comment

The proposed extension would be relatively small with an area of 52sqm and is considered to be a minor addition in accordance with (c) above. The extension is not considered to have any detrimental impact on adjoining uses, based on the location of the proposed extension being adjacent to the existing buildings and no noise generating equipment proposed to be used within the extension.

The relocated dog wash would be no closer to the residentially zoned land than the existing vacuum bays and would still be separated from the nearest dwelling in Charles Street by a distance of 20m.

The site is located on a corner of the busy intersection of Hopkins Street and Charles Street which separate the site from nearby residential land uses. Considering the location of the extension would match existing setbacks, and there would be at least a 20m setback from the nearest residential use which is located on the opposite side of a collector road, there would be no adverse impact on the amenity of the locality. The proposal would not affect the directly adjoining properties as they are used for a car park and loading bay.

Given the overall area of the proposed extension, it would not represent a substantial intensification of the use. It is considered the proposal accords with the above criteria.

Part D: Zones

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

Zone Purpose Statements

- 21.1.1.1 To provide for business, community, food, professional and retail facilities serving a town or group of suburbs.
- 21.1.1.2 To ensure the major centres provide for a range of convenience and goods and services as well as some community services and facilities for the municipal area and surrounds.
- 21.1.1.3 To provide a focus for employment at the municipal level primarily in retailing, but complemented by a range of office based employment mainly in professional and personal services.
- 21.1.1.4 To facilitate residential use above ground floor level.
- 21.1.1.5 To ensure development is highly accessible by public transport, walking and cycling.
- 21.1.1.6 To provide a safe, comfortable and pleasant environment for workers, residents and visitors through the provision of high quality urban spaces and urban design.

Comment:

The use of the land for Service Industry is prohibited in the General Business Zone, however, the proposal can be considered under Special Provision 9.1. The proposal would accord with the purpose of the zone as the car wash provides a facility for the surrounding suburbs and provides employment in an area which is highly accessible by public transport, walking and cycling.

It is noted that the proposed additions are minor and would not represent any significant change from the existing use occurring on the site.

Use Table

The use class Service Industry is prohibited within the General Business Zone. The use relies on non-conforming use rights under Special Provisions 9.1.

Use Standards*21.3.3 External Lighting (P1)*

The acceptable solution for this standard requires external lighting within 50m of a residential zone to be turned off between 11:00pm and 6:00am, except for security lighting. As the existing car wash operates 24/7, the lighting on the proposed extension would not comply with the acceptable solution. The proposal must therefore be assessed against the following performance criteria:

External lighting within 50 m of a residential zone must not adversely affect the amenity of adjoining residential areas, having regard to all of the following:

- (a) level of illumination and duration of lighting;*
- (b) distance to habitable rooms in an adjacent dwelling.*

Comment:

The nearest residential zone is located on the opposite side of Charles Street. The proposed extension itself would be located approximately 33m from the nearest dwelling. Based on the separation between the extension and the residential uses, it is considered lighting associated with the extension would have no further impact than existing lighting on the site which is located closer to the residential land.

To ensure that the lighting does not directly emit light outside the boundaries of the site, a condition has been recommended on the permit to require lighting to be baffled.

Accordingly, it is considered the external lighting associated with the extension would not adversely affect the amenity of the adjoining residential uses and the proposal complies with the performance criteria.

Part E: Codes

The following codes of the Scheme apply to this proposal:

Road and Rail Asset Code

There is no change to the existing access to the site and vehicle movements are not expected to increase over 40 vehicle movements per day or 20 per cent. Council's Development Technical Officer has assessed the proposal against the provisions of this code and is satisfied that the proposal complies with the acceptable solutions of applicable standards as demonstrated in the attached Appendix.

Parking and Access Code

Under Table E6.1 Number of Car Parking Spaces Required, Service Industry requires three car parking spaces for each 100sqm of floor area, or three spaces for each work bay; whichever is the greater.

For purposes of the Parking and Access Code, floor area means the gross floor area, excluding the area of stairs, loading bays, access ways, or car parking areas, or any area occupied by machinery required for air conditioning, heating, power supply, or lifts.

As the definition of floor area excludes car parking areas, the floor area of the extension is considered to be 19.5sqm (3m x 6.5m) which comprises of the proposed mechanical room. This results in 0.57 car parking spaces required. The Parking and Access Code states if the result is not a whole number, the required number of spaces is the nearest whole number, meaning one car parking space is required to comply with acceptable solution A1 of Clause E6.6.1 Number of Car Parking Spaces.

The additional car parking space would be accommodated within the extension itself which consists of one covered car parking bay. As such, the proposal complies with the acceptable solution for E6.6.1 Number of Car Parking Spaces.

Council's Development Technical Officer has assessed the proposal against the provisions of this code and is satisfied the proposal complies with the acceptable solutions of applicable standards as demonstrated in the attached Appendix.

Stormwater Management Code

The proposal does not involve any new impervious surfaces. Council's Development Engineer has assessed the proposal against the provisions of this code and is satisfied that the proposal complies as demonstrated in the attached Appendix.

PART F: Specific Area Plans

No Specific Area Plan applies to the site.

INTERNAL REFERRALS

Development Engineer

E5.0 Road and Railway Assets Code

This Code applies to use or development of land:

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

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

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

E6.0 Parking and Access Code

This code applies to all use and development.

One (1) carparking space is required to satisfy the acceptable solution of clause E6.6.1 Number of Car Parking Spaces of the Parking and Access Code. It is considered this additional car parking space can be accommodated on-site.

There are no traffic or parking issues associated with this application.

E7.0 Stormwater Management Code

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

The application has no new impervious areas therefore Clause E7.7.1 A1 is not applicable to this application.

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

Other

E3.0 Landslide Code

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

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

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

E15.0 Inundation Prone Areas Code

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

Environmental Health Officer

The applicant has confirmed the covered bay will not be using noise generating equipment. The new bay will be a covered car park rather than a wash bay (as stated on the revised plans). The addition of a covered carpark should not increase the noise levels generated from the site. The mechanical room is not expected to generate an increase to the noise levels generated from the site as it is fully enclosed.

EXTERNAL REFERRALS

TasWater

No response was received from TasWater.

REPRESENTATIONS

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

CONCLUSION

The application is for a 52sqm extension to a non-conforming use of Service Industry at an existing car wash business. The property is located within the General Business Zone.

It is considered that the size and the proposed use occurring within the extension would not significantly intensify the use or have any adverse amenity impacts on the locality. The extension would require one additional parking space because of the additional floor area, which has been provided. The proposal is assessed as complying with all other use and development standards in the General Business Zone, as well as the applicable standards of the Road and Railway Assets Code, Parking and Access Code and Stormwater Management Code. The application was publicly advertised for the statutory 14-day period and 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 Extension to car wash (Service Industry) at 45-47 Hopkins Street Moonah subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-19-335 and Drawing No. P2 submitted on 11/12/2019, except as otherwise required by this permit.
2. 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 and be installed prior to the removal of and/or disturbance of any soil or vegetation.

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

3. Lighting, where provided, must be located, designed and baffled to ensure that no direct light is emitted outside the boundaries of the site.

Environmental Health

4. Noise generating equipment is not to be used within the confines of the covered car park nor to be used for the treatment, cleaning, polishing or otherwise generating noise in relation to the use of the covered car park.

Advice to Applicant

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

This permit does not include approval for any signs. Council is to be contacted prior to displaying any signs as they may require a planning permit.

Other Permits

Please be aware that this planning permit is a planning approval issued under the Glenorchy Interim Planning Scheme 2015.

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

Attachments/Annexures

- 1** GPA Attachments - 45-47 Hopkins Street, Moonah



APPENDIX

21.0 General Business

Standard	Acceptable Solution	Proposed	Complies?
21.3 Use Standards			
21.3.1 Hours of Operation	A1 Hours of operation of a use within 50 m of a residential zone must be within: (a) 6.00 am to 10.00 pm Mondays to Saturdays inclusive; (b) 7.00 am to 9.00 pm Sundays and Public Holidays. except for office and administrative tasks.	The hours of operation for the car wash are existing and no changes are proposed to these hours as part of this application.	N/A
21.3.2 Noise	A1 Noise emissions measured at the boundary of a residential zone must not exceed the following: (a) 5dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm; (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm to 7.00 am; (c) 65dB(A) (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	The use is existing and no new noise generating equipment is proposed. A condition has been recommended requiring no noise generating equipment to be used within the extension.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	Management, including adjustment of noise levels for tonality and impulsiveness. Noise levels are to be averaged over a 15 minute time interval.		
21.3.3 External Lighting	A1 External lighting within 50 m of a residential zone must comply with all of the following: (a) be turned off between 11:00 pm and 6:00 am, except for security lighting; (b) Security lighting must be baffled to ensure they do not cause emission of light outside the zone.	The existing carwash operates 24/7 (including external lighting) therefore the proposed extension would not comply with the acceptable solution.	No
21.3.4 Commercial Vehicle Movements	A1 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must be within the hours of: (a) 6.00 am to 10.00 pm Mondays to Saturdays inclusive; (b) 7.00 am to 9.00 pm Sundays and public holidays.	No changes proposed to the commercial vehicle movements.	Yes
21.4 Development Standards for Buildings and Works			
21.4.1 Building Height	A1 Building height must be no more than: 12m.	The extension would have an overall height of 4.78m.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	A2 Building height within 10 m of a residential zone must be no more than 8.5 m.	The buildings would not be located within 10m of a residential zone.	N/A
21.4.2 Setback	A1 Building setback from frontage must be parallel to the frontage and must be no more than: (a) nil m, if fronting Main Road: or (b) the alignment of adjoining buildings, if fronting a street other than Main Road.	The extension would align with the setback of the existing car wash buildings and the dog wash would be relocated to match the setback of the existing vacuum bays. This results in no change in building setbacks.	Yes
	A2 Building setback from a residential zone must be no less than: (a) 5m; or (b) half the height of the wall, whichever is the greater.	The buildings would be setback over 5m from the Inner Residential Zone which is located on the western side of Charles Street.	Yes
21.4.3 Design	A1 Building design must comply with all of the following: (a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site; (b) for new building or alterations to an existing facade provide windows and door openings at ground floor	(a) Not applicable – no pedestrian access to the extension is proposed. (b) The wall of the extension fronting the street would be made up of a garage door which would exceed 40% of the surface area. (c) There would be no single expanse of blank wall that exceeds more than 30% of the length of the façade.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	level in the front façade no less than 40% of the surface area of the ground floor level façade; (c) for new building or alterations to an existing facade ensure any single expanse of blank wall in the ground level front façade and facades facing other public spaces is not greater than 30% of the length of the facade; (d) screen mechanical plant and miscellaneous equipment such as heat pumps, air conditioning units, switchboards, hot water units or similar from view from the street and other public spaces; (e) incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof; (f) provide awnings over the public footpath if existing on the site or on adjoining lots; (g) not include security shutters over windows or doors with a frontage to a street or public place.	(d) All mechanical plant and miscellaneous equipment would be located within the extension itself. (e) The design of the roof includes a parapet which screens all roof-top services. (f) Not applicable. (g) No security shutters are proposed over windows or doors.	
	A2 Walls of a building facing a residential zone must be coloured using colours with a light reflectance value not greater than 40 percent.	The proposal includes metal cladding which would be coloured red and white. The cladding would not have a light reflectance value greater than 40 per cent.	Yes
21.4.4 Passive Surveillance	Building design must comply with all of the following: (a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site;	(a) Not applicable - no pedestrian access is proposed to the building. (b) The only wall facing a public space would be made up of a garage door	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(b) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the front façade which amount to no less than 40 % of the surface area of the ground floor level facade; (c) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the façade of any wall which faces a public space or a car park which amount to no less than 30 % of the surface area of the ground floor level facade; (d) avoid creating entrapment spaces around the building site, such as concealed alcoves near public spaces; (e) provide external lighting to illuminate car parking areas and pathways; (f) provide well-lit public access at the ground floor level from any external car park.	which would exceed 40% of the surface area. (c) The extension would include one wall facing a public space. This would be made up of a garage door. (d) The proposal would not create any entrapment spaces around the building site. A fence has been proposed between the extension and side boundary to close this space to the public in accordance with (d). (e) The carwash has existing external lighting illuminating car parking areas. (f) N/A	
21.4.5 Landscaping	A1 Landscaping is not required along the frontage in this zone.	No landscaping is proposed.	Yes
	A2 Along a boundary with a residential zone landscaping must be provided for a depth no less than: 2m.	All the boundaries of the site adjoin land within the General Business Zone.	N/A

