

GLENORCHY PLANNING AUTHORITY MEETING

AGENDA

THURSDAY, 21 JANUARY 2021



GLENORCHY CITY COUNCIL

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

Chairperson: Alderman Kristie Johnston

Hour: 5.00 p.m.

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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 7 December 2020 be confirmed.

5. PROPOSED USE AND DEVELOPMENT - EXTENSION AND REDEVELOPMENT OF THE DERWENT ENTERTAINMENT CENTRE INCLUDING DEMOLITION, INCREASE IN FLOOR AREA FROM APPROXIMATELY 6,800 SQUARE METRES TO 9,897 SQUARE METRES, INCREASE IN SEATING CAPACITY TO 5,500 SEATS, REMOVAL AND RELOCATION OF EXISTING CARPARKING RESULTING IN 911 SPACES, PROVISION OF 10 MOTORCYCLE SPACES, GENERAL LANDSCAPING INCLUDING WIDENING OF PATHS AND PLANTING AND PARTIAL CHANGE OF USE TO HOTEL INDUSTRY USE TO ALLOW BAR TO OPERATE INDEPENDENT OF THE CENTRE - 601 BROOKER HIGHWAY, GLENORCHY

Author: Coordinator Planning Services (Trevor Boheim)
 Qualified Person: Consultant Planner (Emma Riley)
 Property ID: 7597188

REPORT SUMMARY

Application No.:	PLN-20-433
Applicant:	Ireneinc Planning
Owner:	Glenorchy City Council
Zone:	Recreation Zone
Use Class	Community meeting and entertainment, Sports and recreation, Hotel industry (sports bar)
Application Status:	Discretionary
Discretions:	Discretionary use (sports bar), Clause 18.3.1 P1 (hours of operation), Clause 18.3.2 P1 (noise emissions), Clause 18.3.4 P1 (commercial and patron vehicle movements), Clause E2.5 P1 (use), Clause E2.6.2 P1 (excavation), Clause E5.5.1 P1 & P2 (existing road accesses and junctions), Clause E6.6.1 P1 (number of parking spaces), Clause E6.6.3 P1 (number of motorcycle spaces), Clause E6.7.2 P1 (design of vehicular accesses), Clause E6.7.9 P1

	(design of motorcycle parking areas), Clause E6.7.10 P1 (design of bicycle parking facilities), Clause E11.7.1 P1 (buildings and works), Clause F13.6.1 P1 (discretionary use), Clause F13.7.1 P1 & P2 (building height & site coverage), Clause F13.7.3 P1, P2 & P3 (building design) and Clause F13.7.5 P1 (landscaping) (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	7 January 2021 (extension of time granted until 21 January 2021)
Existing Land Use:	Community meeting and entertainment
Representations:	Nil
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The proposal includes the refurbishment and extension of the existing Derwent Entertainment Centre (DEC) to facilitate future National Basketball League (NBL) games, additional car, bicycle and motorbike parking, improved pedestrian access throughout the site and landscaping works.

The key characteristics of the proposal include the following:

- Increased floor area of existing DEC facility from 6,800 m² to 9,897 m².
- Increased seating capacity from 5,400 to 5,500 (4,378 seated patrons during NBL games) and a total standing capacity of 8,797.
- Dining and outdoor extensions to create a corporate bar and dining area for functions and events.
- Change room extensions and enhancement of back of house facilities including change rooms, coach office, store, shower and amenities and a massage area.
- Extension to the southwest elevation to accommodate a sports bar comprising 202 m² of public bar area, 163 m² of sports bar dining area, a kitchen, toilet facilities and flexible outdoor dining area. The proposed sports bar has been designed so that it can operate independently to the DEC and may be used on non-game/event days.
- Refurbished and enhanced entrance space.

- Removal and relocation of existing carparking and DDA spaces. A minimum of 911 car parking spaces will be provided/retained.
- 10 motorcycle spaces.
- New section of road linking the southern car park to the service area at the rear (east) of the DEC building.
- Improved pedestrian walkways providing additional connection points.
- Landscaping using native species.
- Partial internal and external demolition.

A copy of the proposal plans is provided in the GPA Attachments document.

SITE and LOCALITY

The subject site is located on the northern side of the Brooker Highway and forms part of Wilkinsons Point, located on the River Derwent (Figure 1). The site has an overall area of approximately 7.1 ha and contains the Derwent Entertainment Centre (DEC), associated carparking and internal access roads. The site has two access points, the intersection onto the Brooker Highway via 601B Brooker Highway, and the intersection at Loyd Road/Brooker Highway to the southeast corner of the site.

The site is predominantly flat with a gentle slope down towards Elwick Bay to the west and is fully serviced with reticulated water and sewer. The adjoining land to the north and northwest is similarly zoned Recreation and forms part of the Wilkinsons Point recreation precinct. The Elwick Racecourse adjoins the site's eastern boundary, with the Brooker Highway road reservation to the south.



Figure 1 - Aerial photograph of the site (outlined in red) and surrounds. Listmap 2020

ZONE

The subject property is in the Recreation Zone under the Glenorchy Interim Planning Scheme 2015 (the planning scheme) (Figure 2).

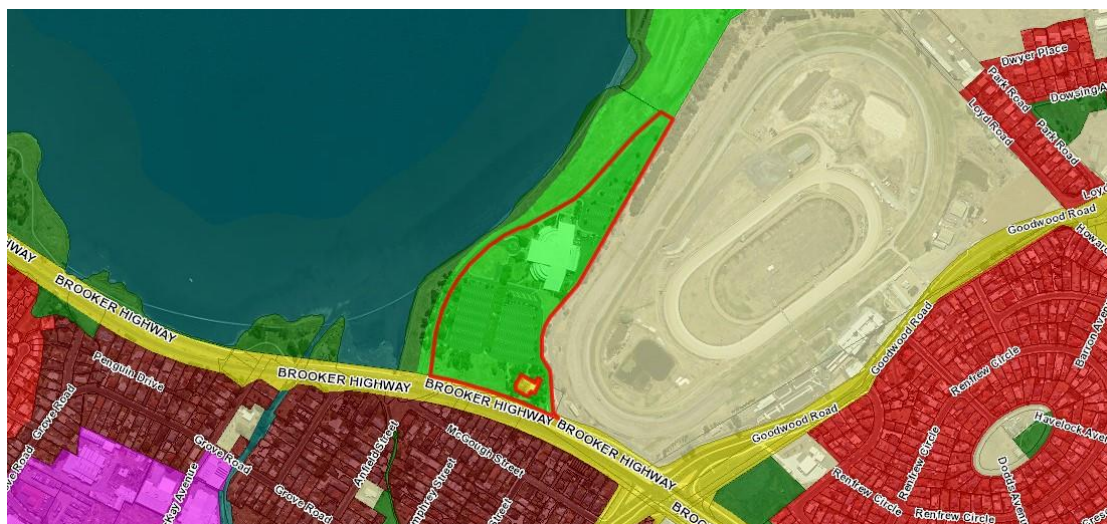


Figure 2 - The site is in the Recreation zone – Glenorchy Interim Planning Scheme 2015. Listmap 2020

BACKGROUND

This is the first development application to progress the new Wilkinsons Point master plan by LK Group.

Council initiated and certified an amendment to the planning scheme in early 2020 which was then approved by the Tasmanian Planning Commission in August 2020, amending the provisions of the planning scheme to provide for the new master plan vision.

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 Wilkinsons Point Specific Area Plan overrides some of the Zone provisions in this assessment. Refer to Appendix A which outlines specific zone standards which do not apply.

Use Class Description (Table 8.2):

The proposal encompasses three use classes: Community Meeting and Entertainment, Hotel Industry and Sports and Recreation. The Hotel Industry use class is limited to the sports bar area of the refurbished Derwent Entertainment Centre.

The definition of Community Meeting and Entertainment use class is:

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

The definition of Hotel Industry use class is:

use of land to sell liquor for consumption on or off the premises. If the land is so used, the use may include accommodation, food for consumption on the premises, entertainment, dancing, amusement machines and gambling. Examples include a hotel, bar, bottle shop, nightclub and tavern.

The definition of Sports and Recreation use class is:

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

Other relevant definitions (Clause 4.1):

Nil.

Discretionary Use or Development (Clause 8.8):

The application is discretionary under Clause 8.8 as follows:

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

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

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

Recreation Zone

- Clause 18.3.1 A1 Hours of operation

- Clause 18.3.2 A1 Noise emission (in the Recreation Zone)
- Clause 18.3.4 A1 Commercial and patron vehicle movements

Potentially Contaminated Land Code

- Clause E2.5 A1 Use
- Clause E2.6.2 A1 Excavation

Road and Railway Assets Code

- Clause E5.5.1 A1 & A2 Existing road accesses and junctions

Parking and Access Code

- Clause E6.6.1 A1 Number of car parking spaces
- Clause E6.6.3 A1 Number of motorcycle spaces
- Clause E6.7.2 A1 Design of vehicular accesses
- Clause E6.7.9 A1 Design of motorcycle parking spaces
- Clause E6.7.10 A1 Design of bicycle parking spaces.

Waterway and Coastal Protection Code

- Clause E11.7.1 A1 Buildings and works

Wilkinsons Point Specific Area Plan

- Clause F13.6.1 A1 Discretionary use (no AS)
- Clause F13.7.1 A1 Building height
- Clause F13.7.1 A2 Site coverage
- Clause F13.7.3 A1 Design of buildings (no AS)
- Clause F13.7.3 A2 Design of external facades (no AS)
- Clause F13.7.3 A3 Passive surveillance (no AS)
- Clause F13.7.5 A1 Landscaping

Part C: Special Provisions

No special provisions apply to the application.

Part D: Zones

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

Zone Purpose Statements

The Recreation Zone purpose statements at Clause 18.1.1 of the planning scheme are:

18.1.1.1 To provide for a range of active and organised recreational use or development and complementary uses that do not impact adversely on the recreational use of the land.

18.1.1.2 To encourage open space networks that are linked through the provision of walking and cycle trails.

The proposal is to provide for refurbishments and extension of the DEC to provide for its use for National Basketball League (NBL) games as well as continuing its current use. The proposal furthers zone purpose statement Clause 18.1.1.1 and will not affect the attainment of Clause 18.1.1.2.

Use Table

Does not apply. Use table for the site is provided for in the Wilkinsons Point Specific Area Plan.

Use Standards

The proposal requires consideration against the performance criteria for the following standards.

18.3.1 A1/P1 Hours of operation

The site is within 50 metres of the Inner Residential Zone located on the opposite side of the Brooker Highway and therefore A1 of Clause 18.3.1 applies. The proposed hours of operation for the Hotel Industry Use (sports bar) are outside of the permitted hours under A1 and therefore the proposal has been assessed against the corresponding performance criteria.

No changes are proposed to the current operating hours for the Community meeting and entertainment and Sports and recreation uses.

P1

Hours of operation of a use within 50 m of a residential zone must not have an unreasonable impact upon the residential amenity of land in a residential zone through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent.

The closest residential zone is approximately 45 m south of the site and separated by the Brooker Highway road corridor, with the DEC facility and proposed sports bar located 200 m to the north of this residential zone. The proposal incorporates internal and external refurbishments to the existing DEC building, extension of the façade, internal floor areas and the addition of a sports bar which is proposed to also operate independently to the DEC on non-game/event days.

The proposed development will not substantially change the existing operational characteristics of the DEC, with the timing and duration of vehicle movements generated by patron and commercial vehicles remaining similar to existing. The site is separated from the residential area to the south by the Brooker Highway road corridor which generates a significant amount of noise impacts to surrounding sensitive uses. As such, any additional vehicle movements generated by the proposal are likely to result in a negligible increase in overall traffic noise in the area.

The proposed Hotel Industry use (sports bar) has been designed so that it can operate independently of the DEC facility and is proposed to operate during the following hours:

Monday: 7 am to 8 pm

Tuesday: 7 am to 8 pm

Wednesday: 7 am to 8 pm

Thursday: 7 am to 1 am (Friday)

Friday: 7 am to 1 am (Saturday)

Saturday: 7 am to 1 am (Sunday)

Sunday: 7 am to 1 am (Monday)

As noted above, the proposed sports bar will be located approximately 200 m to the north of the residential area and separated from residential uses by the Brooker Highway road corridor. The sports bar will be incorporated into the larger DEC facility and the single outdoor dining area will be partially enclosed on two sides, thus minimising the potential for noise to travel beyond the site boundaries.

Commercial vehicle movements are expected to remain similar to existing. Impacts resulting from patron vehicle movements will also be minimal due to the high frequency of vehicles using the Brooker Highway, which also include trucks and larger vehicles during the evening and early morning hours.

As a result of these factors, the extent of impact generated by the proposed use is unlikely to cause an unreasonable loss of amenity to residential uses through vehicle movements or noise generation.

It is noted that the DEC facility and proposed sports bar are also located in an important recreation precinct used frequently by the community for outdoor exercise and relaxation, particularly on weekends. Whilst it is not a consideration under the performance criteria of clause 18.3.1, the potential impact to recreational users of the adjoining foreshore area has also been considered. The proposed sports bar will be setback approximately 100 m from the foreshore area to the west of the site, with landscaped elements, pedestrian walkways and an access road separating the two uses. Due to this, the proposal is unlikely to have an unreasonable impact on users of the adjoining recreation area in terms of disturbance resulting from noise or vehicle movements.

The proposal satisfies the requirements of clause 18.3.1 P1 and the proposed hours of operation have been incorporated as a recommended condition of consent.

18.3.2 A1/P1 Noise emissions

The proposal does not meet the requirements of A1 as a noise assessment was not submitted with the proposal for assessment and therefore the proposal has been assessed against the performance criteria.

P1

Emissions measured at the boundary of a residential zone must not cause environmental harm within the residential zone.

The noise levels generated by the proposal will be similar to what currently occurs with operation of the DEC facility. Generally, noise generated inside the DEC building will not be

audible from outside of the site boundaries or from nearby sensitive uses within the residential zone due to attenuation measures in the building itself and as a consequence of the high level of background noise generated by the Brooker Highway. Noise generated by additional pedestrian and vehicle movements will similarly be buffered by the use of the Brooker Highway. The proposed use and operation of the DEC facility will therefore not generate noise emissions that will cause environmental harm to sensitive uses within the residential zone.