Standard	Acceptable Solution	Proposed	Complies?
21.4.6 Outdoor Storage Areas	A1 Outdoor storage areas for non-residential uses must comply with all of the following: (a) be located behind the building line; (b) all goods and materials stored must be screened from public view; (c) not encroach upon car parking areas, driveways or landscaped areas.	No outdoor storage areas are proposed.	N/A
21.4.7 Fencing	A1 Fencing must comply with all of the following: (a) fences, walls and gates of greater height than 1.5 m must not be erected within 4.5 m of the frontage; (b) fences along a frontage must be at least 50% transparent above a height of 1.2 m; (c) height of fences along a common boundary with land in a residential zone must be no more than 2.1 m and must not contain barbed wire.	The proposed fence would be located further than 4.5m from the frontage in accordance with (a).	Yes

APPENDIX

E5 Road and Railway Assets Code

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

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

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

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

APPENDIX

E6.0 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;		Yes

Standard	Acceptable Solution	Proposed	Complies?
	(ii) this provision was not used in this planning scheme.		
E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability	A1 Car parking spaces provided for people with a disability must: (a) satisfy the relevant provisions of the Building Code of Australia; (b) be incorporated into the overall car park design; (c) be located as close as practicable to the building entrance.	Not an applicable standard.	
E6.6.3 Number of Motorcycle Parking Spaces	A1 The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after 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.	
E6.6.4 Number of Bicycle Parking Spaces	A1 The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.	Not an applicable standard.	

Standard	Acceptable Solution	Proposed	Complies?
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.	Not an applicable standard.	
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.	Not an applicable standard.	
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:	Not an applicable standard.	

Standard	Acceptable Solution	Proposed	Complies?
	(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.		
E6.7.4 On-Site Turning	A1 On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following: (a) it serves no more than two dwelling units; (b) it meets a road carrying less than 6000 vehicles per day.	Not an applicable standard.	
E6.7.5 Layout of Parking Areas	A1 The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same Standard.		Yes

Standard	Acceptable Solution	Proposed	Complies?
E6.7.6 Surface Treatment of Parking Areas	A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following; (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.	Not an applicable standard.	
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:	Not an applicable standard.	

Standard	Acceptable Solution	Proposed	Complies?
	(a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) be located within 30 m of the main entrance to the building.		
E6.7.10 Design of Bicycle Parking Facilities	A1 The design of bicycle parking facilities must comply with all the following; (a) be provided in accordance with the requirements of Table E6.2; (b) be located within 30 m of the main entrance to the building.	Not an applicable standard.	
	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.	

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.	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

**6. PROPOSED USE AND DEVELOPMENT - MULTIPLE DWELLINGS
(13) RE-DESIGN OF BLOCK 3.1 & 3.2 - 100/1B BOURNVILLE
CRESCENT, CLAREMONT**

Author: Planning Officer (Sylvia Jeffreys)

Qualified Person: Planning Officer (Sylvia Jeffreys)

Property ID: 9084568

REPORT SUMMARY:

Application No.:	PLN-19-357
Applicant:	Vos Construction & Joinery
Owner:	Claremont Golf Club Inc
Zone:	Recreation
Use Class	Residential
Application Status:	Discretionary
Discretions:	F1.9.5.5 P1 Design
	(The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	21 Jan 2020
Existing Land Use:	Residential - Multiple Dwellings
Representations:	0
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL:**PROPOSAL**

The application is for alterations to the design of two of eleven apartment blocks previously approved next to the Claremont Golf Course. The original approval was for sixty-nine apartments. It is proposed to re-design apartment blocks 3.1 and 3.2 to reduce the number of storeys from three to two. The two buildings would contain thirteen apartments as previously, but with reduced garage and bedroom space. There would be five three-bedroom apartments and eight two-bedroom apartments, where previously all apartments had three-bedrooms. The proposal includes eight carports. The development relies on existing internal roads, visitor parking and services. The proposal is discretionary for the width of a view corridor. The proposed elevations are shown in Figure 1.

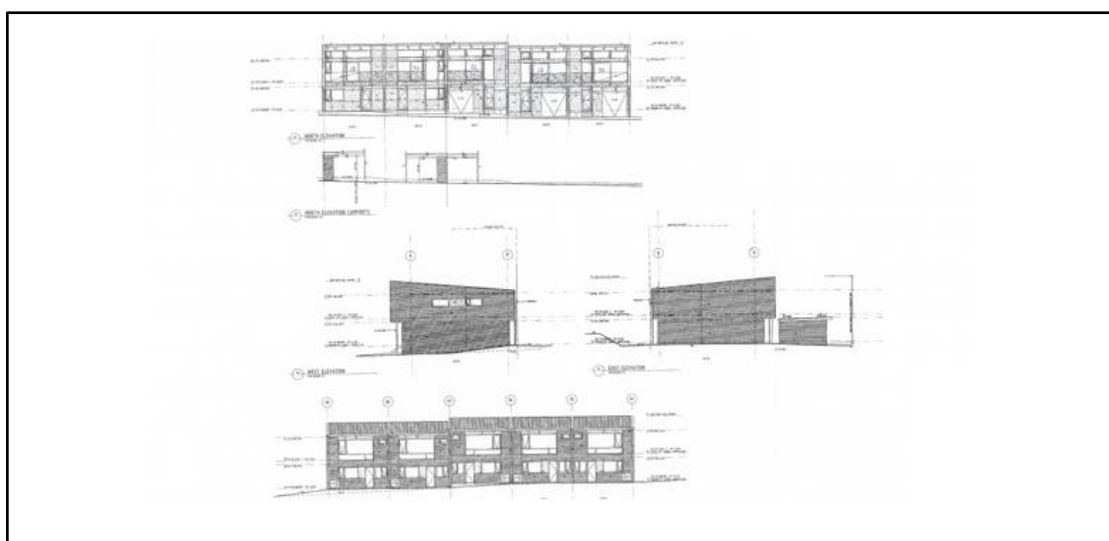


Figure 1: Elevations Block 3.2 - 1+2 Architecture

SITE and LOCALITY

The subject property is located on the Claremont Peninsula, adjacent to the Claremont Golf Club. The property is known as 1B Bournville Crescent and the title reference is 175205/100. The property is shown in Figure 1.



Figure 2: Subject Site – Council Database 2020

The site contains a mix of completed apartment blocks and buildings under construction. The site has access from the eastern end of Bournville Crescent over an intervening property that contains the golf clubroom building. Access, internal roads, services and banks of visitor parking have been completed. The property adjoins the golf course on two sides, the River Derwent to the north and the club house property to the south. The locality to the east is characterised by residential development and by the Cadbury chocolate factory. The location of proposed block 3.1 and 3.2 is shown in Figure 3.

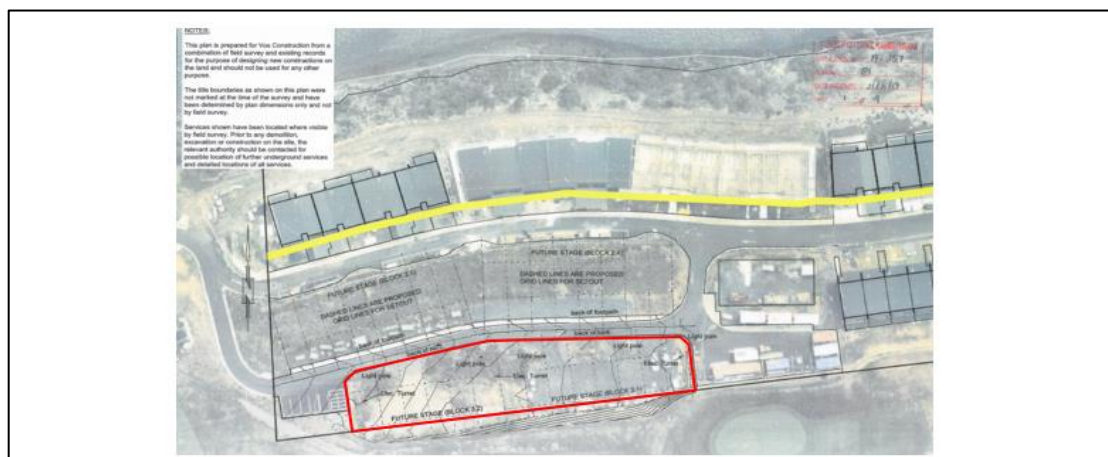


Figure 3: Location of Block 3.1 and 3.2 – Rogerson and Birch

ZONE

The land lies within two zones, the Recreation Zone in 'lime' and the Environmental Management Zone in 'teal'. The proposed apartment blocks would be contained within the Recreation Zone. The yellow star denotes heritage listed properties. The zoning is shown in Figure 4.