The proposal is consistent with the requirements of clause 18.3.2 P1.

18.3.4 A1/P1 Commercial and patron vehicle movements

The site is within 50 metres of the Inner Residential Zone located on the opposite side of the Brooker Highway and therefore A1 of Clause 18.3.4 applies. Commercial and patron vehicle movements will be outside of the hours specified in A1, particularly on game and event days, and therefore the proposal has been assessed against the corresponding performance criteria. To meet the performance criteria, the following must be satisfied.

P1

Commercial and patron vehicle movements, (including loading and unloading and garbage removal), to or from a site within 50 m of a residential zone must not result in unreasonable adverse impact upon residential amenity having regard to all of the following:

- (a) the time and duration of commercial vehicle movements;*
- (b) the number and frequency of commercial vehicle movements;*
- (c) the size of commercial vehicles involved;*
- (d) the ability of the site to accommodate commercial vehicle turning movements, including the amount of reversing (including associated warning noise);*
- (e) noise reducing structures between vehicle movement areas and dwellings;*
- (f) the level of traffic on the road;*
- (g) the potential for conflicts with other traffic.*

The nature of commercial and patron vehicle movements will remain relatively unchanged to existing, where the majority of vehicle movements occur on game and event days, including before and after the event for set up and pack down. As noted in the supporting planning report, large scale events are expected to occur approximately 40 times throughout the year, similar to the number of events held in 2019.

A traffic impact assessment was submitted with the application and determined that the existing accesses were adequate for accommodating the expected vehicle traffic with no upgrades required. Onsite turning is provided for both patron and commercial vehicles and a service area has been provided to the rear of the DEC facility which will allow commercial vehicles to circulate safely through the site without having to reverse.

The proposed commercial and patron vehicle movements are reasonable when considered in the context of the frequency of large scale events, the fact that the nature of traffic movements will remain relatively unchanged from the existing use, and in conjunction with

the extent of existing background noise generated by the Brooker Highway. In addition, bicycle parking spaces and improved pedestrian access have been incorporated into the proposal which will assist in encouraging patrons to walk, cycle or catch public transport to events.

The proposal is consistent with the requirements of clause 18.3.4 P1.

Part E: Codes

The following codes of the Scheme apply to this proposal:

Potentially Contaminated Land Code

The proposal was referred to Council's Environmental Health Officer for assessment against the requirements of the Contaminated Land Code, with discretions triggered under clauses E2.5 A1 and E2.6.2 A1. The following comments were provided:

Part of the proposed site was historically used as a waste disposal site at some point between 1945 and 1975. The site also includes reclaimed land with the potential for contaminated fill being used during this reclamation of land. Due to both these historic events the site is flagged as potentially contaminated and therefore triggers the Potentially Contaminated Land Code E2.0 of the Glenorchy Interim Planning Scheme 2015 (The Scheme).

The applicants provided an Environmental Site Assessment to satisfy the requirements of the Potentially Contaminated Land Code section E2.6.2 P1 (b) Excavation. The report, Wilkinsons Point – 601, 601A and 601B Brooker Highway, Glenorchy Project No: 0571.052, dated 9 June 2020 was prepared by Carly Clark – Principal Environmental Scientist (BSc. CEnvP, CEnvP SC 40054) of COVA Thinking Pty Ltd.

Extensive site contamination investigations were undertaken to obtain adequate data for The Report. This contamination investigation included obtaining soil samples from numerous locations and depths, obtaining ground water samples and, sampling and testing of potential asbestos containing material fragments.

The report's findings highlight a varying level of contamination throughout the site. A summary of these findings are below:

Soil/fill material at the site is impacted by the following:

- Enterococci and asbestos containing material (which may pose a low risk to human health); and*
- Heavy metals [nickel (Ni) and zinc (Zn)], benzo(a)pyrene (BaP) and total recoverable hydrocarbons (TRH) F3 fractions (which may pose a low risk to ecological values).*

Dark coloured (black, grey, green), anoxic, slightly odorous, former foreshore sediment layers were encountered at the base of most of the trenches and test pits. There is a slight likelihood that these could be acid-generating sediments (i.e. acid sulphate soils), if excavated and exposed to air for a period.

Localised perched groundwater was intersected beneath the carpark area. Based on the analytical results, the groundwater was impacted with the following at some or all the sampled locations at the time of sampling:

- *Heavy metals – specifically boron (B), cadmium (Cd), copper (Cu), lead (Pb), manganese (Mn), Ni and Zn (from an ecological perspective, with Pb and Mn also from a human health perspective); and*
- *Nutrients – ammonia (NH₃-N), total nitrogen (TN) and total phosphorus (TP) (from an ecological perspective, with NH₃-N also from a human health perspective).*

The major anion and cation results confirm that the two sampling wells closest to the current foreshore, appear to still be affected by estuarine salts.

The report concluded that the site is considered suitable for the both the current and proposed use. The level of contamination does not present an unacceptable risk to human health or the environment provided the recommended management measures are implemented.

The Report went on to state ‘The recommended management measures listed below should be included in a Contamination Management Plan (CMP), or similar, which should be implemented by any earthmoving and construction contractor during Site works within any of the areas of the Site, regardless of the zoning. The CMP will be applicable to ongoing Site uses, occasional earthworks (now and after redevelopment) and construction earthworks. Recommended management measures include:

- *Asbestos Containing Material (ACM) and Building Demolition Rubble (BDR):*
 - *In areas that will remain undisturbed, and where BDR is very near/or at surface (refer to the pit logs in Appendix D) the area(s) should be covered with a layer of topsoil around 300mm thick to avoid exposure and contact with potential ACM. This measure will also address current public safety issues (e.g. trip hazards) related to building rubble protruding through the ground surface.*
 - *In areas which are to be disturbed for Site earthworks or redevelopment, earthworks should be appropriately managed to address the risk of a large variety of BDR and ACM being present in excavated fill material. The excavated materials should be kept moist, covered and should either be reburied on Site (with EPA approval) in another area and covered with 300mm of clean soil. Alternatively, the material should be disposed offsite as potential ACM-containing wastes (waste testing could be undertaken to confirm).*
 - *Any potential ACM fragments encountered during earthworks, should be stored and sealed in sturdy plastic, double bagged, and disposed as asbestos containing waste to a facility approved to receive asbestos.*
- *Other Contaminants of Potential Concern (CoPC):*
 - *Earthworks will need to be appropriately managed to address the risks from Enterococci, TRH F3 fractions, BaP, heavy metals and potentially acid-generating sediments being present in excavated fill and natural materials.*

- *Earthworks will need to be appropriately managed to address the risks from nutrients and heavy metals (and potentially other CoPC) being present in intersected groundwater. o Ponded water and any excavated groundwater should be contained during earthworks. o Any waste soils not reused on Site should be stockpiled, tested and classified per IB1054 for offsite disposal (EPA approval may be required).*
- *Any odorous or hydrocarbon-impacted (i.e. stained) soils encountered during earthworks, should be stockpiled separately.*
- *All stockpiled soils will need to be contained and managed to avoid erosion, dispersion or runoff to the surrounding surfaces and to the nearby Elwick Bay and Derwent River.*
- *In addition to ACM testing noted above, testing of waste soils should include the following CoPCs: eight heavy metals (As, Cd, Cr, Cu, Ni, Pb, Zn and Hg), TRH and PAH, as a minimum; the analytical suite should include any other analytes deemed appropriate for the likely contamination (i.e. biological parameters in the vicinity of test pits TP19 and TP20 and likely anywhere near the disused sewer line).'*

Due to the findings and recommendations outlined in Wilkinsons Point – 601, 601A and 601B Brooker Highway, Glenorchy Project No: 0571.052, dated 9 June 2020 Environmental Health recommend a condition be applied to the permit requiring a Contamination Management Plan, or similar, developed by a suitable qualified person, be supplied to Council for approval prior to any development on the site commencing. All management practices and procedures outline in the approved Contamination Management Plan must be implemented during the development and ongoing use of the site.

Subject to the inclusion of the recommended condition and adherence with the practices and procedures outlined in the approved Contamination Management Plan, the proposal meets the requirements of clauses E2.5 P1 and E2.6.2 P1.

Road and Railway Assets Code

The proposal was referred to Council's Development Engineer for assessment against the requirements of the Road and Railway Assets Code, with discretions triggered under clause E5.5.1 A1 and A2. The following comments were provided:

The traffic generated by the development has been assessed as part of the Wilkinsons Point SAP. The traffic modelling for the SAP indicated that there is limited space capacity at the Brooker Highway access and that there is available capacity at the Goodwood Road and Loyd Road access. However, the refurbishment and extension of the DEC does not trigger any upgrades to these roads for vehicles, pedestrians or cyclists as there will be minor increase in the number and capacity of events occurring and minor increase due to the extension.

The number of events at the DEC is likely to be similar to 2019, along with new NBL games. There will be 14 NBL matches played at the DEC over a 20-week period. The matches are proposed to be played outside of peak hour on Friday evenings (3 games), Saturday evenings (5 games), Sunday afternoons (4 games) and midweek evenings (2 games).

The increase in capacity of the DEC will be impacted when events that will utilise the additional standing room capacity of 1,300 people (7,500 people to 8,800 people). Seating capacity will

remain relatively the same from 5,400 to 5,500 people and 4,378 people for basketball games. Any increase in the traffic generated from the DEC refurbishment will not come from parking on the site as this has only increased by 3, to 911 spaces but from other alternative modes of transport.

As part of the DEC redevelopment, it is proposed that an event Traffic Management Plan (TMP) be undertaken for events over 2,300 people in which parking is at capacity assuming 2.2 people per vehicle and 15% of people using alternative mode of transport. Similarly, any event that will have a major impact on the weekday peak period will also activate a requirement for an event TMP.

An event TMP will be a condition on the permit to be undertaken in detail for events over 2,300 people. The TIA has detailed the strategies which should be included in the TMP.

The increase in traffic and parking is likely to come from uber/taxis and buses for events. It is anticipated that the State Government road network will cater for this as the largest percentage of the traffic is expected to remain similar to what currently occurs, apart from the increase in the standing events.

Based on the TIA the Acceptable Solution is not met for code E5.5.1 A1 & A2 "existing road accesses and junctions" and E6.6.1 A1 "number of car parking spaces". The TIA has addressed the Performance Criteria and that the additional traffic should not have a significant impact on the road network and that there is adequate parking for the development with an event TMP undertaken. Thus, the Performance Criteria is met for E5.5.1 P1 & P2 and E6.6.1 P1.

It is accepted that the Acceptable Solution is met for code F13.7.6 A1 & A2 "access to the site" as no upgrade works are required for the Brooker Highway, Goodwood Road and Loyd Road. Code E5.6.2 A1 & A2 "road accesses and junctions" and E6.7.1 A1 "number of vehicle accesses" are also compliant as no changes to the existing access points are proposed.

The TIA assessed sight distances at the accesses onto Brooker Highways and Goodwood Road and within the car park. It is noted that there is no change to the accesses onto Brooker Highways and Goodwood Road. All the accesses from the car park comply with the Acceptable Solution code E5.6.4 A1 'sight distance at accesses, junctions and level crossings.'

Subject to the inclusion of a condition requiring the preparation of an event TMP for events over 2,300 people, the proposal satisfies the requirements of the Road and Railway Assets Code.

Parking and Access Code

The proposal was referred to Council's Development Engineer for assessment against the requirements of the Parking and Access Code, with discretions triggered under clauses E6.6.1 A1, E6.6.3 A1, E6.7.2 A1, E6.7.9 A1 and E6.7.10 A1. The following comments were provided:

Parking for the DEC is located to the north and south of the building, with a total of 911 car parking spaces. Under the Glenorchy Interim Planning Scheme, a total of 1,842 parking spaces are required. The total car parking supply was approved as part of the Specific Area Plan (SAP) and the shortfall in parking for the DEC redevelopment will be acceptable subject to an approved event Traffic Management Plan (TMP)

The number of accessible spaces has been advised by an accessibility consultant in line with the BCA that 22 spaces be provided which is one more than currently provided. The Acceptable Solution of Code E6.6.2 A1 is therefore met. The accessible spaces have been provided as close as practical to the building entrances, with 18 accessible parks in the southern car park and 4 accessible parks in the northern car park.

The number of motorcycle parking spaces required under code E6.6.3 A1 is 33 spaces. There are currently no motorcycle parking spaces at the DEC and the developer proposed to provide 10. The performance criteria were assessed in the TIA and accepted, thus E6.6.3 P1 is achieved.

The number of bike parking spaces for the increase in floor area was assessed in the TIA as being 9 staff bike lock compounds and 46 bicycle racks, which will be provided. Currently there are no formal bike facilities. The acceptable solution for code E6.6.4 A1 is achieved.

The car park will be designed in accordance with AS/NZS 2890.1 and AS/NZS 2890.2, apart from the gradient of one of the accesses into the car park. The TIA has addressed this, and the performance criteria is met for code E6.7.2 P1 and the acceptable solution of code E6.7.5 A1 and E6.7.13 A1 is met. As there is two-way traffic and vehicles will be exiting the site in a forward direction, the acceptable solution of code E6.7.3 A1 and E6.7.4 A1 are achieved.

In addition to the discretions addressed by Council's Development Engineer above, the proposal does not meet the requirements of Clauses E6.7.9 A1 and E6.7.10 A1 as the motorcycle and bicycle parking spaces are located more than 30 m from the main entrance. To meet the corresponding performance criteria the following must be satisfied:

E6.7.9 P1

The design of motorcycle parking areas must provide safe, obvious and easy access for motorcyclists having regard to all of the following:

- (a) Providing clear sightlines from the building or the public road to provide adequate passive surveillance of the parking facility and the route from the parking facility to the building;*
- (b) Avoiding creation of concealment points to minimise the risk.*

E6.7.10 P1

The design of bicycle parking facilities must provide safe, obvious and easy access for cyclists, having regard to all of the following:

- (a) Minimising the distance from the street to the bicycle parking area;*
- (b) Providing clear sightlines from the building or the public road to provide adequate passive surveillance of the parking facility and the route from the parking facility to the building;*
- (c) Avoiding creation of concealment points to minimise the risk.*

Both parking areas adjoin the main car parking area, are clearly visible from internal access roads and pedestrian pathways and are connected to the main entrance of the DEC via pedestrian walkways. The proposal meets the requirements of Clauses E6.7.9 P1 and E6.7.10 P1.