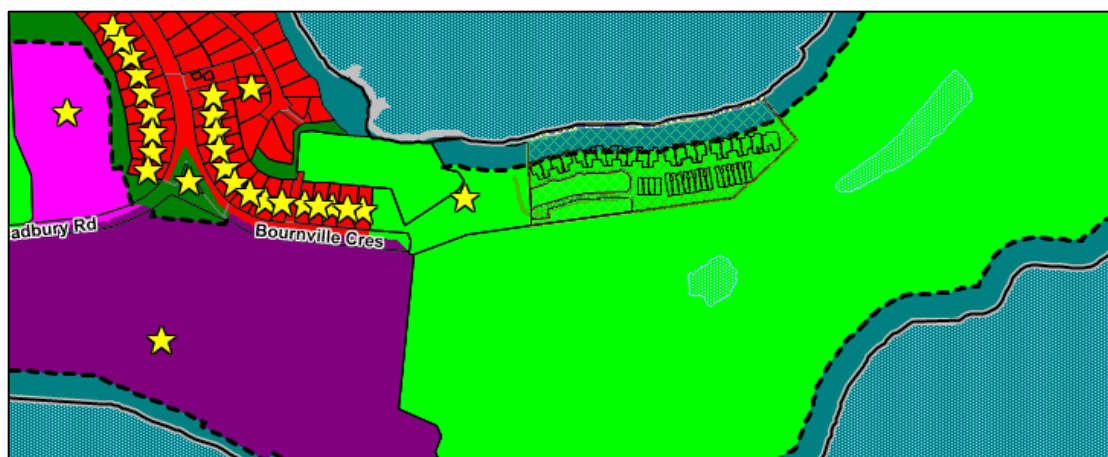


Figure 4: Zoning Map - GIPS 2015

BACKGROUND

Delegation

There is no delegation for proposals of more than four dwellings under delegation 5 relating to sections 57(2) & (6) of the *Land Use Planning and Approvals Act 1993*.

Permits

The following permit is relevant:

- PLN-15-222 and six amendments - Multiple Dwelling Units (69) with carports/garages and associated infrastructure works in 9 stages, public foreshore footway, carpark and access alterations (partly within road reserve) and gate modification – Approved 21/03/16

The above permit approved the original proposal, which included provision of 152 parking spaces for sixty-nine dwellings. The address was 109 Cadbury Road.

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?)

The following specific area plan and codes apply and prevail over the relevant Zone provisions if there is any conflict.

Specific Area Plan

- F1 Claremont Peninsula Specific Area Plan

Codes

- No codes apply. There is no change in existing stormwater disposal as approved on engineering drawings and parking requirements are within the specific area plan, instead of the code. The proposal is outside any overlays, which otherwise apply to the land.

Use Class Description (Table 8.2):

The application proposes thirteen dwellings, with a total of sixty-nine on site which fits under the use class Residential (Multiple Dwellings) as defined in Table 8.2 as follows:

Residential

use of land for self-contained or shared living accommodation. Examples include an ancillary dwelling, boarding house, communal residence, home-based

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

Other relevant definitions (Clause 4.1):

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

Multiple Dwelling

means 2 or more dwellings on a site.

Dwelling

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

Discretionary Use or Development

The application is discretionary under Clause 8.8 as follows:

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

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

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

- *F1.9.5.5 P1 Design*

Part C: Special Provisions

There are no Special Provisions applicable.

Part D: Zones

The land lies within the Recreation Zone and the Environmental Management Zone. The zone objectives and standards are not applicable as a specific area plan for the Claremont Peninsula overrides these provisions pursuant to clause 7.4 of the Scheme.

Part E: Codes

6.0 Parking and Access Code

The Special Areas Plan overrides the standard for the Number of Car Parking Spaces in E6.6.1 A1 with clause F1.9.4.1 Traffic Management. The proposal complies with the parking space requirement according to the engineering assessment.

PART F: Specific Area Plans

F1 Claremont Peninsula Specific Area Plan

The area subject to the proposal is contained within the area of the Claremont Peninsula Specific Area Plan, as shown in Figure 5.

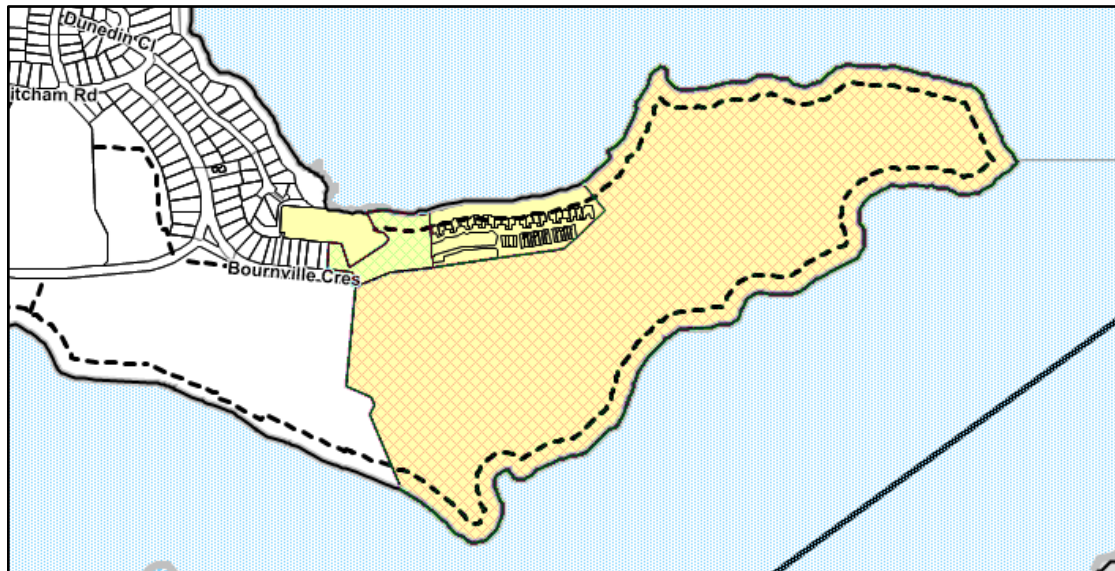


Figure 5: Claremont Specific Areas Plan - GIPS 2015

Specific Area Plan Statement

The purpose is set out in F1.1 as follows:

- *protect the landscape character of the Claremont Peninsula by the retention of open space qualities provided by the golf course;*
- *encourage the retention of recreational facilities on the Claremont Peninsula; and*
- *facilitate the development of a range of commercial and residential uses in a coordinated manner through the establishment of specific precincts.*

Comment

It is considered that the proposal accords with the above purpose as it is for residential development within the residential precinct of the plan. The specific area plan divides the area into six precincts each with separate objectives and standards. The precincts are shown in Figure 6 below.

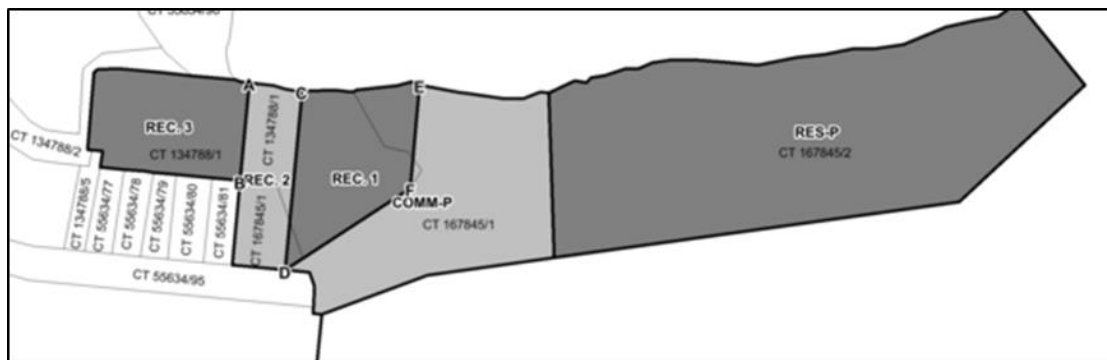


Figure 6: Claremont Peninsula Precinct Map- GIPS 2015

The proposal is contained within the residential precinct (RES-P) so that the provisions of this precinct apply as follows:

F1.9 Residential Precinct (RES-P)

The purpose of the residential precinct is as follows:

F1.9.1 Local Area Objectives

- *To provide for medium density residential and compatible visitor accommodation in the landscape setting of the peninsula and surrounding golf course.*
- *To protect the foreshore area from use or development that affects the character or amenity of the foreshore or prevents pedestrian access.*

F1.9.2 Desired Future Character Statements

- *Medium density development with a scale and form that integrates with the surrounding landform.*
- *Development compatible with the established foreshore character and amenity and maintains pedestrian access.*

Comment:

It is considered that the proposal accords with the above objectives. The proposed apartment blocks are part of a medium density development and are well below the maximum height so as to be compatible with the landscape setting. The foreshore would not be affected by this proposal.

Use Table

The use class Residential is 'permitted' within the Residential Precinct in F1.9.3 Use Table.

Use Standards

F1.9.4.1 Traffic Management (carparking)

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

Development Standards for Residential Buildings & Works

The development standards relate to density, building envelope, sunlight, privacy, design, private open space, fences, waste storage, noise attenuation and development for sensitive uses. The proposal accords with all Acceptable Solutions as demonstrated in the attached appendix, except as follows:

F1.9.5.5 Design

The proposal does not accord with the Acceptable Solution in F1.9.5.5 A1 with respect to the width of a landscaped link. Therefore, the proposal relies on the related Performance Criteria as follows:

F1.9.5.5 P1 Design

The development provides for visual connections between the Golf Course Precinct (GOLF-P) and the river.

Comment

There is a view corridor between three rows of apartments from the golf course to the River Derwent. It is proposed to have a gap between the proposed apartment blocks for the view corridor, slightly narrower than required by the Acceptable Solution. The proposed gap between apartment blocks 3.1 and 3.2 is 4.2m. The requirement is for 2/3 of the height of the wall of adjacent buildings, which would be 4.535m. Therefore, there would be a shortfall of 0.335m. It is considered that the shortfall is very minor and would not be noticeable. The proposal accords with the Performance Criteria as the link would be maintained. A condition is recommended for landscaping of the link.

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

INTERNAL REFERRALS**Development Engineer*****Comments***

The proposal is a redesign of blocks 3.1 and 3.2 previously approved with permit PLN-15-222.

The original approval (PLN-15-222) was for thirteen three-bedroom units, the new design has the same number of units of which five dwellings are three-bedroom units and eight dwellings are two-bedroom units.