Stormwater Management Code

The proposal was referred to Council's Development and Hydraulic Engineers for assessment and the proposal was found to meet the acceptable solution for all applicable standards in the Stormwater Management Code.

Attenuation Code

As one of the proposed uses of the site is for a Late-Night Music Venue, the provisions of the Attenuation Code are triggered. The DEC facility is located more than the required attenuation distance of 200 metres from the closest sensitive use, consistent with the requirements of clauses E9.6.1 A1 and E9.7.1 A1.

Waterway and Coastal Protection Code

The site is partially within a Waterway and Coastal Protection area and works are proposed within this area, as such the provisions of the Code apply. The relevant waterway and coastal area is the River Derwent and Elwick Bay, located directly west and northwest of the site.

A portion of the proposed entrance feature on the west elevation of the DEC building is in the waterway and coastal protection overlay area and there is no building area on the certificate of title. The proposal therefore triggers a discretion under Clause E11.7.1 A1 and has been assessed against the corresponding performance criteria.

P1

Building and works within a Waterway and Coastal Protection Area must satisfy all of the following:

- (a) avoid or mitigate impact on natural values;*
- (b) mitigate and manage adverse erosion, sedimentation and runoff impacts on natural values;*
- (c) avoid or mitigate impacts on riparian or littoral vegetation;*
- (d) maintain natural streambank and streambed condition, (where it exists);*
- (e) maintain in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;*
- (f) avoid significantly impeding natural flow and drainage;*
- (g) maintain fish passage (where applicable);*
- (h) avoid landfilling of wetlands;*
- (i) works are undertaken generally in accordance with 'Wetlands and Waterways Works Manual' (DPIWE, 2003) and "Tasmanian Coastal Works Manual" (DPIPWE, Page and Thorp, 2010), and the unnecessary use of machinery within watercourses or wetlands is avoided.*

The area of the site affected by the overlay has been significantly altered from its natural state and already contains hard surface areas, buildings and introduced vegetation. The proposed development will not increase the extent of impact on the natural values of Elwick Bay or the River Derwent, and new native plantings in the area to the west of the proposed works will

assist in minimising the potential for erosion. Additional stormwater generated by the proposed development is to be disposed of via existing stormwater infrastructure, thus mitigating potential sedimentation and runoff impacts to the nearby watercourse.

The proposed development will not impact on any riparian or littoral vegetation, nor will it impact on the condition of any streambank, streambed or in-stream habitat.

The proposed development and works will utilise existing drainage measures and will not alter the existing flow of stormwater or drainage paths across the site.

No wetlands are proposed to be filled.

The proposed development meets the applicable requirements of Clause E11.7.1 P1.

Inundation Prone Areas Code

The site is partially within the Coastal Inundation Hazard Area (low hazard) however there are no habitable buildings proposed within the hazard area. The proposal also does not involve landfill or solid walls greater than 5 m in length in the overlay hazard area. As such, none of the provisions in the Code are applicable.

PART F: Specific Area Plans

F13 Wilkinsons Point Specific Area Plan

The Wilkinsons Point Specific Area Plan (SAP) applies to the site and an assessment against the requirements of the SAP is provided under Appendix B. The proposal does not meet the acceptable solution for the following clauses.

- Clause F13.6.1 A1 Discretionary use (no AS)
- Clause F13.7.1 A1 Building height
- Clause F13.7.1 A2 Site coverage
- Clause F13.7.3 A1 Design of buildings (no AS)
- Clause F13.7.3 A2 Design of external facades (no AS)
- Clause F13.7.3 A3 Passive surveillance (no AS)
- Clause F13.7.5 A1 Landscaping

The proposal has been assessed against the corresponding performance criteria for each relevant standard below.

F13.6.1 A1/P1 Discretionary Use (no AS)

The proposed development includes a sports bar which is classified as Hotel industry use. This use is discretionary pursuant to table F13.5.3. The other two uses, Community Meeting and Entertainment and Sports and Recreation are both permitted uses.

To meet the corresponding performance criteria, the proposed discretionary use must not compromise or distort the activity centre hierarchy which in this instance is the Glenorchy central business district (CBD). The assessment against the performance criteria must have regard to the following:

- (a) The characteristics of the site;*
- (b) The size and scale of the proposed use;*
- (c) The function of the activity centre and the surrounding activity centres; and*
- (d) The extent that the proposed use impacts on the other activity centres.*

Glenorchy CBD is identified as a Principal Activity centre in the Southern Tasmania Regional Land Use Strategy 2010-2035 (STRLUS) with its primary role being to provide a wide range of services to the surrounding sub-region with a focus on retail and commercial activities. The role of the activity centre in terms of entertainment is primarily focused on providing a range of dining and entertainment uses include night-time activities and sporting clubs/facilities.

The proposed sports bar is located on the upper ground floor level and comprises 202 m² of public bar area, 163 m² of sports bar dining area, a kitchen, toilet facilities and a flexible outdoor dining area (not to be used on large event days). The proposal outlines that the primary purpose of the sports bar is for use of patrons on game and event days however the bar facility has been designed so that it can also operate independently to the DEC and may be used on non-game or event days. On non-game or event days, the sports bar is proposed to be operated between 7am to 1am from Thursday to Sunday.

The proposed sports bar represents 4% of the total proposed floor area of the DEC facility, ensuring that the primary and most dominant use of the site remains as Sports and recreation and Community meeting and entertainment.

The site is located on a distinct peninsula at a distance of approximately 990 m from the Glenorchy CBD and is relatively distinct in its setting and character. Similar commercial uses in the Glenorchy CBD include the Club Hotel, Paddy Wagon Irish Pub and the Carlyle Hotel. All three premises offer a typical local pub setting with food and beverage services as well as gaming and are located along Main Road in close proximity to parking, public transport services and the other retail and commercial offerings of the Glenorchy CBD. The proposed sports bar would offer a different experience due to it forming part of the larger DEC facility, it typically being associated (although not exclusively) with sporting and special events, and its relatively isolated riverside setting.

Due to the nature of the site's relatively disconnected location in conjunction with the overall scale and unique characteristics of the sports bar, the proposed Hotel Industry use will not compromise the commercial activities in the Glenorchy CBD or substantially distort the activity centre hierarchy.

The proposal satisfies the requirements of clause F13.6.1 P1.

F13.7.1 A1/P1 Building height

A discretion is triggered under A1 due to the proposed entrance structure exceeding the permitted height limit by approximately 5.2 m. To meet the corresponding performance criteria, the proposed development must satisfy the following:

P1

Building height, excluding roof top plant and equipment structures, must be compatible with the surrounding landscape characteristics and contribute to the creation of high quality pedestrian spaces having regard to:

- (a) The topography of the site;*
- (b) The height, bulk and form of existing buildings on the site and adjacent properties;*
- (c) The bulk and form of proposed buildings;*
- (d) Visual impacts caused by the apparent scale of the building when viewed from roads and public spaces;*
- (e) Overshadowing of public spaces on the site or adjacent properties;*
- (f) Any design measures that reduce the scale of the building;*
- (g) Relevant local area objectives.*

The site and surrounding landscape are defined by the existing DEC facility set in a prominent waterfront location, with few other substantial buildings in close visual proximity. The existing DEC facility is set within a modified landscape setting with two large carparking areas located to the north and south of the existing building.

The proposed entrance structure has a maximum height of approximately 17.2 m and will sit approximately 3 m below the overall height of the existing DEC building. The proposed design reflects the inherent form of the existing DEC building whilst providing better quality user experience and improved building legibility. The additions are compatible with the existing built form on and surrounding the site and have been designed to ensure that the DEC remains a prominent feature in the surrounding landscape.

Due to the position of the existing DEC facility and the separation between adjoining public spaces, shadow cast by the proposed addition will predominantly fall across the southern car park area, with minimal overshadowing of public areas.

The proposal is consistent with the local area objectives for Precinct C in that it will support and enhance the DEC as a major entertainment, sporting, events, cultural and conference facility for Glenorchy, the region and State. The proposed additions will accentuate the prominence of the DEC when viewed from Elwick Bay and will support the continued use of the site for recreation purposes.

Improved landscape features, including large areas of native plantings, better pedestrian connectivity and accessibility, and additional bicycle parking facilities demonstrate that the proposed development will contribute to the creation of high-quality pedestrian spaces on the site.

The proposal satisfies the requirements of clause F13.7.1 P1.

F13.7.1 A2/P2 Site coverage

The total site coverage for the proposed development will exceed 10,000 m² which is inconsistent with the requirements under the acceptable solution. To meet the corresponding performance criteria, the proposed development must meet the following:

P2

Site coverage must contribute to an overall appearance of the site being of a collection of individually identifiable buildings compatible with the creation of high quality pedestrian spaces and the surrounding landscape having regard to:

- (a) The topography of the site;*
- (b) The bulk and form of existing buildings on the site and adjacent properties;*
- (c) The bulk and form of proposed buildings;*
- (d) The layout of buildings and pedestrian connections;*
- (e) Any design measures that reduce the scale of the building;*
- (f) Proposed landscaping; and*
- (g) Relevant Local Area Objectives.*

The proposal involves alterations and additions to the existing DEC building which will assist in supporting and enhancing the role and function of the DEC facility. A new entrance feature to the west elevation of the DEC building has been designed to reflect the existing form of the DEC building and will contribute to better user experience by providing weather protection to patrons visiting the facility.

Native landscaping proposed around the main entrance and outdoor function area to the north and west of the facility will assist in integrating the DEC building and proposed additions into the surrounding landscape.

Additional pedestrian pathways, including accessible ramps, will improve pedestrian connectivity through the site and between the parking area, main entrance and proposed new function area to the north of the DEC facility.

The proposal is consistent with the relevant local area objectives for Precinct C in that the proposed additions will accentuate the prominence of the DEC when viewed from Elwick Bay and will support the continued use of the site for recreation purposes.

The proposal satisfies the requirements of clause F13.7.1 P2.

F13.7.3 A1/P1 Design of buildings

There is no acceptable solution under Clause F13.7.3 A1. The corresponding performance criteria is as follows:

P1

Buildings must:

- (a) Be freestanding in appearance and design in a landscape setting, allowing for glazed linkages;*
- (b) Provide a landscaped setting between buildings for sheltered pedestrian movement;*
- (c) Screen infrastructure, service plants and lift structures within the design of the building, to minimise their visual impact, when viewed from public places on the site and Elwick Bay;*

(d) Provide a formal frontage to the Brooker Highway where within sub-precinct B2;

(e) Provide a high quality presentation to the foreshore where adjacent to Precinct D.

The proposal includes alterations and additions to the existing DEC, additional car parking, landscaping, and improved pedestrian linkages. The proposed entrance feature on the west elevation of the DEC building will provide weather protection for patrons entering the facility via the main entrance and improved pedestrian pathways will connect the car parking area and the DEC. As there are currently no other buildings on the site in addition to the DEC, glazed linkages between buildings are not required at this stage.

New native plantings are proposed between pedestrian pathways and adjoining the main entrance to the west and the additional function area to the north of the DEC. The additional landscaping will improve the appearance of the DEC facility and allow it to integrate harmoniously into the surrounding landscape setting.

New mechanical equipment, service plants and lift structures have been incorporated into the overall building form as far as practicable, with most services located on the east elevation of the building to minimise visibility from public areas to the north, west and south.

The proposal incorporates a new, formal entrance to the west elevation of the DEC where it addresses the Elwick Bay foreshore recreation area and GASP! infrastructure. The proposed entrance feature provides architectural contrast with the use of glass panelling and unique structural forms whilst remaining compatible with the overall scale and presence of the existing DEC building. Additional landscape elements provided in the western forecourt area will provide an attractive, landscaped edge to the built elements on the site.

The proposal satisfies the requirements of clause F13.7.3 P1.

F13.7.3 A2/P2 Design of external facades

There is no acceptable solution under clause F13.7.3 A2. The corresponding performance criteria is as follows:

P2

The design and detailing of external facades must create safe and engaging spaces having regard to:

- (a) encouraging active frontages on the ground floor to provide high levels of visual interest and pedestrian interaction;*
- (b) promoting visual interest through variation in the use of materials and articulation of facades;*
- (c) avoiding blank walls, security screens, obscured windows or large sign panels; and*
- (d) design principles for crime prevention.*

The proposed additions will accentuate the main entrance to the DEC facility, providing a unique and engaging element to the building form and better weather protection for patrons entering and exiting the facility. Additional landscaping is provided at ground floor level along the west façade and between main pedestrian walkways, providing a softened edge to the development.

The existing curved facades have been retained and accentuated with the addition of masonry and metal cladding feature elements to each façade. The façade treatment to the western corner of the south elevation, which incorporates metal cladding and glazed elements, has been shaped to draw the eye towards the western façade and the main entrance to the facility and will assist in improved pedestrian legibility across the site.

Back of house services, including the waste storage area, deliveries, and access to back of stage areas have been positioned on the eastern side of the facility and away from the more public parts of the site. The east elevation does contain areas of blank façade however security gates are proposed to be installed at the northern and southern ends of the access road to prevent the public from entering this area.

The north, west and south facades all address an area of public space and the addition of the corporate dining area and sports bar to the northern and southern ends of the facility will improve passive surveillance of pedestrian walkways, the carpark and greater Elwick Bay recreation area.

The proposal satisfies the requirements of clause F13.7.3 P2.

F13.7.3 A3/P3 Design of buildings

There is no acceptable solution under clause F13.7.3 A3. The corresponding performance criteria is as follows:

P3

Buildings must be designed and sited:

- (a) to provide passive surveillance of pedestrian routes and car parks;*
- (b) be free of concealment and entrapment spots;*
- (c) be lit to a level that provides a reasonable level of security for the buildings and the users of the site; and*
- (d) have access and egress points that are clearly visible from public places.*

The primary pedestrian routes through the site are between the car parking area and the main entrance to the DEC at the west elevation. The foreshore recreation area along Elwick Bay is a key public area and is regularly used by the community, particularly during morning and early evening periods for outdoor recreation.

The proposed additions have been designed to maximise passive surveillance of key pedestrian routes both on and off the site with increased glazed elements and defined pathways leading to entrances and exits on the west elevation. The addition of the corporate dining area and sports bar on the north and south elevations will also assist in providing additional passive surveillance of the recreation area to the north of the site and the parking area to the south.

The east elevation contains the back of house area which does include some concealed areas. To ensure this area does not pose a risk to public safety, public access to this area is prevented through the installation of security gates and fencing.

The planning report notes that public areas such as car parks and building entrances will be appropriately lit to ensure a reasonable level of security for the buildings and users of the site.

Access and egress points have been accentuated in the design with architectural features, contrasting façade treatments and additional pedestrian pathways which assist with wayfinding.

The proposal satisfies the requirements of clause F13.7.3 P3.

F13.7.5 A1/P1 Landscaping

The proposed development is not in accordance with the approved landscape masterplan for precincts B1 and B2 as no allowance has been made to incorporate additional canopy tree planting or employ Water Sensitive Urban Design principals into the carparking area as shown on the approved landscape masterplan. It is relevant to note that the approved landscape masterplan is for the entire Wilkinsons Point site and includes building footprints of development envisaged in future stages and which are not proposed as part of the current application.

The corresponding performance criteria requires the following to be met:

P1

Landscaping must enhance the appearance of the site, maintain a site character of buildings in a parkland setting and facilitate the movement of people having regard to:

- (a) retaining and enhancing the tree canopy across the site;*
- (b) preserving and enhancing public access within and adjacent to Precinct D and throughout the site;*
- (c) protecting and enhancing the GASP! architecture and public space experiences through public art and pedestrian connections;*
- (d) preserving and enhancing the experience of enclosure and exposure between buildings on the site, and providing protection from the weather;*
- (e) retaining and enhancing the tree canopy at the entrance to the site, along shared boundaries, and if possible, between buildings; and*
- (f) utilise predominantly indigenous vegetation.*

Several trees surrounding the existing DEC facility are proposed to be removed to accommodate the extended building footprint as well as two trees located at the site frontage to accommodate an additional car parking area. Existing canopy tree planting has been retained as far as practical, including the retention of existing canopy planting located at the southwest entrance to the site, centrally through the existing car parking area and landscaping around the site perimeter, particularly adjoining hard surfaced areas. Additional native plantings are proposed around the south, west and northern elevations of the DEC building which will maintain the existing character of the building which is set within a landscaped setting.

Enhanced pedestrian pathways through the site and particularly to the west of the DEC facility will improve public access and wayfinding between the precincts, including the Elwick Bay foreshore area and GASP! infrastructure north of the site.

To ensure the proposal remains consistent with the requirements of P1, a condition is recommended which requires a detailed landscape plan be prepared for the site that incorporates additional canopy tree planting between the proposed new parking area and the frontage to Brooker Highway. The landscape plan, once prepared and endorsed by Council, must be implemented prior to the commencement of use.

The proposal satisfies the requirements of clause F13.7.5 P1, subject to condition.

INTERNAL REFERRALS

Development Engineer

The application was referred to Council's Development Engineer who assessed the proposal against the requirements of the Road and Railway Assets code, Parking and Access code, Stormwater Management code, Waterway and Coastal Protection code and Inundation Prone Areas code.

The following comments were provided:

Stormwater Management Code

The development meets the requirements in the Stormwater Management Code. There are no GCC stormwater mains affected by this application. All runoff from the new impervious areas will be discharged by gravity to the existing approved outfall. The development is considered to comply with the Acceptable Solution E7.7.1 Clause A1.

To comply with the acceptable solution A2 the stormwater system will incorporate a bio-retention swale and a treatment train consisting of a SPEL stormsack to achieve the water quality performance objectives stipulated in Table E7.1 (Acceptable Stormwater Quality and Quantity Targets).

Waterway and Coastal Protection Code

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

Inundation Prone Areas Code

There are inundation issues identified through Council's records that affect the site, the proposed building works will have an elevation above the areas identified. Code requirement E15.7.4 applies to Riverine Inundation Hazard Areas. Its Acceptable Solution A1 requires floor levels of new habitable buildings to be no lower than the 1% AEP storm event plus 300mm. The proposed floor level of the extension is 420mm. above 1% AEP storm event level, therefore the Acceptable Solution is achieved.

The comments provided in the referral response on the remaining codes are provided under Part E above. No objections or concerns were raised with the proposal, subject to the inclusion of relevant conditions which have been incorporated into the recommended permit conditions.

Traffic Engineer

The application was referred to Council's Traffic Engineer who reviewed the Traffic Impact Assessment submitted with the application, provided input on the implications of the proposal on traffic and parking supply and the layout of parking and pickup/drop off areas. An assessment was also made on the implications to the state road network (namely the Brooker Highway) and comments provided by the Department of State Growth.

No objection to the proposal was made, subject to the inclusion of relevant conditions which have been incorporated into the recommended permit conditions. Specifically, it was recommended that an event Traffic Management Plan (TMP) be undertaken and submitted prior to the commencement of use. The TMP will be used for events of over 2,300 people or any event that will have a major impact on the weekday peak traffic flow.

Further assessment of the adequacy of the proposed bus set-down/pick-up facilities within the site has also been requested, as well as the preparation of a parking signage plan to manage traffic flow and ensure adequate notification is provided to patrons when the car parking area is at full capacity.

The above matters have been incorporated into the recommended conditions of permit.

Hydraulics Engineer

The application was referred to Council's Hydraulics Engineer who assessed the proposal against the requirements of the Stormwater Management Code. The following comments were provided:

More than 600m² of impervious area is being created. The additional carparking will be graded towards an 80m bioretention swale extending around the outer edge of the new parking area. To assist with the overall site treatment the carpark was treated excessively. As such, in addition to the bioretention swale a SPEL Storm Sack (or equivalent) is to be installed in the outlet pit.

There will be an additional 4990m² of roof & footpath, offset by a reduction in road (1480m²) and landscaping area (3510m²). All three impervious surfaces will drain through SPEL Storm Sacks (or equivalent). There is only 580m² of new vehicle roadway proposed, runoff from these surfaces will also flow through Storm Sacks before entering the piped stormwater network. In total there will be at least 10 Storm Sacks (or equivalent) across the site.

80% reduction in the average annual load of total suspended solids (TSS) based on typical urban stormwater TSS concentrations.
45% reduction in the average annual load of total phosphorus (TP) based on typical urban stormwater TP concentrations.
45% reduction in the average annual load of total nitrogen (TN) based on typical urban stormwater TN concentrations.

	Sources	Residual Load	% Reduction
Flow (ML/yr)	3.89	3.81	2
Total Suspended Solids (kg/yr)	328	64.6	80.3
Total Phosphorus (kg/yr)	0.901	0.278	69.2
Total Nitrogen (kg/yr)	8.75	5.57	36.3
Gross Pollutants (kg/yr)	150	0.297	99.8

The total area of road has been reduced by 1480m², and the total roof and footpath area has increased by 4990m². As roadways are largely considered the biggest contributor to stormwater pollutants, the redevelopment of the DEC is likely to reduce the contamination of the runoff simply through the repurposing of the surfaces. With the addition of the treatment measures the runoff quality is improved considerably.

Total Nitrogen reduction is 36%, not meeting the required 45% reduction, however as noted most of the additional impervious area is roof runoff where pollutants are low, and the road area has been reduced.

No objections or concerns were raised with the proposal, subject to the inclusion of the following condition which has been incorporated into the recommended permit conditions:

The development must incorporate the nominated Water Sensitive Urban Design (WSUD) element(s) or equivalent, as presented in the Concept Services Report - Derwent Entertainment Centre Redevelopment Wilkinsons Point, Glenorchy – September 2010, and other drawings approved as part of this permit.

Environmental Health Officer

The application was referred to Council's Environmental Health Officer due to the site being potentially contaminated land, and the use involving a late-night music venue which is defined as a use with potential to cause environmental harm under the Attenuation Code.

Comments provided in the referral response are provided in Part E above. No objections or concerns were raised with the proposal, subject to the inclusion of relevant conditions which have been incorporated into the recommended permit conditions.

Waste Management Officer

The application was referred to Council's Waste Management Officer. No comments or concerns were raised with the proposal and no specific conditions of consent were recommended in relation to waste management.

EXTERNAL REFERRALS

TasWater

The application was referred to TasWater who requested further information. Following receipt of amended documentation, TasWater provided a Submission to Planning Authority Notice (SPAN) which incorporated conditions of approval. The SPAN is to form part of the permit, as per recommended condition 2.

Department of State Growth (DSG)

The application was referred to the DSG for comment as the proposed use and development utilises an existing access onto a State Road. The referral response confirmed that the applicant consulted with DSG regarding the proposal and that DSG had no comments regarding impacts on the State Road network.

DSG provided advice on the implications of the proposal on passenger transport, active transport – cycling and pedestrian access, and provision of bicycle parking. The advice provided by DSG was reviewed by Council's Traffic Engineer and a revised TIA addressing the comments raised was subsequently submitted.

The comments raised in regard to bicycle parking have been noted, however the number of proposed bicycle parking spaces meets the acceptable solution requirement and therefore no further spaces were requested.

A copy of the referral response is provided in the GPA Attachments document.

REPRESENTATIONS

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

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 Recreation zone, as well as the applicable standards of the Potentially Contaminated Land code, Road and Railway Assets code, Parking and Access code, Stormwater Management code, Waterway and Coastal Protection code and Inundation Prone Areas 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 extension and alterations to the Derwent Entertainment Centre, including alterations to car parking, landscaping and partial change of use to Hotel Industry at 601 Brooker Highway, Glenorchy subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-20-433 and Drawing No. A0000, A0201, A0202, A0500, A0501 and A3000 (dated 25/09/20), Drawing No. A0100 Rev E (dated 21/10/2020) and Drawing No. A0200 Rev C (dated 21/10/2020) except as otherwise required by this permit.

2. Any conditions and/or advice as determined by TasWater and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2020/01569-GCC, dated 19/11/2020, form part of this permit.
3. Any flood lighting provided within 200m of land in a residential zone must not result in residences being subject a spill of light that gives rise to annoyance, discomfort or distraction of occupants.
4. Hours of operation for the Hotel Industry use are as follows:
 - Monday: 7 am to 8 pm
 - Tuesday: 7 am to 8 pm
 - Wednesday: 7 am to 8 pm
 - Thursday: 7 am to 1 am (Friday)
 - Friday: 7 am to 1 am (Saturday)
 - Saturday: 7 am to 1 am (Sunday)
 - Sunday: 7 am to 1 am (Monday).
5. A landscaping plan, which incorporates buffer landscaping along the frontage to the Brooker Highway and additional canopy tree planting between the proposed new parking area and the frontage to Brooker Highway, must be submitted for the approval of the Senior Statutory Planner, and the landscaping and planting indicated on the approved plan must be implemented prior to commencement of the approved use.

Engineering (development, hydraulic and traffic)

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

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

7. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
8. The design and construction of the parking, access and turning areas must generally comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, ASNZS 2890.1 and AS/NZS 2890.2, to the satisfaction of the Council's Development Engineer. Drawings showing the design of the driveway, parking, access and turning areas must be submitted with the Building Application or prior to the commencement

of works on site (whichever comes first) for approval by Council's Development Engineer. The proposed driveway and parking area must comply with the following:-

- a) Be constructed to a sealed finish and the finished gradient shall not exceed the maximum gradient of 25%;
- b) The thirty six (36) additional car parking spaces proposed are to be clearly marked and must be provided in accordance with the approved plan and kept available for these purposes at all times;
- c) Vertical alignment shall include transition curves (or straight sections) to the Australian Standard, Parking facilities - Part 1: Off-Street Carparking AS 2890.1 - 2004, Clause 2.5.3 (d) at all grade changes greater than 12.5%;
- d) All runoff from the new paved areas must be discharged into Council's stormwater system;
- e) All parking spaces available on the site are to be clearly line-marked or physically separated to each space in accordance with the approved plan;
- f) The gradient of any parking areas must not exceed 5%; and

The approved design of the parking, access and turning areas must be installed prior to the occupancy of the approved use.

9. The construction of footpath and walkways must be in accordance with the LGAT Standard Drawings and Council's footpath policy.
10. An Event Traffic Management Plan (TMP) must be undertaken by the developer and submitted to Council, for the approval of the Director of Infrastructure and Works prior to the commencement of the approved use. The Event TMP is for events over 2,300 people or any event that will have a major impact on the weekday peak traffic. Events must be undertaken in accordance with the Event TMP and if circumstances change, must be amended to the satisfaction of the Director of Infrastructure and Works.
11. The developer must submit a parking signage plan to Council for the approval of the Director of Infrastructure and Works prior to the commencement of the approved use. The signage plan, when approved, shall be installed as per the approved plan by the developer prior to the commencement of the approved use.
12. The stormwater reticulation system for the site shall be designed to comply with AS3500.3 National Plumbing and Drainage Code – Stormwater Drainage.
13. All internal hydraulic service works required for the development shall be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor. Any alterations or works to Council mains shall be undertaken by Council at the developer's cost. The development must comply with Stormwater Management Code. Any system proposed to retain the required runoff storage volume and treatment must be detailed in an engineering design lodged and approved as part of the plumbing application. The construction and the appropriate maintenance of those facilities will be required prior to the commencement of the use of the premises and installed to the satisfaction of Council's Plumbing Surveyor.
14. The development must incorporate the nominated Water Sensitive Urban Design (WSUD) element(s) or equivalent, as presented in the Concept Services Report -

Derwent Entertainment Centre Redevelopment Wilkinsons Point, Glenorchy – September 2010, and other drawings approved as part of this permit.

15. The property owner is to ensure that Council's Road Assets and Infrastructure are protected during the demolition and building process. The owner is to ensure that damage to road assets, footpaths, kerb and channel, drainage pits, nature strips and other services is kept to a minimum and any damaged assets are reinstated. Should damages occur, the repair costs associated with such damages are the responsibility of the property owner.

If reinstatement works are not undertaken promptly or to Council's satisfaction, Council may elect to reinstate or rectify any defects and recover the expenses reasonably incurred in doing so from the property owner.

Traffic

16. The bus set-down/pick-up area on the eastern side of the car parking area must be extended by a further 30 metres, resulting in a set-down/pick-up area total length of approximately 73 metres, prior to hosting events with more than 2,300 people. If works other than line marking is required to provide additional capacity, detailed drawings of the proposed works must be submitted for the approval of the Director of Infrastructure and Works prior undertaking these works.