E5.0 Road and Railway Assets Code

The proposal does not require any additional roadworks, the existing constructed infrastructure will fully service the new design.

F1.9.4.1 A1 Traffic Management (carparking)

The redesign reduces the number of bedrooms in eight (8) of the units from three (3) to two (2) thereby lessening the number of carparking spaces required by the Claremont Peninsular Area Plan by four (4).

The carparking provided with this amended proposal is compliant with F1 9.4.1 Acceptable Solution A1.

E7.0 Stormwater Management Code

The amended proposal does not require any alterations to the previously approved engineering plans.

*Other**E3.0 Landslide Code*

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

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

Not applicable.

E15.0 Inundation Prone Areas Code

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

EXTERNAL REFERRALS

TasWater

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

REPRESENTATIONS

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

CONCLUSION

The application is for a re-design of two apartment blocks previously approved. The redesign would reduce the number of storeys to two and affect the internal layout. The proposal invokes a minor discretion in relation of the width of a view corridor being reduced by 0.335m. The proposal satisfies the Performance Criteria that requires visual connections between the Golf Course Precinct and the River. There were no representations received during the advertising period.

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

Recommendation:

That a permit be granted for the proposed use and development of Multiple Dwellings (13) re-design of block 3.1 and 3.2 at 100/1B Bournville Crescent Claremont subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-19-357 and Drawing No. P1 submitted on 21/11/19 pages 1-9, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2019/01848-GCC, dated 19/12/19, form part of this permit.
3. The link for the view corridor between Block 3.1 and 3.2 must be landscaped prior to occupancy of the last dwelling to the satisfaction of Council's Senior Statutory Planner.
4. The development must provide for the collection of waste from within the site.
5. All outbuildings must be designed as an integrated part of the dwellings by using the same palette of materials, colours and details.
6. All residential dwellings in the development must be constructed in accordance with the design specifications identified in the acoustic report prepared by Vipac Engineers & Scientists, dated 16th June 2015.

7. All recommendations contained in the acoustic report prepared by Vipac Engineers & Scientists, dated 16th June 2015, must be implemented during construction and use of the premises.
8. A verification report is required to be submitted to Council within six weeks from commencement of issue of the Occupancy Certificate to certify the development meets the acceptable noise levels indicated in the noise report.

Engineering

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

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

10. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
11. All internal hydraulic service works required for the development must be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor. Any alterations or works to Council mains must be undertaken by Council at the developer's cost.
12. Fourteen (14) clearly marked car parking spaces must be provided prior to occupancy of the dwellings and kept available for those purposes at all times. Car parking spaces, manoeuvring areas and aisles must be provided in accordance with the Australian Standard AS 2890.1 – 2004 Off-Street Parking. 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. The design and construction of the driveway, parking, access and turning areas must generally comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004, to the satisfaction of the Council's Development Engineer. Drawings showing the driveway details must be in accordance with the Australian Standard and submitted with the Building Application for approval by Council's Development Engineer prior to the commencement of works on site.

- a. Be constructed to a sealed finish and the finished gradient must not exceed the maximum gradient of 25%
- b. All runoff from paved areas must be discharged into Council's stormwater system;
- c. The gradient of any parking areas must not exceed 5%; and
- d. Minimum carriageway width is to be no less than 3.00 metres.
- e. All works required to service each individual dwelling must be installed prior to the occupancy of that dwelling.

Advice to Applicant

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

Other Permits

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

Other Services

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

Attachments/Annexures

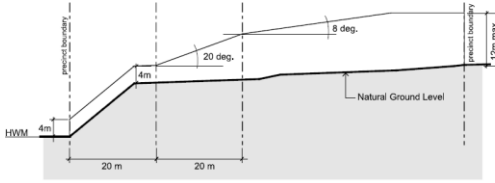
- 1** GPA Attachments - 1B Bournville Crescent, Claremont



F1 Claremont Peninsula Specific Area Plan

F1.9 Residential Precinct (RES-P)

Standard	Acceptable Solution	Proposed	Complies?
1.9.4 Use Standards			
F1.9.4.1 Traffic Management	A1 Parking spaces must be provided in accordance with all of the following minimum rates: (a) 1.5 spaces per 1- or 2-bedroom dwelling or serviced apartment; (b) 2 spaces per dwelling, or serviced apartment, with more than 2 bedrooms; (c) 1 visitor space for every 5 dwellings located in shared parking areas.	The reduction to eight three-bedroom dwellings results in four spaces less than previously.	Yes
F1.9.5 Development Standards for Buildings and Works			
F1.9.5.1 Residential Density	A1 The precinct must be developed in accordance with all of the following: (a) not less than 56 dwellings or serviced apartments; (b) not more than 75 dwellings or serviced apartments.	The proposal is for 13 dwellings and there would be a total of 69 dwellings on site.	Yes

Standard	Acceptable Solution	Proposed	Complies?
F1.9.5.2 Building envelope	A1 Development, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m horizontally beyond the building envelope, must be contained within a building envelope - refer to Diagram F1.9.5.2A - determined by all of the following: (a) a maximum of 4m above natural ground level within 20m of the high-water mark precinct boundary; (b) a line projecting at an angle of 20 degrees from the horizontal. at a height of 4m above natural ground level at a distance of 20m from the high water mark precinct boundary to a distance of 40m from the high water mark precinct boundary, and thereafter projecting a line at an angle of 8 degrees from the horizontal to a maximum height of 12m above natural ground level. Diagram F1.9.5.2A. Building envelope as required by subclause F1.9.5.2 A1 	Maximum height is 6.8m	Yes

Standard	Acceptable Solution	Proposed	Complies?
	A2 Buildings within 20m of the high-water mark are to be non-habitable and not for residential purposes.	Not within 20m	Yes
F1.9.5.3 Sunlight and Overshadowing	A1 A dwelling or serviced apartment 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 F1.9.5.3A.).	All apartments have living room windows facing 12° east of north	Yes
	A2 A dwelling or serviced apartment that is to the north of a window of a habitable room (other than a bedroom) of another dwelling or serviced apartment, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram F1.9.5.3A.), must be in accordance with (a) or (b), unless excluded by (c): (a) the dwelling or serviced apartment is contained within a line projecting (see Diagram F1.9.5.3B.): (i) at a distance of 3m from the northern edge of the private open space; and (ii) vertically to a height of 3m above natural ground level and then at an angle of 45 degrees from the horizontal;	Previously approved apartment blocks 2.5 and 2.4 are to the north but are separated by at least 10m.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(b) the dwelling or serviced apartment 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; and (c) that part of a dwelling or serviced apartment, consisting of: (i) an outbuilding with a building height no more than 2.4m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6m horizontally from the multiple dwelling.		
	A3 A dwelling or serviced apartment that is to the north of the private open space of another dwelling or serviced apartment, required in accordance with A1 or P1 of sub-clause F1.9.5.3, must be in accordance with (a) or (b), unless excluded by (c): (a) the dwelling or serviced apartment is contained within a line projecting (see Diagram F1.9.5.3C.): (i) at a distance of 3m from the northern edge of the private open space; and (ii) vertically to a height of 3m above natural ground level and then at an	There is no private open space affected	Yes

Standard	Acceptable Solution	Proposed	Complies?
	angle of 45 degrees from the horizontal; (b) the dwelling or serviced apartment 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; and (c) that part of a dwelling or serviced apartment, consisting of: (i) an outbuilding with a building height no more than 2.4m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6m horizontally from the multiple dwelling.		
F1.9.5.4 Privacy	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 1m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing another dwelling, unless the balcony, deck, roof terrace, parking space, or carport is at least 6m from both of the following: (a) a window or glazed door to a habitable room of the other dwelling; (b) a balcony, deck, roof terrace or private open space of the other dwelling.	Each dwelling would have a balcony on the first floor, separated by a full-length wall from the adjacent dwelling, which complies.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	A2 A window or glazed door to a habitable room of a dwelling that has a floor level more than 1m above natural ground level, must be in accordance with one of the following: (a) the window or glazed door is to be at least 6m from a facing window or glazed door to a habitable room of another dwelling; (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; (ii) is to have a sill height of at least 1.7m above the floor level or have fixed obscure glazing extending to a height of at least 1.7m above the floor level; (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 1.7m above floor level, with a uniform transparency of not more than 25%; unless the facing window to a habitable room of another dwelling has a sill height of at least 1.7m above the floor level or has fixed obscure glazing extending to a height of at least 1.7m above the floor level.	The windows of the apartment blocks opposite would be at least 10m away, which complies.	Yes

Standard	Acceptable Solution	Proposed	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 dwelling, by a horizontal distance of not less than one of the following: (a) 2.5m; (b) 1m if one of the following applies: (i) it is separated by a screen of at least 1.7m in height; (ii) the window or glazed door to a habitable room has a sill height of at least 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7m above the floor level.	The north facing windows of the proposed apartment blocks face an internal road. However, there would be more than 2.5m separation from the road, which complies.	Yes
F1.9.5.5 Design	A1 The development must include not less than 3 landscaped links that provide for views between the Golf Course Precinct (GOLF-P) and the river. The landscaped links must have a horizontal width of not less than: (a) 2/3 the height of the wall of adjacent buildings; or (b) 4m; whichever is the greater.	Link width: proposed 4.2m required 4.535m (2/3 wall height), which does not comply. Please see report for further details.	No-Discretion

Standard	Acceptable Solution	Proposed	Complies?
	A2 The layout of development must include all of the following: (a) all pedestrian access designed and constructed to comply with IPWEA Tasmanian Standard Drawing TSD-R11-v1; (b) a public footway along the foreshore from the west boundary to the north-east boundary of the precinct designed and constructed to comply with all of the following: (i) Australian Standard AS2156.1- 2001 Walking tracks Part 1: Classification and signage, SAI Ltd., Sydney, 2001, Table Class 1; (ii) width not less than 1.8m (c) not less than 5% of dwellings are to be provided with pedestrian access to the publicly accessible pedestrian footway/boardwalk public footway designed to be DDA compliant to Australian Standards AS 1428 (Set) Design for access and mobility Set, SAI Ltd., Sydney.	Existing no change. The proposal relies on the original approval for these requirements, which are partially completed.	NA
	A3 The horizontal separation between the public footway and residential buildings must not be less than 7.5m.	Existing no change	NA

Standard	Acceptable Solution	Proposed	Complies?
	A4 Development must include a landscaping plan, showing all of the following: (a) all footways, outdoor car parks, other outdoor vehicular access areas, and public, shared or private open space must be landscaped; (b) boundaries between public, shared or private open space must be defined using one or more of the following: (i) grade changes; (ii) changes in vegetation; (iii) low fencing or walls; (iv) changes in surface treatment; (c) clear sightlines must be maintained between footways, car parks, other vehicle access areas, and public, shared or private open space; (d) planting within 20m of the foreshore must use locally endemic species; (e) planting must not include the following: (i) Eucalyptus globulus or Eucalyptus ovata; (ii) known environmental weeds;	Existing no change.	NA