Environmental Health

17. As required in the Environmental Site Assessment Wilkinsons Point – 601, 601A and 601B Brooker Highway, Glenorchy Project No: 0571.052, dated 9 June 2020 (The Report) a Contamination Management Plan, or similar, developed by a suitably qualified person, must be supplied to and approved by the Coordinator Environmental Health prior to any development on the site commencing. The Contamination Management Plan must address all potential risks outlined in The Report and how these risks will be managed throughout the development and ongoing use of the site.

All management practices and procedures outline in the approved Contamination Management Plan must be implemented during the development and ongoing use of the site.

Advice to Applicant

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

Other Permits

- (a) 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.
- (b) The designer must ensure that the needs of all providers including TasWater, TasGas, TasNetworks, and Telstra are catered for both in the design and construction of the

works. Underground service providers should be contacted for line marking of their services and any requirements or conditions they may have prior to commencing any works on site. Phone 1100, Dial Before You Dig or visit www.dialbeforeyoudig.com.au for information on the location of underground services and cables in relation to the proposed development prior to commencing any works on site.

Attachments/Annexures

- 1** GPA Attachment - Derwent Entertainment Centre - 601 Brooker
[⇒](#) Highway, Glenorchy

APPENDIX A

18.0 Recreation Zone

Standard	Acceptable Solution	Proposed	Complies?
18.3 Use Standards			
18.3.1 Hours of Operation	A1 Hours of operation of a use within 50 m of a residential zone must be within: (a) 7.00 am to 8.00 pm Mondays to Fridays inclusive; (b) 8.00 am to 6.00 pm Saturdays; (c) 10.00 am to 5.00 pm Sundays and Public Holidays; except for office and administrative tasks.	<u>Community Meeting and Entertainment use,</u> <u>Sports and Recreation use:</u> As existing <u>Hotel Industry use</u> Monday: 7 am to 8 pm Tuesday: 7 am to 8 pm Wednesday: 7 am to 8 pm Thursday: 7 am to 1 am (Friday) Friday: 7 am to 1 am (Saturday) Saturday: 7 am to 1 am (Sunday) Sunday: 7 am to 1 am (Monday) Refer to Part D of assessment report for assessment against performance criteria.	Discretion
18.3.2 Noise	A1 Noise emissions measured at the boundary of a residential zone must not exceed the following: (a) 55dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm; (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm and 7.00 am; (c) 65dB(A) (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.	No specific information has been submitted with the application. While it is likely that these noise emissions will be achieved given current activities, an assessment against the performance criteria has been undertaken. Refer to Part D of assessment report for assessment against performance criteria.	Discretion

	A2 External amplified loud speakers or music must not be used within 50 m of a residential zone, except if a school system used for school announcements.	No external amplified loud speakers are proposed within 50 m of a residential zone.	Complies
18.3.3 External Lighting	A1 External lighting, other than flood lighting of sport and recreation facilities, within 50 m of a residential zone must comply with all of the following: (a) be turned off between 9:00 pm and 6:00 am, except for security lighting; (b) security lighting must be baffled to ensure they do not cause emission of light outside the zone.	No external lighting is proposed within 50 m of a residential zone.	NA
	A2 Flood lighting of sport and recreation facilities within 200 m of a residential zone must not subject nearby residential lots to obtrusive light, as defined in AS 4282-1997-1.4.7.	No flood lighting of sport and recreation facilities is proposed within 200 m of a residential zone. However, to ensure the proposal remains consistent with A2, a condition requiring any flood lighting provided within 200m of land in a residential zone must not result in residences being subject a spill of light that gives rise to annoyance, discomfort or distraction of occupants has been incorporated into the recommended conditions.	NA
18.3.4 Commercial and Patron Vehicle Movements	A1 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must be within the hours of: (a) 7.00 am to 9.00 pm Mondays to Fridays inclusive; (b) 8.00 am to 7.00 pm Saturdays; (c) 10.00 am to 6.00pm Sundays and Public Holidays.	Commercial vehicle movements to and from the site will occur outside of the hours prescribed in A1. Refer to Part D of assessment report for assessment against performance criteria.	Discretion
18.3.5 Discretionary Use	A1 No Acceptable Solution	This clause is not applicable as there is a substitute standard under the SAP provisions (clause F13.6.1)	NA

18.4 Development Standards for Buildings and Works

The development standards for buildings and works contained in Clause 18.4 are not applicable as the standards are substituted by the provisions under Clause F2.8.5 of the Wilkinsons Point SAP provisions. An assessment against the SAP provisions is provided in Appendix B.
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18.5 Development Standards for Subdivision

The development standards for subdivision contained in Clause 18.5 are not applicable as the standards are substituted by the provisions under Clause F2.8.5 of the Wilkinsons Point SAP provisions. An assessment against the SAP provisions is provided in Appendix B.
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APPENDIX B**F13 Wilkinsons Point Specific Area Plan**

Standard	Acceptable Solution	Proposed	Complies?
F13.6 Use Standards			
F13.6.1 Discretionary use	No Acceptable Solution	The proposal involves alterations and additions to the existing DEC facility and the addition of a small-scale sports bar. The proposed extension and additional use will remain complimentary to the primary use of the land for entertainment and sports and recreation. Refer to Part F for assessment against performance criteria.	Discretion (no AS)
F13.6.2 Food services and general retail and hire uses	A1 Food services, excluding in sub-precinct A1, and General retail and hire uses listed as discretionary, excluding in Precinct D, must not result in a net trading floor area for the relative time period, as calculated across the specific plan area, exceeding that in Table F13.1.	The corporate dining and bar area is considered to be ancillary and subservient to the Community meeting and entertainment and Sports and recreation use classes. Therefore, they are not assessed as stand-alone uses.	NA
	A2 General retail and hire uses are not located in Precinct A.		
	A3 General retail and hire uses in Precinct B must be for a: (a) Sports retail business; or (b) Big box sporting retail.		
F13.7 Development Standards for Buildings and Works			
F13.7.1 Building height and site coverage	A1 Building height, excluding roof top plant and equipment structures: (a) In Precinct A must be not more than: (i) 40m if in sub-precinct A1; (ii) 18m if in sub-precinct A2; or (iii) 10m if in sub-precinct A3. (b) In Precinct B must not be more than: (i) 22m if in sub-precinct B1; or (ii) 10m if in sub-precinct B2. (c) In Precinct C must not be more than 12m.	The proposed development is located within Precinct C. A discretion is triggered under A1, due to the proposed entrance structure which is approximately 17.2 m in height. The proposed entrance structure will sit below the existing form in terms of overall height. Works are proposed within Precinct B however no buildings are proposed, therefore A1(b) is not applicable.	Discretion

Standard	Acceptable Solution	Proposed	Complies?
	(d) In Precinct D must not be more than 10m.	Refer to Part F for assessment against performance criteria.	
	A2 Site coverage (excluding covered walkways): (a) In Precinct A must be not more than: (i) 5,500 m ² if in sub-precinct A1; (ii) 21,000 m ² if in sub-precinct A2 with no individual building exceeding 7,000 m ² ; or (iii) 4,000 m ² if in sub-precinct A3. (b) In Precinct B must be not more than: (i) 8,000 m ² if in sub-precinct B1; (ii) 2,000 m ² if in sub-precinct B2. (c) In Precinct C must be not more than 10,000 m ² ; or (d) In Precinct D must be not more than 1,000 m ² unless for a ferry terminal located in the vicinity of the existing pier.	The proposed development is located within Precinct C. The proposal shows a site coverage of 9897m ² . However, this calculation excludes covered walkways which are required by the planning scheme to be included in the calculation. The proposal therefore exceeds a site coverage of 10,000m ² . Refer to Part F for assessment against performance criteria.	Discretion
F13.7.1 Building setback from the Brooker Highway	A1 Building setback, in sub-precinct B2, must be not less than 10 m from the Brooker Highway frontage.	No buildings are proposed within sub-precinct B2.	NA
F13.7.3 Building design	A1 No acceptable solution.	Refer to Part F for assessment against performance criteria.	Discretion (no AS)
	A2 No acceptable solution.	Refer to Part F for assessment against performance criteria.	Discretion (no AS)
	A3 No acceptable solution.	Refer to Part F for assessment against performance criteria.	Discretion (no AS)
F13.7.4 Outdoor storage areas	A1 Outdoor storage areas, excluding for the display of goods for sale, must not be visible from any road or public open space adjoining the site.	The proposed bin storage area is located to the 'rear', east elevation of the DEC and will not be visible from any road or public open space.	Complies
F13.7.5 Landscaping	A1 Development in accordance with an approved landscape master plan for the site.	The proposal is not consistent with the approved landscape master plan for the site as no allowance has been made to incorporate additional canopy tree planting or provide WSUD for the parking area.	Discretion

Standard	Acceptable Solution	Proposed	Complies?
		Refer to Part F for assessment against performance criteria.	
F13.7.6 Access to the site	A1 Access to the Brooker Highway or Goodwood Road must be: (a) By way of existing vehicle access arrangements; or (b) Must meet the relevant provisions under 'Part IVA – Limited Access to Roads' under the <i>Roads and Jetties Act 1935</i> .	No changes to existing access points, consistent with A1(a).	Complies
	A2 Development does not require any upgrades to: (a) Loyd Road; or (b) Existing vehicle accesses onto the Brooker Highway or Goodwood Road.	No upgrades to the two existing access points are required.	Complies
F13.7.7 Signage	A1 A sign must: (a) Be a permitted sign in Table E17.3; (b) Be a pole or pylon sign; or (c) Be a Naming Rights Building Identification Sign.	No signage proposed.	NA
	A2 A pole or pylon sign that: (a) Is located within 10m of the Brooker Highway frontage must: (i) Not exceed 2 in number; and (ii) Not exceed 10m in height; or (b) Is located on the site other than within 10m of the Brooker Highway frontage must not be visible from outside of the site.		
	A3 A Naming Rights Building Identification Sign must: (a) Be located in Precinct C; and (b) Have a vertical dimension not more than 5m.		
	A4 A sign associated with the sale of goods or services must relate directly to the use of the building or site to which it is affixed.		
	A5		

Standard	Acceptable Solution	Proposed	Complies?
	A sign associated with events must relate directly to the use of the building or site to which it is affixed.		
F13.7.8 Inundation risk management	A1 Building and works must be located at least 300mm above the Designated Flood Level.	The Designated Flood Level for the area of the proposed development, as identified in the Inundation Risk Assessment prepared by Pitt & Sherry (dated 17 December 2019) and submitted with the application, is 2.3 m AHD (2.6 m minimum floor level). The proposed additions to the existing DEC building have a minimum finished floor level of 3.02 m, consistent with A1.	Complies

APPENDIX C**E2 Potentially Contaminated Land Code**

Standard	Acceptable Solution	Proposed	Complies?
E2.5 Use Standards			
E2.5 Use standards	A1 The Director, or a person approved by the Director for the purpose of this Code: (a) Certifies that the land is suitable for the intended use; or (b) Approves a plan to manage contamination and associated risk to human health or the environment that will ensure the land is suitable for the intended use.	A Environmental Site Assessment was submitted with the application to demonstrate compliance with the requirements of P1. Refer to Part E for assessment against performance criteria.	Discretion
E2.6 Development Standards			
E2.6.1 Subdivision	A1 For subdivision of land, the Director, or a person approved by the Director for the purpose of this Code: (a) Certifies that the land is suitable for the intended use; or (b) Approves a plan to manage contamination and associated risk to human health or the environment that will ensure the land is suitable for the intended use.	No subdivision proposed.	NA
E2.6.2 Excavation	A1 No Acceptable Solution	A Environmental Site Assessment was submitted with the application to demonstrate compliance with the requirements of P1. Refer to Part E for assessment against performance criteria.	Discretion (no AS)

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

Standard	Acceptable Solution	Proposed	Complies?
5.5 Use Standards			
E5.5.1 Existing road accesses and junctions	A1 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h, must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.	Based on the TIA the Acceptable Solution is not met for code E5.5.1 A1, A2 & A3 "existing road accesses and junctions" The TIA addressed the Performance Criteria and it is accepted that the additional traffic should not have a significant impact on the road network. Thus, the Performance Criteria is met for E5.5.1 P1 & P2. Refer to Part E for assessment against performance criteria.	Discretion
	A2 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of more than 60km/h, must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.		
	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.	The existing access connects to a road with a speed limit of more than 60 km/h.	NA
E5.5.2 Exiting Level Crossings	A1 Where use has access across part of a rail network, the annual average daily traffic (AADT) at an existing level crossing must not be increased by greater than 10% or 10 vehicle movements per day, whichever is the greater.	No existing level crossing	NA

Standard	Acceptable Solution	Proposed	Complies?
5.6 Development Standards			
E5.6.1 Development adjacent to roads and railways	A1.1 Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h: (a) new buildings; (b) other road or earth works; and (c) building envelopes on new lots.	No new buildings, roads or building envelopes on new lots are proposed within 50 m of the Brooker Highway.	NA
	A1.2 Buildings, may be: (a) located within a row of existing buildings and setback no closer than the immediately adjacent building; or (b) an extension which extends no closer than: (i) the existing building; or (ii) an immediately adjacent building.		
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	Existing accesses to be utilised.	Complies
	A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.	Existing approved access to be utilised.	Complies
E5.6.3 New Level Crossings	A1 No Acceptable Solutions.	Level crossing not proposed	NA

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

APPENDIX E**E6 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.	Based on the TIA the Acceptable Solution is not met for E6.6.1 A1 "number of car parking spaces". The TIA has addressed the Performance Criteria and it is accepted that there will be adequate parking for the development with an event TMP undertaken. Thus, the Performance Criteria is met for E6.6.1 P1. Refer to Part E for assessment against performance criteria.	Discretion
E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability	A1 Car parking spaces provided for people with a disability must: (a) satisfy the relevant provisions of the Building Code of Australia; (b) be incorporated into the overall car park design; (c) be located as close as practicable to the building entrance.	The number of accessible spaces has been advised by an accessibility consultant in line with the BCA that 22 spaces be provided which is one more than currently provided. The accessible spaces have been provided as close as practical to the building entrances, with 18 accessible parks in the southern car park and 4 accessible parks in the northern car park.	Complies
E6.6.3 Number of Motorcycle Parking Spaces	A1 The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.	The number of motorcycle parking spaces required under code E6.6.3 A1 is 33 spaces. There are currently no motorcycle parking spaces at the DEC and the developer proposed to provide 10. The performance criteria were assessed in the TIA and accepted, thus E6.6.3 P1 is achieved. Refer to Part E for assessment against performance criteria.	Discretion

Standard	Acceptable Solution	Proposed	Complies?
E6.6.4 Number of Bicycle Parking Spaces	A1 The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.	The number of bike parking spaces for the increase in floor area was assessed in the TIA as being 9 staff bike lock compounds and 46 bicycle racks, which will be provided. Currently there are no formal bike facilities. The acceptable solution for code E6.6.4 A1 is achieved.	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.	Two existing accesses.	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.	The car park will be designed in accordance with AS/NZS 2890.1 and AS/NZS 2890.2, apart from the gradient of one of the accesses into the car park. The TIA has addressed this, and the performance criteria is met for code E6.7.2 P1. Refer to Part E for assessment against performance criteria.	Discretion
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;	As there is two-way traffic and vehicles will be existing the site in a forward direction, the acceptable solution of code E6.7.3 A1 is achieved.	Complies

Standard	Acceptable Solution	Proposed	Complies?
	(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway; (c) have the first passing area constructed at the kerb; (d) be at intervals of no more than 30 m along the access.		
E6.7.4 On-Site Turning	A1 On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following: (a) it serves no more than two dwelling units; (b) it meets a road carrying less than 6000 vehicles per day.	As there is two-way traffic and vehicles will be existing the site in a forward direction, the acceptable solution of code E6.7.4 A1 is achieved.	Complies
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.	The car park will be designed in accordance with AS/NZS 2890.1 and AS/NZS 2890.2.	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.	a) Concrete driveway, parking and turning areas. b) Drainage Plan provided	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.	Parking areas are to be provided with lighting in accordance with the relevant Australian Standard.	Complies
E6.7.8 Landscaping of Parking Areas	A1 Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car	Area shown for landscaping exceeds 5%	Complies

Standard	Acceptable Solution	Proposed	Complies?
	park, except in the Central Business Zone where no landscaping is required.		
E6.7.9 Design of Motorcycle Parking Areas	A1 The design of motorcycle parking areas must comply with all of the following: (a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) be located within 30 m of the main entrance to the building.	The motorcycle parking area is located more than 30 m from the main entrance to the building. Refer to Part E for assessment against performance criteria.	Discretion
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.	The bicycle parking area is located more than 30 m from the main entrance to the building. Refer to Part E for assessment against performance criteria.	Discretion
	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.		Complies
E6.7.11 Bicycle End of Trip Facilities	A1 For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.	No new buildings are proposed, extension to existing DEC facility only.	NA
E6.7.12 Siting of Car Parking	A1 Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.	Not applicable. Site is within the recreation zone.	NA
E6.7.1.13	A1		Complies

Standard	Acceptable Solution	Proposed	Complies?
Facilities for Commercial Vehicles	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.	The car park will be designed in accordance with AS/NZS 2890.1 and AS/NZS 2890.2.	
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements of the road authority.	The site and existing development utilise two existing accesses onto the Brooker Highway which is a State-owned road. As such, the application was referred to the Department of State Growth (DSG) for comment. No changes are proposed to the existing access points and no concerns were raised by DSG in relation to the intensified use of these accesses.	Complies

APPENDIX F**E7 Stormwater Management Code**

Standard	Acceptable Solution	Proposed	Complies?
E7.7 Development Standards			
E7.7.1 Stormwater Drainage and Disposal	A1 Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.	The site will drain by gravity through a combination of new and existing stormwater infrastructure. All runoff from the DEC site will discharge through an existing DN450 outflow pipe into the River Derwent. Runoff from the new carpark will also discharge to the existing piped stormwater system.	Complies
	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.	To comply with the acceptable solution A2 the stormwater system will incorporate a bio-retention swale and a treatment train consisting of a SPEL stormsack to achieve the water quality performance objectives stipulated in Table E7.1 (Acceptable Stormwater Quality and Quantity Targets).	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.	The site is zoned recreation hence the minor stormwater drainage system has been sized to accommodate a storm of 5% AEP (ARI of 20 years). The site is adjacent the River Derwent and there exists no infrastructure between the site and the river which can be damaged as a result of a 1% AEP storm event. Therefore, any increase to site runoff is considered to be accommodated within the stormwater infrastructure, piped and overland flow paths.	Complies
	A4 A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.	Flows from upstream of the site, originating on the Elwick racecourse property, are diverted clear of the rear loading dock to the east and west by the	Complies

Standard	Acceptable Solution	Proposed	Complies?
		upstand on the existing retaining wall on the southern edge of the hardstand. The new sections of stormwater pipework within major stormwater lines 1 & 2 have been sized to accommodate a storm with ARI of 100 years. A surcharge pit has been incorporated within stormwater line 1 to divert surcharging water away from the building, where existing downstream pipework does not have the capacity for a storm of 1% AEP (ARI of 100 years).	

APPENDIX G**E9 Attenuation Code**

Standard	Acceptable Solution	Proposed	Complies?
E9.6 Use Standards			
E9.6.1 Use with Potential to Cause Environmental Harm	A1 Use with potential to cause environmental harm has a separation distance no less than the minimum attenuation distance listed in Tables E9.1 or E9.2.	The proposal includes a late night music venue which has an attenuation distance of 200 m from a sensitive use. The proposed development is located more than 200 m from the closest sensitive use.	Complies
E9.7 Development Standards			
E9.7.1 Development for Use with Potential to Cause Environmental Harm	A1 Development for use with potential to cause environmental harm has a separation distance no less than the minimum attenuation distance listed in Tables E9.1 or E9.2.	The proposal includes a late night music venue which has an attenuation distance of 200 m from a sensitive use. The proposed development is located more than 200 m from the closest sensitive use.	Complies
E9.7.2 Development for Sensitive Use in Proximity to Use with Potential to Cause Environmental Harm	A1 No Acceptable Solution	The proposal does not involve a sensitive use.	NA

APPENDIX H**E11 Waterway and Coastal Protection Code**

Standard	Acceptable Solution	Proposed	Complies?
E11.7 Development Standards			
E11.7.1 Buildings and Works	A1 Building and works within a Waterway and Coastal Protection Area must be within a building area on a plan of subdivision approved under this planning scheme.	The proposal involves some development within the Waterway and Coastal Protection Area. Specifically, this is a small portion of the proposed	Discretion

Standard	Acceptable Solution	Proposed	Complies?
		entrance structure, modifications to the vehicular turning and drop off area and landscaping. These works are not within a building area on the plan of subdivision and therefore the acceptable solution is not met. Refer to Part E for assessment against performance criteria.	
	A2 Building and works within a Future Coastal Refugia Area must be within a building area on a plan of subdivision approved under this planning scheme.	No works are proposed within a Future Coastal Refugia Area.	NA
	A3 Buildings and works within a Potable Water Supply Area must be within a building area on a plan of subdivision approved under this planning scheme.	No works are proposed within a Potable Water Supply Area.	NA
	A4 Development must involve no new stormwater point discharge into a watercourse, wetland or lake.	No new stormwater point discharge is proposed into a watercourse, wetland or lake.	Complies
E11.7.2 Building and Works Dependent on a Coastal Location	A1 An extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date.	The proposed building and works are not dependent on a coastal location.	NA
	A2 No Acceptable Solution for dredging and reclamation.		
	A3 No Acceptable Solution for coastal protection works initiated by the private sector.		
E11.8 Subdivision Standards			
E11.8.1 Subdivision	A1 Subdivision of a lot, all or part of which is within a Waterway and Coastal Protection Area, Future Coastal Refugia Area or Potable Water Supply Area must comply with one or more of the following:	No subdivision proposed.	NA

Standard	Acceptable Solution	Proposed	Complies?
	(a) be for the purpose of separation of existing dwellings; (b) be for the creation of a lot for public open space, public reserve or utility; (c) no works, other than boundary fencing works, are within a Waterway and Coastal Protection Area, Future Coastal Refugia Area or Potable Water Supply Area; (d) the building area, bushfire hazard management area, services and vehicular access driveway are outside the Waterway and Coastal Protection Area, Future Coastal Refugia Area or Potable Water Supply Area.		
	A2 Subdivision is not prohibited by the relevant zone standards.		

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

Standard	Acceptable Solution	Proposed	Complies?
E15.6 Use Standards			
E15.6 Use Standards	A1 Change of use of a non-habitable building to a habitable building or a use involving habitable rooms must comply with all of the following: (a) floor level of habitable rooms is no less than the AHD level for the Coastal Inundation Low Hazard Area in Table E15.1; (b) floor level of habitable rooms is no less than the AHD level for the 1% AEP plus 300mm if in an area subject to riverine flooding.	The site is only partially within an inundation hazard area and no habitable buildings are proposed within the overlay area.	NA
E15.7 Development Standards for Buildings and Works			
E15.7.1 Coastal Inundation High Hazard Areas	A1 For a habitable building, including extensions to existing habitable buildings, there is no Acceptable Solution.	The site is not subject to a Coastal Inundation High Hazard area.	NA
	A2 For a non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, there is no Acceptable Solution.		
E15.7.2 Coastal Inundation Medium Hazard Areas	A1 For a new habitable building there is no acceptable solution.	The site is not subject to a Coastal Inundation Medium Hazard area.	NA

Standard	Acceptable Solution	Proposed	Complies?
	A2 Except for new rooms associated with habitable buildings other than dwellings, for which there is no acceptable solution, an extension to an existing habitable building must comply with one of the following: (a) new habitable rooms must comply with both of the following: (i) floor level no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1, (ii) floor area of the extension no more than 40m² from the date of commencement of this planning scheme; (b) new habitable rooms must be above ground floor. A3 A non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, must have a floor area no more than 40 m².		
E15.7.3 Coastal Inundation Low Hazard Areas	A1 A new habitable building must comply with the following: (a) floor level no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1.	No new habitable building is proposed within the Coastal Inundation Low Hazard Area. The DEC building is entirely located outside of the Coastal Inundation Low Hazard Area on the site.	NA
	A2 An extension to a habitable building must comply with either of the following:	No extension to a habitable building is proposed within the Coastal Inundation Low Hazard Area.	NA

Standard	Acceptable Solution	Proposed	Complies?
	(a) floor level of habitable rooms is no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1; (b) floor area is no more than 60 m².	The DEC building is entirely located outside of the Coastal Inundation Low Hazard Area on the site.	
	A3 A non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, must have a floor area no more than 60 m².	No building is proposed within the Coastal Inundation Low Hazard Area.	NA
E15.7.4 Riverine Inundation Hazard Areas	A1 A new habitable building must have a floor level no lower than the 1% AEP (100 yr ARI) storm event plus 300 mm.	No new habitable building or extension to an existing habitable building is proposed within the Riverine Inundation Hazard area.	NA
	A2 An extension to an existing habitable building must comply with one of the following: (a) floor level of habitable rooms is no lower than the 1% AEP (100 yr ARI) storm event plus 300 mm; (b) floor area of the extension no more than 60 m² as at the date of commencement of this planning scheme.		
	A3 The total floor area of all non-habitable buildings, outbuildings and Class 10b buildings under the Building Code of Australia, on a site must be no more than 60 m².		
15.7.5	A1 For landfill, or solid walls greater than 5 m in length and 0.5 m in height, there is no acceptable solution.		NA

Standard	Acceptable Solution	Proposed	Complies?
Riverine, Coastal Investigation Area, Low, Medium, High Inundation Hazard Areas		The proposal involves some works within the Riverine Inundation Area and Coastal Inundation Low Hazard Area. These works relate to parking and access and do not include any landfill or solid wall greater than 5 metres in length or 0.5 metres in height.	
	A2 No acceptable solution.	There is no acceptable solution. The performance criteria relates to mitigation measures if required. No mitigation measures are required therefore this standard does not apply.	NA
	A3 A land application area for onsite wastewater management must comply with all of the following: (a) horizontal separation distance from high water mark or from the top of bank of a watercourse or lake must be no less than 100 m; (b) vertical separation distance from the water table must be no less than 1.5 m.	No onsite wastewater management is proposed.	NA
E15.7.6 Development Dependent on a Coastal Location	A1 An extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date.	The proposal is not for development dependent on a coastal location.	NA
	A2 No acceptable solution		

Standard	Acceptable Solution	Proposed	Complies?
	A3 No Acceptable Solution for coastal protection works initiated by the private sector.		
E15.8 Development Standards for Subdivision			
E15.8.1 Medium and High Inundation Hazard Areas	A1 No Acceptable Solution.	The proposal does not involve subdivision.	NA
	A2 Subdivision is not prohibited by the relevant zone standards.		
E15.8.2 Subdivision Dependent on a Coastal Location	A1 No acceptable solution		

6. PROPOSED USE AND DEVELOPMENT - STAGED MULTIPLE DWELLING (20) DEVELOPMENT WITH ASSOCIATED DEMOLITION, BOUNDARY ADJUSTMENT AND MINOR WORKS ON MERRIWA STREET - 192 MARYS HOPE ROAD ROSETTA & 8 MERRIWA STREET BERRIEDALE

Author: Planning Officer (Bhavna Gungabison)

Qualified Person: Planning Officer (Bhavna Gungabison)

Property ID: 5333787

REPORT SUMMARY

Application No.: PLN-20-288

Applicant: House Plan Studio

Owner: McTas Properties Pty Ltd

Zone: General Residential Zone

Use Class Residential

Application Status: Discretionary

Discretions: 10.4.2 Setback

10.4.3 Private Open Space

10.4.4 Sunlight

10.4.6 Privacy

10.4.8 Waste

E5.5.1 Existing Accesses and Junctions

(The proposal meets all other applicable standards as demonstrated in the attached appendices)

Level 2 Activity? No

42 Days Expires: 22 Jan 2021

Existing Land Use:	Residential
Representations:	5
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The application is for staged multiple dwelling development for a total of 20 units at 192 Marys Hope Road and 8 Merriwa Street with boundary adjustment, demolition and minor road widening works on Merriwa Street.

The boundary adjustment is to transfer the access handle servicing 8 Merriwa Street from Marys Hope Road onto the land at 192 Marys Hope Road. The access handle is currently unutilised by 8 Merriwa Street which has frontage and access from Merriwa Street as shown in Figure 1 below.