Standard	Acceptable Solution	Proposed	Complies?
	(f) a vegetation management plan for weed removal and weed hygiene must be provided.		
	A5 Roof colour must be non-metallic and have a solar absorption of not less than 50%	Roofs would be none-metallic and dark grey, which complies.	Yes
	A6 Building facades facing public or shared space must include a window from a habitable room that complies with all of the following: (a) a sill height not more than 1.5m above floor level; (b) transparent glazing; (c) an area of not less than 1m ² .	All dwellings would have living room windows facing the internal road of the required qualities, which complies.	Yes
	A7 Outbuildings ancillary to a dwelling must be designed as an integrated part of the dwelling by using the same palette of materials, colours and details.	There would be seven carports. A condition is recommended for the materials and colours.	Yes
	A8 Vehicle access must meet all of the following: (a) the width of accesses that serve 2 or more dwellings is to be 4.3m, except where additional width is required for turning, manoeuvring or	Existing, no change. The proposal is relying on the original approval for these requirements, which are mostly completed.	NA

Standard	Acceptable Solution	Proposed	Complies?
	intersections or for the inclusion of 5.5m wide passing bays at minimum 45m intervals; (b) provide for onsite turning and access for service vehicles in accordance with Australian Standard AS2890.2 - Parking facilities Part 2: Off-street commercial vehicle facilities, 2nd Ed, SAI Ltd, Sydney, 2002; (c) be drained and paved incorporating water sensitive urban design principles and landscaping.		
	A9 The design and location of shared parking areas must comply with all the following: (a) the requirements of Australian/New Zealand Standard AS/NZS 2890.1:2004 Parking Facilities, Part 1: Off Road Car Parking, incorp. Amd 1, Standards Australia, Sydney; (b) include a variety of surfaces or paving materials. (c) not provide opportunities for entrapment; (d) not be located between dwellings and the foreshore, where those dwellings are located directly adjacent to the foreshore.	Existing no change The proposal is relying on the original approval for these requirements, which are mostly completed.	NA

Standard	Acceptable Solution	Proposed	Complies?
	A10 Lighting must be provided in compliance with Australian/New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting—Performance and design requirements, Inc. amd. 3, SAI Ltd., Sydney, 2013, to the following minimum levels: (a) shared driveways: P4; (b) shared parking areas: P11C; (c) accessible parking spaces: P12; (d) footways/boardwalks: P3; (e) cyclepaths: P4;	Existing no change The proposal is relying on the original approval for these requirements, which are mostly completed.	NA
F1.9.5.6 Private Open Space	A1 Dwellings must have an area of private open space, appurtenant and directly accessible from a habitable room, which complies with all of the following: (a) is in one location; (b) is not less than 8m² with a dimension of not less than 2m; (c) have an area of not more than 30m²; (d) if on ground level, is clearly defined by a fence and landscaping; (e) is not located to the south, south-east or south-west of the dwelling, unless the area receives not less than 3 hours of sunlight to 50% of the area between 9:00am and 3:00pm on the 21 June.	Each dwelling would have a balcony on the first floor of at least 8.4m with a minimum width of 2.1m, orientated to the north, as well as additional garden area on the ground floor. The total is less than 30m².	Yes

Standard	Acceptable Solution	Proposed	Complies?
F1.9.5.7 Fences	A1 Fencing must comply with all of the following: (a) between buildings and the boundary of either the Golf Precinct (GOLF-P) or the Commercial Precinct (COMM-P), a fence must have a height of not more than one of the following: (i) 1.2m if the fence is non-transparent; (i) 1.8m, if any part of the fence has openings above a height of 1.2m which provide a uniform transparency of not less than 30% (excluding any posts); (b) between buildings and the foreshore or shared driveway, a fence must have a height of not more than one of the following: (i) 0.5m, if the fence is non-transparent (ii) 1m, if any part of the fence has openings above a height of 0.5m which provide a uniform transparency of not less than 30% (excluding any posts); (c) within public or shared spaces, no fencing unless required as a balustrade or similar in	Not proposed	NA

Standard	Acceptable Solution	Proposed	Complies?
	accordance with the BCA and which provide a uniform transparency of not less than 30% (excluding any posts).		
F1.9.5.8 Waste Storage	A1 Dwellings must have a storage area that provides for waste and recycling bins, and is within one of the following locations: (a) in an area for the exclusive use of each dwelling which is not located between the dwelling and any shared driveway or is enclosed and designed as an integrated part of the dwelling by using the same palette of materials, colours and details; (b) in a communal storage area that complies with all of the following: (i) has an impervious surface; (ii) has a setback of at least 3m from a shared driveways; (iii) is at least 5.5m from any dwelling; (iv) is screened from the shared driveways and any dwelling by a wall to a height of at least 1.2m above the finished surface level of the storage area.	Each dwelling would have room for bin storage.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	A2 Development must provide for the collection of waste from within the site.	Waste arrangements would be the same as for the rest of the site, but a condition is recommended.	Yes
F1.9.5.9 Noise Attenuation	A1 Buildings intended for residential uses must comply with 'satisfactory design sound levels' specified in Australian/New Zealand Standard AS/NZS 2107:2000 Acoustics - Recommended design sound levels and reverberation times for building interiors; SAI Ltd., Sydney, 2000, Table 1.	The original proposal was supported by a noise assessment and was conditioned appropriately. The conditions are now being carried forward. Therefore, buildings intended for residential uses will comply with 'satisfactory design sound levels' specified in Australian/New Zealand Standard AS/NZS 2107:2000 Acoustics	Yes
F1.9.5.10 Development for Sensitive Uses in Proximity to Use with Potential to Cause Environmental Harm	A1 Development (including subdivision) for sensitive use must meet the attenuation distance specified in Table F1.9.5.10 Attenuation Distances for Spray Irrigation or Storage Lagoons/Holding Dams Associated with Sewage Treatment Plants.	TasWater previously provided the following comments (02/03/18) with respect to Stage 1 closest to the dam: The Recycled Water Agreement has not been finalised, but I am assured that environmental compliance is not a factor as the Golf Club does have the IEMP that it is operating under. In the event that the Agreement is not finalised, or the operator is in breach of the environmental requirements,	Yes

Standard	Acceptable Solution	Proposed	Complies?
		TasWater controls the recycled water supply and can cut off the water. Given the above, it is considered that the proposal complies.	

**7. PROPOSED USE AND DEVELOPMENT - MULTIPLE DWELLINGS
(2) - 5 CROSSIN COURT, CHIGWELL**

Author: Senior Statutory Planner (Vanessa Tomlin)

Qualified Person: Senior Statutory Planner (Vanessa Tomlin)

Property ID: 3047381

REPORT SUMMARY:

Application No.:	PLN-19-313
Applicant:	Philp Lighton Architects Pty Ltd
Owner:	Housing Tasmania
Zone:	General Residential zone
Use Class	Residential
Application Status:	Discretionary
Discretions:	10.4.2 P3, 10.4.3 P1, 10.4.3 P2, 10.4.4 P1, 10.4.8 P1, E5.6.4 P1, 6.6.1 1P and E6.7.2 P1.
	(The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	21 Jan 2020
Existing Land Use:	Vacant land
Representations:	1
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL:**PROPOSAL**

The proposal involves the construction of two dwellings at 5 Crossin Court, Chigwell. The proposed dwellings are to be constructed from mixed materials, including brick and grooved cement sheet, with a colorbond ® roof. Proposed dwelling 1 is to have two bedrooms, bathroom, open plan kitchen, living and dining area with access to a patio and attached single garage. The garage is to include a laundry. This dwelling is to have more than 60m² of landscaped private outdoor space which includes both grassed and paved areas, garden beds, a slimline detention tank, clothes line and a 1.5m by 1.5m outbuilding. Two parking spaces for this dwelling are proposed, with one in the single garage and the other in the driveway for this dwelling.

Proposed dwelling 2 is to consist of an attached single garage with gym, four bedrooms, two bathrooms, a laundry and an open plan kitchen, dining and living area which is to open out onto a 3.6m by 6.3m patio. This dwelling, like the other is to have more than 60m² of landscaped private outdoor space, that is to be both grassed and paved and includes garden beds, a slimline detention tank, clothes line and a 1.5m by 1.5m outbuilding. Two parking spaces are provided for this dwelling and a shared visitor space is proposed.

The two proposed dwellings are to be separated by a 1.8m high paling fence. A 1m high dry stack retaining wall is to extend along the south-western rear boundary, adjacent to the proposed dwellings and is to extend along the south-eastern side boundary to the proposed attached garage of dwelling 1. A storage area for waste and recycling bins is proposed for each dwelling.

The proposal relies on performance criteria to comply with 10.4.2 Setbacks and building envelope for all dwellings P3, 10.4.3 Site coverage and private open space for all dwellings P1, 10.4.3 Site coverage and private open space for all dwellings P2, 10.4.4 Sunlight and overshadowing of all dwellings P1, 10.4.8 Waste storage for multiple dwellings, E5.6.4 Sight distance at accesses, junctions and level crossings P1, E6.6.1 Number of Car Parking Spaces P1 and E6.7.2 Design of Vehicular Accesses P1.

SITE and LOCALITY

The vacant site is located on the south-western side of a cul-de-sac head of Crossin Court, Chigwell. The site has 7m of frontage to Crossin Court, is 36m wide and is 1114m². A 4m wide easement extends along the north-western side boundary. The site is relatively flat and is situated amongst established residential development (Fig. 1).



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

The site is within 70m of public open space known as Bethune Reserve and is in reasonable walking distance of a child and family centre.

ZONE

The site is situated within the General Residential zone, with Open Space zoning to the east (Fig. 2).

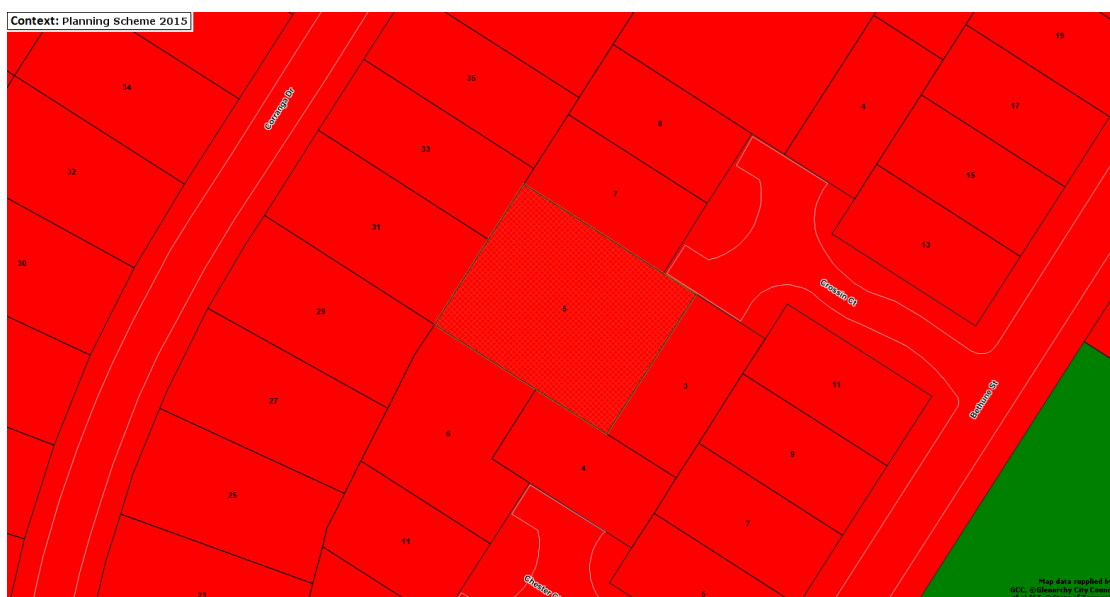


Figure 2. A snapshot of the zoning pattern in the locality, showing the General Residential zone (red) and the Open Space zone (green).

BACKGROUND

This application is being determined by the Glenorchy Planning Authority because there was a representation made against the application.

Planning permits

The site has been vacant since the land was subdivided in 2010, under planning permit PLN-08-0188.

ASSESSMENT**STATE POLICIES, OBJECTIVES of LUPAA**

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

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

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

Nil.

Limited Exemptions*6.1 Minor Structures and Outbuildings*

A slimline detention tank and a 1.5m by 1.5m outbuilding is proposed for each dwelling. The tank for proposed dwelling 1 is not exempt from assessment because the tank is positioned within 1m of the south-eastern side boundary, even though its capacity is less than 45 kilolitres. The proposed tank for proposed dwelling 2 meets this exemption given it's siting within the site. The outbuilding proposed for dwellings 1 and 2 meet the terms of Clause 6.1.5 and are exempt from assessment.

6.4 Fences

A dry stack retaining walls to a height of 1m is proposed along the south-eastern side boundary, the southern rear boundary and between the two proposed dwellings. Given that the retaining walls adjacent to the south-eastern and southern rear boundary are to be within 1m of those boundaries, those retaining walls do not meet the exemption. It is noted that any part of the proposed retaining walls that retain less than 1m and are more than 1.5m from the boundary meet the exemption.

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

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

Use Class Description (Table 8.2):

The use class is Residential, with the individual use class of multiple dwellings. 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.

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

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

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

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

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

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

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

Part C: Special Provisions

No special provisions of the Scheme apply to this proposal.

Part D: Zones

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

Zone Purpose Statements

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

The proposal is taken to be consistent with the purpose of the zone given the proposal is for residential development that is to connect to existing services.

Use Table

Multiple dwellings are a permitted use and development within the General Residential zone. However, the application requires discretionary consideration because the proposal is relying on performance criteria to comply with applicable standards.

Use Standards

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

Development Standards for Residential Buildings & Works

10.4.2 Setbacks and building envelope for all dwellings P3

The patio associated with proposed dwelling 1 is to be within 4m of the rear boundary, as is proposed dwelling 2. In addition, the garage wall of dwelling 1 is to be more than 3m in height on the boundary. Accordingly, the proposed dwellings do not fit within the building envelope as described in diagram 10.4.2A of GIPS 2015. The performance criteria require the siting and scale of a dwelling to:

- (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.

Both proposed dwellings (including the dry stack retaining wall) are relatively low in scale, with a maximum overall height of 4.2m. It is the southern and eastern elevations of the dwellings that may cause shadow to be cast onto adjoining dwellings and the associated private outdoor space. The southern elevation of the building shows the maximum height in that location to be 3m above natural ground level and the maximum height for the eastern elevation is 3.5m.

The proposed dwellings are to be positioned to the north-east of adjoining dwellings and the associated private outdoor space of 4 and 6 Chester Court, Chigwell and to the west of 3 Crossin Court, Chigwell. However, the siting and scale of the proposed dwellings will not prevent at least three hours of sunlight to those dwellings and the associated private outdoor space. The visual impact of the dwellings, when viewed from the adjoining lots is taken to be reasonable given the low scale of the dwellings.

The separation distance between dwellings is in harmony with that prevailing in the area, considering several dwellings in the locality have similar rear boundary setbacks to the proposal.

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

10.4.3 Site coverage and private open space for all dwellings P1

The proposal has 23% of the site area that is to be free from impervious surfaces. Given that this is less than the required 25% under the acceptable solution, the proposal relies on performance criteria, which requires dwellings to have:

- (a) private open space that is of a size and dimensions that are appropriate for the size of the dwelling and is able to accommodate:
 - (i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any communal open space provided for this purpose within the development; and
 - (ii) operational needs, such as clothes drying and storage; and
- (b) reasonable space for the planting of gardens and landscaping.

The applicant has indicated that the proposed dwelling is designed for occupants with accessibility requirements and this has resulted in large easily trafficable areas, which are typically impervious. Given that the private outdoor space is to consist of both grassed and paved areas, with landscaping details provided, it is assessed that the proposed dwellings would have outdoor areas suitable for the recreational and operational needs of future occupants.

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

10.4.3 Site coverage and private open space for all dwellings P2

Private outdoor space for dwelling 1 is proposed along the southern elevation, with most of the required 24m² of private outdoor space under the cover of the proposed patio. This causes more than 50% of the 24m² of private outdoor space to not receive at least three hours of sunlight between 9.00am and 3.00pm on the 21st June. For that reason the proposal relies on performance criteria, which requires a dwelling to have private open space that:

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

The private outdoor space for the proposed dwellings is to be largely under the cover of a patio with some area completely out in the open. The alfresco/patio area is designed to provide a useable all-weather outdoor area for future occupants. The remaining uncovered private open space is conveniently located to the living areas of the dwellings and is orientated to take advantage of sunlight. Accordingly, the proposal satisfies the performance criteria and complies with the standard.

10.4.4 Sunlight and overshadowing of all dwellings P1

Neither proposed dwelling 1 or 2 proposes 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. The proposal relies on performance criteria to comply with the standard, which requires a dwelling to be sited and designed so as to allow sunlight to enter at least one habitable room (other than a bedroom).

Proposed dwelling 1 has north facing windows in the living room and proposed dwelling 2 has glazing on the north-western elevation that would enable sunlight to enter those habitable rooms. It is noted that there are windows for every room within the dwellings. Consequently, there is opportunity for sunlight to enter habitable rooms (other than bedrooms) of dwellings.

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

10.4.8 Waste Storage for multiple dwellings P1

The proposed siting of the waste storage area in front of proposed dwelling 1 causes the proposal to rely on performance criteria, which requires a multiple dwelling development to provide storage, for waste and recycling bins, that is:

- (a) capable of storing the number of bins required for the site; and
- (b) screened from the frontage and dwellings; and
- (c) if the storage area is a communal storage area, separated from dwellings on the site to minimise impacts caused by odours and noise.

There is a designated area within a private courtyard for three bins per dwelling. This is taken to be sufficient storage area for the proposal.

The proposed storage area for dwelling 1 is to be screened from the frontage and other dwellings by a 1.8m high timber screen. The storage area in the courtyard can be further screened from that dwelling. As such, the proposal is taken to satisfy 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*E5.6.4 Sight distance at accesses, junctions and level crossings P1*

Council's Development Engineer has reviewed the proposal and found that it does not comply with the acceptable solution of this standard. The performance criteria require the design, layout and location of an access, junction or rail level crossing to provide adequate sight distances to ensure the safe movement of vehicles, having regard to:

- (a) the nature and frequency of the traffic generated by the use;
- (b) the frequency of use of the road or rail network;
- (c) any alternative access;
- (d) the need for the access, junction or level crossing;

- (e) any traffic impact assessment;
- (f) any measures to improve or maintain sight distance; and
- (g) any written advice received from the road or rail authority.

The assessment of the proposal against the performance criteria by Council's Development Engineer is detailed below. However, given minor adjustments to the width and siting of the access, as recommended by condition of approval in combination with the relatively low frequency of use, the proposal is assessed as satisfying the performance criteria and complies with the standard, by providing an access that enables safe movement of vehicles.

Parking and Access Code

E6.6.1 Number of Car Parking Spaces P1

Five car parking spaces are proposed when four are required by the acceptable solution of this standard. The performance criteria require the number of on-site car parking spaces to be sufficient to meet the reasonable needs of users, having regard to all of the following:

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

Two parking spaces are proposed for each dwelling, with an additional space provided for visitors to the site. This additional space will prevent regular overspill of parking onto the street, which is favourable given the limitations to on-street parking in the immediate vicinity. To that end, the proposed parking arrangements are assessed as meeting the demand generated by the use and satisfies the performance criteria of the standard.

It is noted that Council's Development Engineer has reviewed the proposed parking arrangement and is in support of what is proposed.

E6.7.2 Design of Vehicular Accesses P1

The assessment of Council's Development Engineer has revealed that the proposal does not comply with the acceptable solution of this standard. The performance criteria require the design of vehicle access points to be safe, efficient and convenient, having regard to all of the following:

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

Given the residential nature of the use and minor modifications to the access, Council's Development Engineer is satisfied that the proposal meets the performance criteria, by providing an access that is safe and efficient for all users.

Stormwater Management Code

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

PART F: Specific Area Plans

No SAP applies to the land subject to the proposal.

INTERNAL REFERRALS

Development Engineer

Council's development Engineer has made the following assessment and recommended conditions: The application is for two dwellings (Fig. 3).