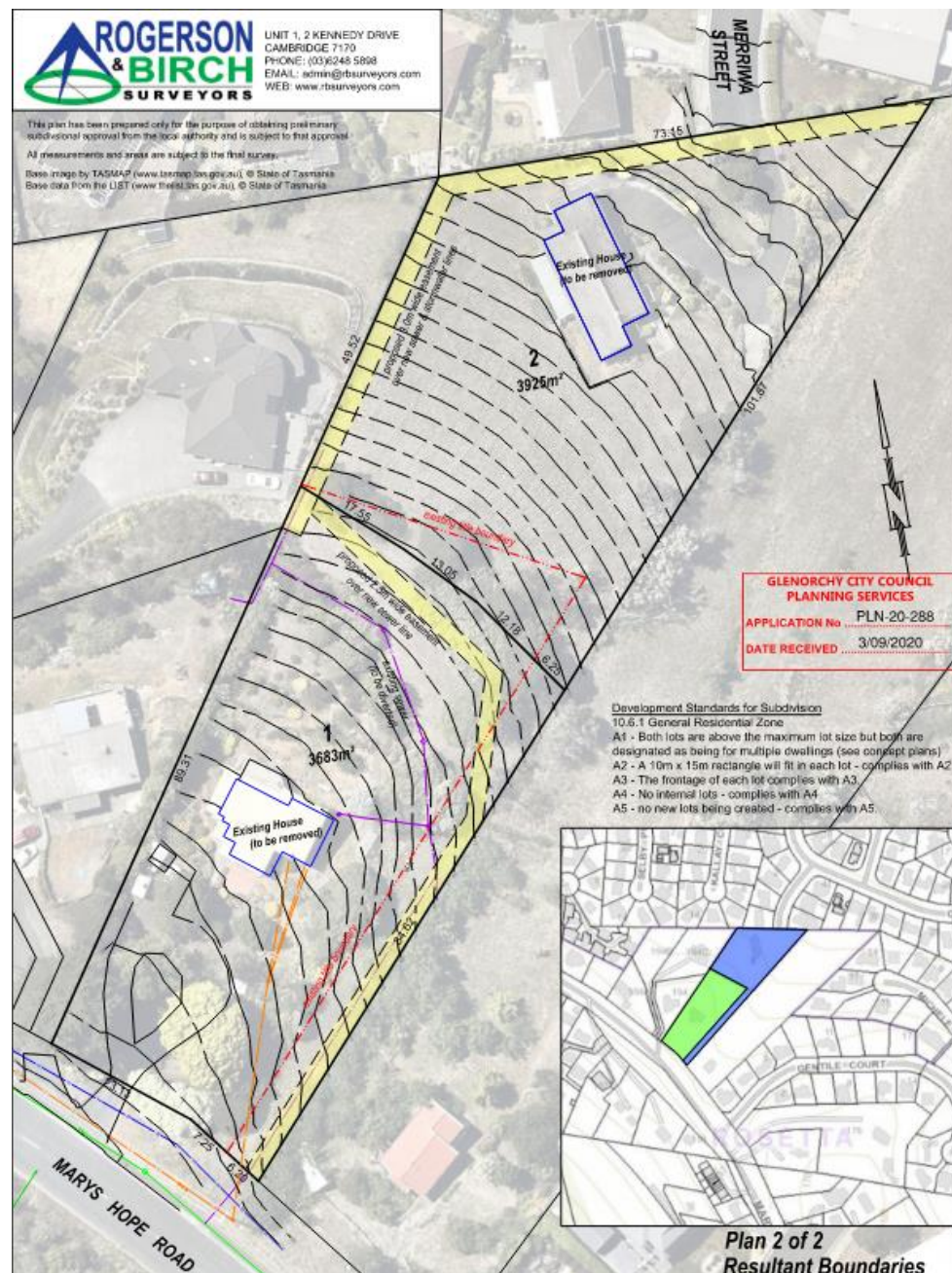


Figure 1: Proposed Plan of Boundary Adjustment.

192 Marys Hope Road

Ten (10) double storey dwellings are proposed at 192 Marys Hope Road, with a minimum setback of 4.77m from the frontage, 1.34m from the north-western side boundary, 4.1m from the south-eastern side boundary and 7.2m from the rear boundary. The dwellings are to have maximum height ranging between 6.6m and 8.7m above natural ground level.

Each dwelling is to consist of an open plan kitchen, dining and living area which opens onto a decking area, a master bedroom with ensuite, two bedrooms, bathroom and laundry. Two parking spaces are proposed for each dwelling, one space is to be provided as an attached single garage, while the other parking space is to be adjoining

the dwelling to which it is allocated. Units 9 and 10 are to have a double garage each. Overall, a total of twenty (20) parking spaces are proposed for the units and three (3) visitor parking spaces. A total of four 6m x 5.5m passing bays are proposed along the access and driveway serving the dwellings.

The proposal also includes minor excavation/cut of land for building purposes and fill to achieve driveway and parking grades.

Retaining walls are proposed which would allow for land stabilisation on sections where cut and fill are proposed and due to the natural steep slope of the site.

Each unit has access to more than 100m² of private open space. The development proposes to have a communal waste storage area along the frontage which is to be adequately screened from both the frontage and the proposed dwellings.

8 Merriwa Street

Ten (10) double storey dwellings are proposed at 8 Merriwa Street with Units 8 -10 being attached units.

The dwellings are to have maximum height ranging between 4.8 – 8.5m above natural ground level with a minimum setback of 5m from the frontage, 4.5m from the northern boundary, 2.6m from the north western side boundary, 2.4m from the south eastern side boundary and 5.4m from the rear boundary.

Each dwelling is to consist of an open plan kitchen, dining and living area which opens onto a decking area, a master bedroom with ensuite, two bedrooms, bathroom and laundry. Unit 4 is to have a rumpus room which leads to the backyard.

Two parking spaces are proposed for each dwelling, one space is to be provided as an attached single garage, while the other parking space is to be adjoining the dwelling to which it is allocated. Units 8 – 10 are to have double garages each.

Overall, a total of twenty (20) parking spaces are proposed for the units and three (3) visitor parking spaces. A total of four 6m x 5.5m passing bays are proposed along the driveway serving the dwellings.

The proposal also includes cut of land for building purposes and fill to achieve driveway and parking grade.

Retaining walls are proposed mostly along the driveways and parking spaces which would allow for land stabilisation on sections where cut and fill are proposed.

The dwellings at 192 Marys Hope Road are arranged with five (5) on either side of the proposed internal driveway. Units 1 - 6 are to be constructed as part of Stage 1 (shown as yellow in Figure 2) and Units 7 - 10 as part of Stage 2 (shown as purple in Figure 2). Units 7 – 10 at 8 Merriwa Street are to be constructed as part of Stage 3 (shown as green in Figure 2) and Units 1 – 4 as part of Stage 4 (shown as red in Figure 2 below).

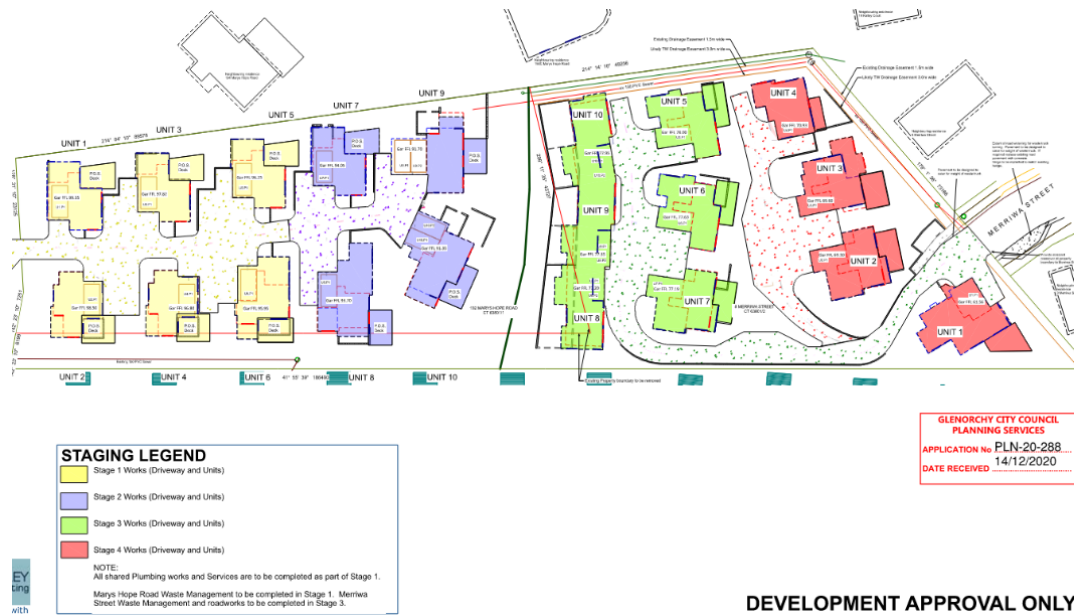


Figure 2: Proposed Staging Plan

The application also proposes minor road widening works on Merriwa Street for the section encircled in Figure 3 below:

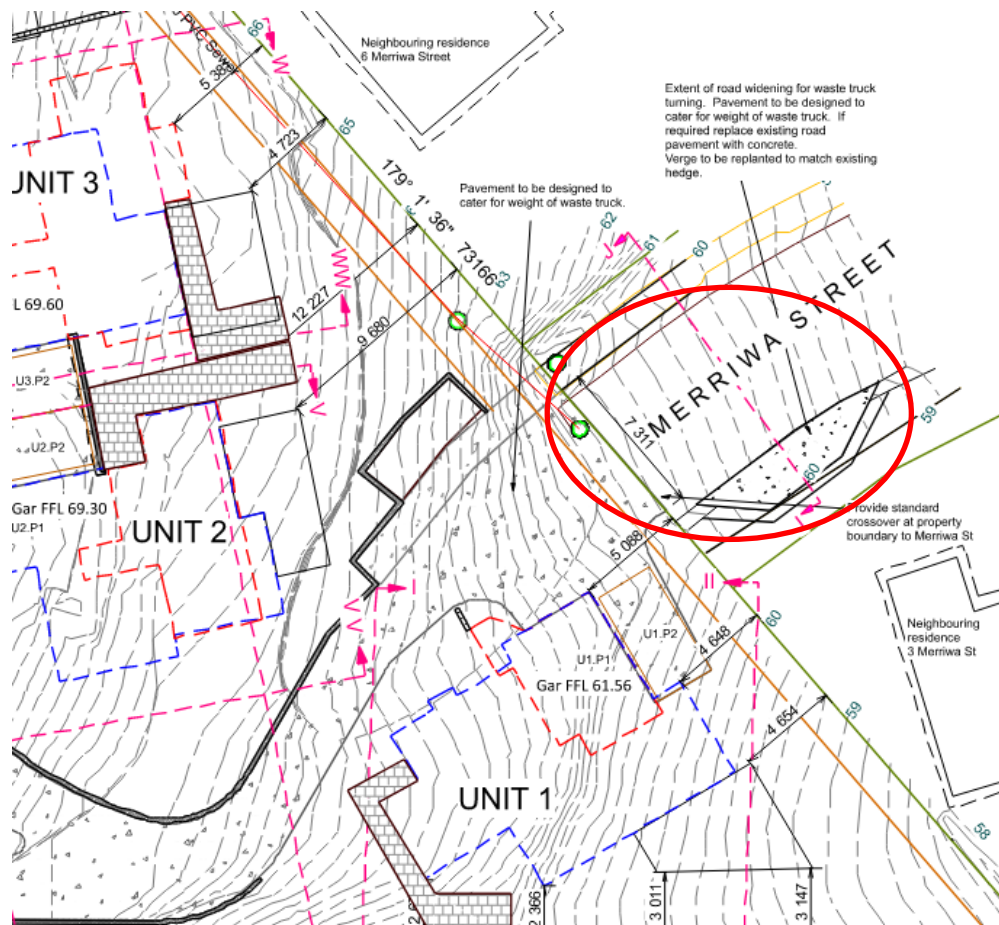


Figure 3: Proposed works on Merriwa Street

The road widening would allow garbage collection vehicles to reverse onto the site at 8 Merriwa Street for garbage collection.

The proposal relies on performance criteria for setback and building envelope, private open space, sunlight, privacy, waste standards of the General Residential Zone and the use standard of the Road and Railway Assets code of the Planning Scheme.

SITE and LOCALITY

192 Marys Hope Road

The subject site at 192 Marys Hope Road, is located on the eastern side of Marys Hope Road, approximately 70m north of the intersecting with Gentile Court. The lot forms a parallelogram with an area of 3427m². The property has an average depth of approximately 90m and an average width of approximately 44m. There is a steep embankment at the frontage, after which there is a moderate slope of approximately 1:5, falling north. The property is occupied by a dwelling towards the middle of the site. The property is mainly vegetated with grass and there are scattered trees and shrubs near the existing house. The local area is characterised by residential development, predominantly single dwellings and a recent multiple dwelling development being constructed at 190 Marys Hope Road.

8 Merriwa Street

The site at 8 Merriwa Street currently has a frontage with Merriwa Street and a long access strip adjoining 192 Marys Hope Road for access through to Marys Hope Road.

The access strip is approximately 100m long and 6m wide and is currently unutilised by 8 Merriwa Street. The site consists of a double storey single dwelling located closer to Merriwa Street with shrubs and scattered trees.

The lot has an area of 4181m², depth of approximately 60m (excluding access strip) and width of 55m. Approximately 15m of the northern boundary abuts the Merriwa Street and therefore only that section is considered as the frontage. The site is subject to a 1.5m wide drainage easement running along the western and northern boundary.

The site adjoins 192 Marys Hope Road to the south, multiple dwelling development to the east, single dwelling development to the west and north.



Figure 4: Aerial view of the site at 192 Marys Hope Road and 8 Merriwa Street and surrounding locality.

ZONE

The subject sites at 192 Marys Hope Road and 8 Merriwa Street are within the General Residential Zone as shown below.



Figure 5: Snapshot of zoning (Red – General Residential Zone)

BACKGROUND

Reason for GPA:

Planning Services does not have delegation to determine an application for more than four dwellings. Additionally, Council received representations during the statutory advertising period. An extension of time request was approved by the applicant to allow for determination at the GPA meeting scheduled on 21/01/2021.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil

Limited Exemptions

Nil

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

No SAP applies.