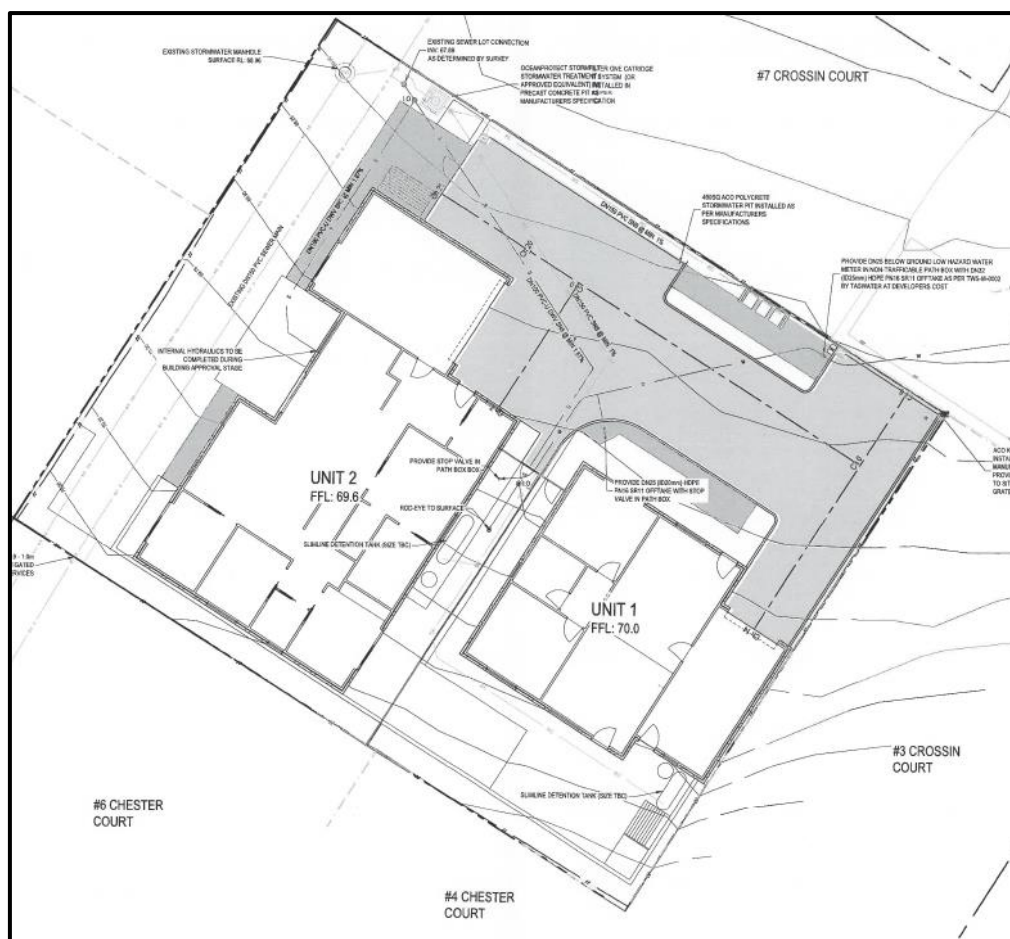


Figure 3. A view of the proposed layout of the dwellings and infrastructure.

E5.0 Road and Railway Assets Code

This Code applies to use or development of land:

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

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

The access is unable to comply with the acceptable solution of E5.6.4 Sight distance at accesses, junctions and level crossings and table E5.1 Safe intersection sight distance due to the proximity of the adjacent accesses. It is considered; however, the new access can satisfy the relevant clauses of the performance criteria of this code with a condition recommended to improve and maintain sight distance for the access. This is discussed in more detail under the following representation.

Representation

Council received a representation raising concerns with sight distances/sightlines at the access point. The access opening is approximately 6.0 meters wide and will meet minimum sight lines for pedestrian safety as required under clause 3.2.4 sight distance for access/driveway exists of the Australian Standard, Off-Street Car parking, AS 2890.1 – 2004, as shown below (Fig. 4).

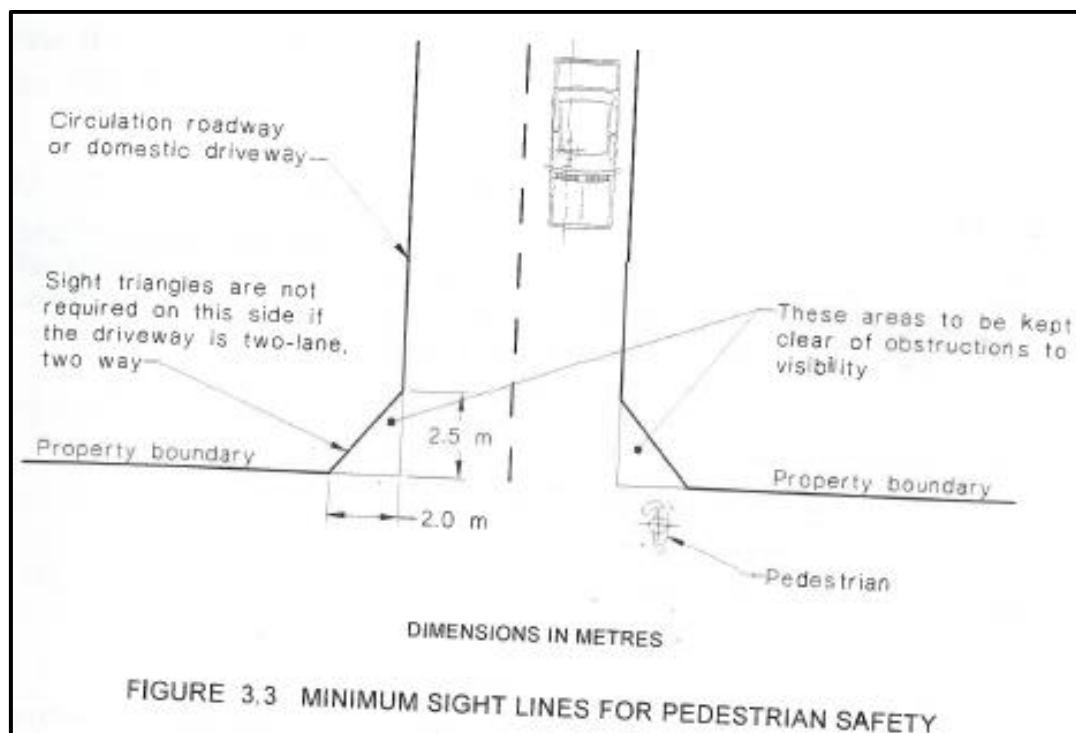


Figure 4. A snapshot of the minimum sightlines for pedestrian safety.

A condition is recommended that to maintain the sight triangles the access be narrowed to 3.6 meters wide located centrally within the access opening and that the areas within the sight triangles be landscaped with low growing plantings. Plans showing the recommended modifications to the access should be provided as part of the building application and this included as a condition of approval.

Considering the low frequency of traffic generated by the proposed use, there are no alternative access options and with the recommended access modifications, it is considered adequate to satisfy the performance criteria of this code.

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

E6.0 Parking and Access Code

This code applies to all use and development.

Five (5) car parking spaces are proposed to be provided. This is greater than a 10% required to satisfy the parking provision of the Acceptable Solution A1 of Clause E6.6.1 of the Glenorchy Interim Planning Scheme 2015.

The dwellings are designed to accommodate people with disabilities and the applicant is proposing an additional parking space, surplus to that required to meet the acceptable solution, for visitor parking for carers.

This is considered reasonable to meet the carparking demand and reasonable needs of the users to satisfy the performance criteria of E6.6.1 Number of Car Parking Space P1 (a) car parking demand. The remaining clauses of the performance criteria are not applicable to this application.

Clause E6.7.2, which includes the reference to sight distance, states the vehicle accesses must comply with Australian Standard AS 2890.1. The required sight distances from the proposed new driveway/access will not be able to meet the acceptable solution of Clause E6.7.2 due to the location of existing adjacent accesses (minimum sight distance of 40m required for speed of 50km/h) (Fig. 5).



Figure 5. A view of the access to the site and adjoining accesses.

With the expected low traffic speeds within this area and the recommended modifications to the access, it is considered the access will be safe and efficient and satisfy the performance criteria of this code.

A representation raised concerns under this code. This has been addressed previously under code E5.6.4 Sight distance at accesses. The modifications recommended to the access are considered to address the representors concerns regarding sight distance.

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

E7.0 Stormwater Management Code

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

The applicant has shown how stormwater from existing and proposed future impervious areas will be connected by gravity to public stormwater infrastructure to satisfy the acceptable solution A1 of this code.

The applicant has shown the proposed method of stormwater treatment to satisfy A2 of this code. The proposed stormwater treatment requires regular maintenance for the system to work effectively and efficiently. A condition is recommended to provide details on maintenance plan as part of the building approval process. There is the option for developer to provide an alternative system as part of the building approval process requiring less maintenance and still satisfy the acceptable solution of this clause.

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

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

Other

E3.0 Landslide Code

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

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

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

E15.0 Inundation Prone Areas Code

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

Waste Management Officer

Council's Waste Management officer has made the following comment and recommended advice:

Waste Services to the proposed multiple dwelling development at 5 Crossin Court Chigwell would be Council's standard bin service collected fortnightly.

EXTERNAL REFERRALS

TasWater

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

REPRESENTATIONS

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

1. Location of equipment and trucks during construction

The representor raises concern about where the building material, equipment and trucks will be stored and parked during construction, given the lack of on-street parking, potential damage to neighbouring landscaping and potential restricted access to adjoining lots.

Planner's Comment:

A condition of approval is recommended to ensure loading and unloading of goods, including building materials and equipment, from vehicles is to be carried out on the land at 5 Crossin Court, Chigwell. This is a standard condition for all developments, designed to ensure no inference with adjoining lots.

2. Sightlines for the access

The representor is concerned about the access sightlines from the site and adjoining site, when using the respective driveways and requests that the fence next to the driveways be lowered to increase sight distance.

Planner's Comment:

Council's Development Engineer has reviewed the access arrangements for this application and determined that the access design required modification to ensure safe sight distances, causing potential conflict between all users to be reduced. Accordingly, a condition of approval is recommended to narrow the access to 3.6m and centre it within the access opening.

3. Privacy

The representor requests that privacy be maintained between the neighbouring lots, with particular attention to decreasing noise generated by vehicles. Considering that the visitor parking space would be in proximity to bedrooms of the neighbouring lot, it is request that evergreen shrubs be planted along the boundary of the proposal.

Planner's Comment:

A landscaping plan has been provided as part of the application. This plan indicates screening bushes along the northern boundary. Screening vegetation is generally evergreen. However, a condition of approval is recommended to ensure evergreen screening vegetation is grown indefinitely in this location.

4. Waste collection

The representor requests that the existing arrangements for waste collection be maintained with the addition of bins to service the proposal. The bins are currently collected on the grassed area near the fence of 11 Bethune Street, Chigwell.

Planner's Comment:

The collection of bins is not a matter that can be dealt with through the planning application. However, Council's Co-ordinator Waste Services has reviewed the application and would resolve any collection issues with those affected once the dwellings are occupied, in accordance with Council's Waste Management policy.

5. Nature strip maintenance

The representor is concerned about the lack of maintenance of nature strips at the entrance to Crossin Court and requests that Council maintain these areas.

Planner's Comment:

Given this is not an issue that can be dealt with through the Planning process, the matter has been raised with Council's Property Section for actioning.

CONCLUSION

The proposal is relying on the performance criteria to comply with applicable standards. The proposal is assessed as satisfying the performance criteria and complies with those standards. The proposal is assessed as complying with all other use and development standards in the General Residential zone, as well as the applicable standards of the Road and Railway Assets code, Parking and Access code

and Stormwater Management code. The application was publicly advertised for the statutory 14-day period and one representation was received. The issues raised in the representation have been addressed and conditions of approval recommended where appropriate.

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 Multiple dwellings (2) at 5 Crossin Court Chigwell subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-19-313 and Drawing No. P2 submitted on 26 November 2019, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2019/01661-GCC, dated 03/12/2019, form part of this permit.
3. Landscaping works as shown on the endorsed plans must be completed within three months from issue of Certificate of Occupancy to the satisfaction of Council's Senior Statutory Planner. The landscaping must include evergreen screening vegetation along the northern boundary. The landscaping must be maintained to the satisfaction of Council's Senior Statutory Planner for the duration of the use.

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 at 5 Crossin Court, Chigwell.
6. Five (5) clearly marked car parking spaces (two per dwelling) must always be provided prior to occupancy of any dwelling and kept available for these purposes. Car parking spaces, manoeuvring areas and aisles must be provided in accordance with the Australian Standard AS 2890.1 – 2004 Off-Street Parking. In areas set aside for car parking, securely fixed wheel stops, or kerbing must be provided to the satisfaction of Council to prevent damage to fences or landscaped areas
7. Driveways and car parking areas must be constructed and sealed with an approved impervious surface treatment prior to occupancy of the dwelling. Construction details must generally be in accordance with Council's standard requirements and

must be provided in accordance with the “Australian Standard AS/ANZ 2890.1 – 2004 Off-Street Parking”.

8. The access fronting Crossin Court must be narrowed to maximum 3.6 meters wide and be located centrally within the access opening. Either side of the access must be landscaped and planted with low growing shrubs/plants to not obstruct sightlines. The modifications must be shown on amended plans submitted to Council for building approval.
9. Prior to the issuing of a Building Permit, Water Sensitive Urban Design (WSUD) elements and a WSUD Maintenance plan must be submitted to the satisfaction of Council’s Development Engineer. The WSUD elements must be installed and completed prior to a Certificate of Occupancy being issued for any of the dwellings.
10. All internal hydraulic service works required for the development shall be at the Developer’s expense and must comply with the requirements of Council’s Plumbing Surveyor

Advice to Applicant

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

Other Permits

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

Waste Management

The waste collection service is to be in accordance with Council’s Waste Management Policy. The waste management service is expected to involve:

- a) The Council’s Standard Bin Service includes one (1) x 140L wheelie bin for Waste, one (1) x 240L wheelie bin for recycling and (1) x 240L FOGO bin to each of the dwelling, collected fortnightly.

Please note that this property would have a total of 6 bins (6) bins, two (2) Waste bins and two (2) Recycling Bins, and two (2) FOGO bins.

- b) This property has an existing kerbside/nature strip area for placement of the bins therefore the dwellings would have their own individual bins.
- c) All bins are to be placed on the kerbside for collection.
- d) Council’s Waste Management Contractor collection trucks will not enter the property to collect and empty the wheelie bins.

Attachments/Annexures

- 1 GPA Attachments - 5 Crossin Court, Chigwell



APPENDIX

10.0 General Residential Zone

Standard	Acceptable Solution	Proposed	Complies?
10.3 Use Standards			
10.3.1 Non-Residential Use	A1 Hours of operation must be within 8.00 am to 6.00 pm, except for office and administrative tasks or visitor accommodation.	Residential use 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) (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.	Residential use proposed	NA

	A3 External lighting must comply with all of the following: (a) be turned off between 6:00 pm and 8:00 am, except for security lighting; (b) security lighting must be baffled to ensure they do not cause emission of light into adjoining private land.	Residential use proposed	NA
	A4 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site must be limited to 20 vehicle movements per day and be within the hours of: (a) 7.00 am to 5.00 pm Mondays to Fridays inclusive; (b) 9.00 am to 12 noon Saturdays; (c) nil on Sundays and Public Holidays.	Residential use proposed	NA
10.3.2 Visitor Accommodation	A1 Visitor accommodation must comply with all of the following: (a) is accommodated in existing buildings; (b) provides for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site; (c) has a floor area of no more than 160m ² .	Residential use proposed	NA
10.3.3 Local Shop	A1 A local shop must have a gross floor area no more than 200m ² .	Residential use proposed	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 site coverage per dwelling is 557m ² .	Yes
10.4.2 Setbacks and building envelopes for all dwellings	A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or (b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or (c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or (d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.	The proposed dwellings are to be setback more than 4.5m from the primary frontage.	Yes

	A2 A garage or carport must have a setback from a primary frontage of at least: (a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or (b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.	The proposed attached garages are to be setback more than 5.5m from the primary frontage.	Yes
	A3 A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must: (a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by: (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and (b) only have a setback within 1.5 m of a side boundary if the dwelling:	The patio belonging to proposed dwelling 1 and dwelling 2 are to be positioned within 4m of the rear boundary. The south-western boundary is taken to be the rear boundary. The proposed siting of the water tank for dwelling 1 meets the acceptable solution, because it fits within the building envelope.	No

	(i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or (ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).		
10.4.3 Site coverage and private open space for all dwellings	A1 Dwellings must have: (a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and (b) for multiple dwellings, a total area of private open space of not less than 60 m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) a site area of which at least 25% of the site area is free from impervious surfaces.	a) Less than 50% site coverage; b) 60m² to be provided per dwelling; c) 23% of area is free from impervious surfaces (doesn't comply)	No
	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	a) Yes, both dwellings have 24m² in one location; b) With a minimum horizontal dimension of 4m; c) Both dwellings have habitable rooms with direct access from and is adjacent to the POS; d) Dwelling 1 does not receive at least 3 hours of sunlight to 50% of the 24m² of POS; e) Not located within the frontage; f) Not steeper than 1 in 10; g) Not used for parking.	No

	above the finished ground level (excluding a garage, carport or entry foyer); and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and (d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and (e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and (f) has a gradient not steeper than 1 in 10; and (g) is not used for vehicle access or parking.		
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).	Proposed dwelling 1 and 2 do not 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.	No
	A2 A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 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	Proposed dwelling 2 is arguably north of proposed dwelling 1. However, there are no windows on the adjacent elevation of dwelling 1, so that the acceptable solution is not applicable.	NA

	(ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.		
	A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C): (i) at a distance of 3 m from the northern edge of the private open space; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of:	The proposal complies with (b) because 50% of the whole area (at least 60m²) of private open space receives more than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. It is noted that 50% of the 24m² of POS as described in 10.4.3 A2 would not receive a minimum of 3 hours of sunlight on 21 June. This is largely due to most of the 24m² being undercover in the patio area.	Yes

	(i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.		
10.4.5 Width of openings for garages and carports for all dwellings	A1 A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).	No garage or carport is to be within 12m of the frontage.	NA
10.4.6 Privacy for all dwellings	A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary; and (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4 m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m: (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or	No 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 is proposed.	NA

	(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: (i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or (c) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least	No 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 is proposed.	NA

	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.	Windows, or glazed doors, to a habitable room of a multiple dwelling that are within a horizontal distance of at least 2.5 m is to be screened to at least 1.8 m in height (dwelling 1).	Yes
10.4.7 Frontage Fences for all dwellings	A1 A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than: (a) 1.2 m if the fence is solid; or (b) 1.8 m, if any part of the fence that is within 4.5 m of a primary frontage has openings above a height of 1.2 m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).	No frontage fence proposed.	NA

10.4.8 Waste Storage for multiple dwellings	A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m² per dwelling and is within one of the following locations: (a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) in a communal storage area with an impervious surface that: (i) has a setback of at least 4.5 m from a frontage; and (ii) is at least 5.5 m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2 m above the finished surface level of the storage area.	The proposed storage is for waste and recycling bins for dwelling 1 is in front of that dwelling.	No
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APPENDIX

E5 Road and Railway Assets Code

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

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

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

Standard	Acceptable Solution	Proposed	Complies?
E5.6.4 Sight distance at accesses, junctions and level crossings	A1 Sight distances at: (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.		No

APPENDIX

E6.0 Parking and Access Code

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

Standard	Acceptable Solution	Proposed	Complies?
E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability	A1 Car parking spaces provided for people with a disability must: (a) satisfy the relevant provisions of the Building Code of Australia; (b) be incorporated into the overall car park design; (c) be located as close as practicable to the building entrance.	Not an applicable standard.	
E6.6.3 Number of Motorcycle Parking Spaces	A1 The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after 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.	
E6.6.4 Number of Bicycle Parking Spaces	A1 The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.	Not an applicable standard.	
E 6.7 Development Standards			
E6.7.1 Number of Vehicle Accesses	A1 The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.		Yes

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; (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.		No
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;	Not an applicable standard.	

Standard	Acceptable Solution	Proposed	Complies?
	(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.	Not an applicable standard.	
E6.7.5 Layout of Parking Areas	A1 The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same Standard.		
E6.7.6 Surface Treatment of Parking Areas	A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following; (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.		Yes

Standard	Acceptable Solution	Proposed	Complies?
E6.7.7 Lighting of Parking Areas	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.	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;	Not an applicable standard.	

Standard	Acceptable Solution	Proposed	Complies?
	(b) be located within 30 m of the main entrance to the building.		
	A2 The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.		
E6.7.11 Bicycle End of Trip Facilities	A1 For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.	Not an applicable standard.	
E6.7.12 Siting of Car Parking	A1 Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.	Not an applicable standard.	
E6.7.1.13 Facilities for Commercial Vehicles	A1 Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless:	Not an applicable standard.	

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

APPENDIX

E7.0 Stormwater Management Code

Standard	Acceptable Solution	Proposed	Complies?
E7.7 Development Standards			
E7.7.1 Stormwater Drainage and Disposal	A1 Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.		Yes
	A2 A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply: (a) the size of new impervious area is more than 600 m ² ; (b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots.		Yes

Standard	Acceptable Solution	Proposed	Complies?
	A3 A minor stormwater drainage system must be designed to comply with all of the following: (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed; (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.		Yes
	A4 A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.		Yes