No conflict between zone and code provisions.

Use Class Description (Table 8.2):

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

Other relevant definitions (Clause 4.1):

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.

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

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

Demolition means the intentional damaging, destruction or removal of any building or works in whole or in part.

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

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

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

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

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

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

Part C: Special Provisions

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

9.3 Adjustment of a Boundary

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

- (a) no additional lots are created;*
- (b) there is only minor change to the relative size, shape and orientation of the existing lots;*
- (c) no setback from an existing building will be reduced below the applicable minimum setback requirement;*
- (d) no frontage is reduced below the applicable minimum frontage requirement; and*
- (e) no lot boundary that aligns with a zone boundary will be changed.*

Comment:

The proposal includes a boundary adjustment between 192 Marys Hope Road and 8 Merriwa Street. The two properties are under the same ownership but as part of the multiple dwelling development for 10 dwellings on each lot, a boundary adjustment is proposed. The boundary adjustment is predominantly to transfer a section of the access handle onto 192 Marys Hope Road. The access handle is currently unutilised by 8 Merriwa Street which has frontage and access from Merriwa Street. No new lots are to be created as part of this application and the boundary adjustment involves a transfer of land area of 256m². The lot at 8 Merriwa Street is to decrease in size from 4181m² to 3925m² or a percentage decrease of 6% and 192 Marys Hope Road area is to increase from 3427m² to 3683m² or a percentage increase of approximately 7.5%. The change in size is considered as being relatively minor given the area of the lots. There is no change to the orientation of existing lots. In terms of shape, there is no major change in lot shape for the lot proper and the access handle is normally not included in density and lot size calculations. The existing buildings are to be demolished and therefore the minimum setback requirement is no longer applicable. There is no change/reduction in frontage and the boundary adjustment does not involve different zone boundaries. 192 Marys Hope Road will have access and frontage through Marys Hope Road and 8 Merriwa Street will retain access and

frontage through Merriwa Street. The proposal is therefore assessed as meeting the special provision 9.3 and is permitted.

9.4 Demolition

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

- (a) the purpose of the applicable zone;*
- (b) any relevant local area objective or desired future character statement of the applicable zone;*
- (c) the purpose of any applicable code; and*
- (d) the purpose of any applicable specific area plan.*

Comment:

The demolition forms part of the boundary adjustment and multiple dwelling development application at 192 Marys Hope Road and 8 Merriwa Street. The demolition involves demolition of the existing dwellings, retaining walls, structures and tree removal. Since the demolition is considered as part of the multiple dwelling development, the special provision for demolition does not apply.

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.*

Comments:

The proposal is to provide a total of 20 multiple dwellings at 192 Marys Hope Road and 8 Merriwa Street which have full infrastructure services available and would provide for the efficient utilisation of the services. The proposal is assessed as complying with the purpose statements of the General Residential Zone.

Use Table

Multiple dwellings are permitted within the Use Table 10.2; however, the proposal is assessed as discretionary due to reliance on performance criteria to comply with applicable standards within the General Residential Zone and applicable code.

Use Standards

The use standards relate to non-residential uses and visitor accommodation. Since, this application is for multiple dwellings (residential), the use standards do not apply.

Development Standards for Residential Buildings & Works

10.4.2 Setback and Building Envelope (A3/P3)

192 Marys Hope Road

Units 1, 2, 4, 5, 6, 7, 8 and 9 have protrusions which extend beyond the building envelope by more than 0.6m (ranging between 1m to 2.4m). As a result, the proposal relies on performance criteria P3, which requires the following:

The siting and scale of a dwelling must:

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

Comment:

The property at 192 Marys Hope Road is oriented to the north and therefore the proposed development does not cause overshadowing onto the adjoining property to the west (194 Marys Hope Road) and north (8 Merriwa Street).

The property likely to be overshadowed by the proposed development would be 190 Marys Hope Road, located to the east of the subject site. A shadow diagram was provided as part of the application (Figure 6 below) which shows the extent of overshadowing on the adjoining property to the east (190 Marys Hope Road) during winter solstice (21st June).

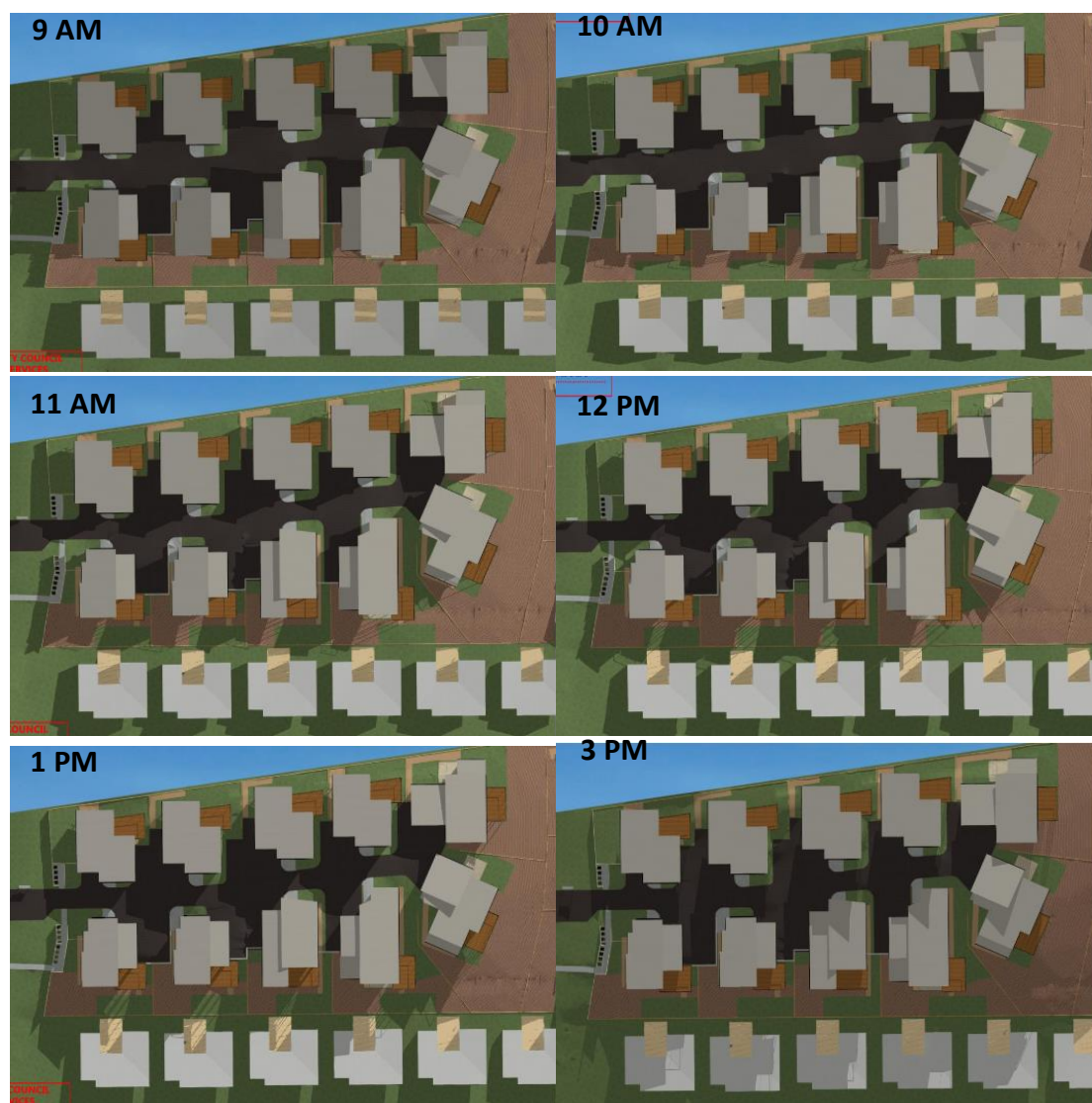


Figure 6: Shadow Diagram between 9am to 3pm on the 21st June (winter solstice), showing the overshadowing impact of the proposed development on the units at 190 Marys Hope Road (currently under construction).

The private open space for 190 Marys Hope Road are shown as beige on the shadow diagram (Figure 6). The private open space would not be impacted between 9am to noon on winter solstice but would be partially overshadowed between 1pm to 3pm. This means the private open space for the dwellings at 190 Marys Hope Road would remain unimpacted by the proposed development for at least three hours on winter solstice and would have at least four hours of sunlight on 50% of the private open space. This is considered as reasonable and the proposed development is assessed as not causing an unreasonable overshadowing of the private open space of the dwellings on the adjoining lot.

The dwellings on 190 Marys Hope Road have the same internal layout for all 13 dwellings closest to the boundary with 192 Marys Hope Road. The dwellings have a living room window shown in Figure 7 below which would be partially impacted.

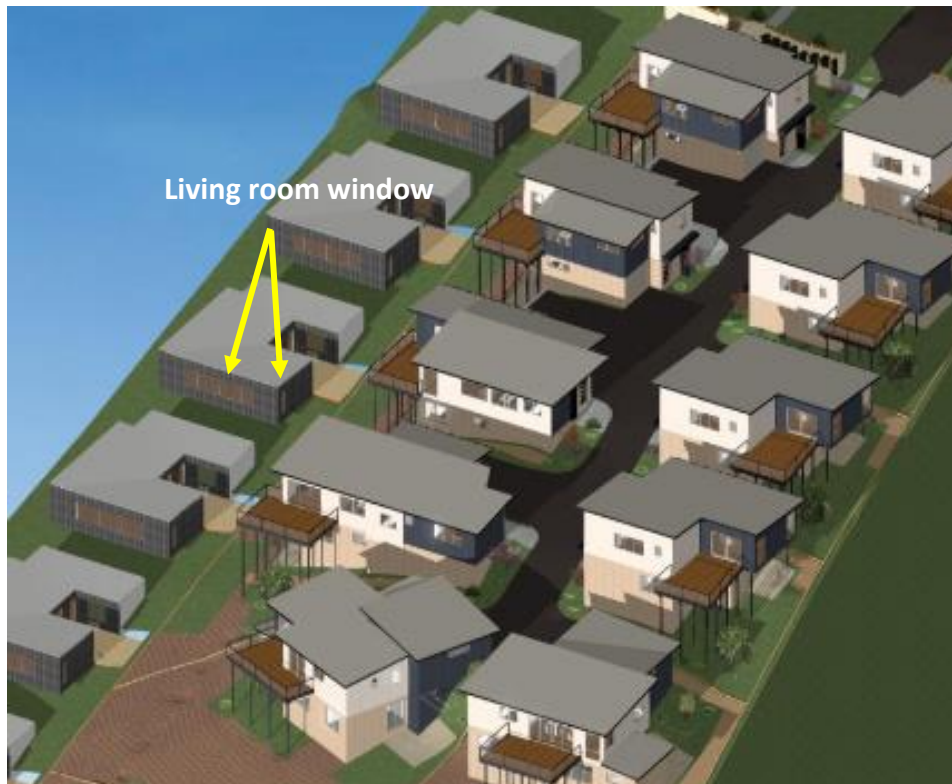


Figure 7: Living room window for 190 Marys Hope Road shown with a yellow arrow.

The proposed development causes partial shadow cast on dwellings at 190 Marys Hope Road between noon and 3pm. The 3D shadow diagram below demonstrates the likely reduction of sunlight to the living room windows of 190 Marys Hope Road.



Figure 8: 3D shadow diagram between noon and 3pm to demonstrate likely reduction of sunlight to the living room window for Units at 190 Marys Hope Road.

The shadow diagram demonstrates that the proposed development will cause a reduction of approximately one hour of sunlight between 2pm and 3pm on winter solstice for the living room windows of dwellings at 190 Marys Hope Road. This means that the dwellings would have at least four to five hours of uninterrupted sunlight on the shortest day of the year. The reduction in sunlight by a maximum of one hour is considered as reasonable and would not cause an unreasonable amenity impact to the future residents of the dwellings at 190 Marys Hope Road.

The subject site does not adjoin a vacant lot and therefore performance criteria P3 (a) (iii) is not applicable.

Units 1, 3, 5, 7 and 9 adjoin the boundary with 194 Marys Hope Road (shown in Figure 9 below). The dwellings only have minor protrusions which extend beyond the building envelope for these dwellings. The maximum height of the closest section of the dwellings to the side boundary range between 6m to 7m from the natural ground level, with setbacks ranging between 1.3 to 3.7m. The predominant part of the dwelling facing the side boundary would be the decks which are designed to be on poles. The dwellings are to be compatible in terms on bulk and scale with existing dwellings in the area, predominantly at Gentile Court. The dwellings are not assessed as causing an unreasonable visual impact caused by bulk, scale and proportion when viewed from 194 Marys Hope Road.

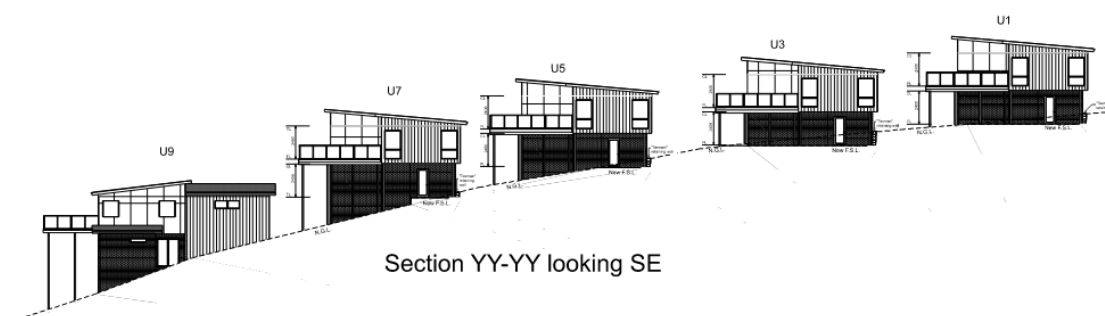


Figure 9: View of Units 1,3,5,7 and 9 from the north-western side boundary.

Units 2, 4, 6, 8 and 10 adjoin the boundary with 190 Marys Hope Road (shown in Figure 10 below). The dwellings have maximum height ranging between 7.8m to 8.7m above natural ground level and setbacks ranging between 5.1m to 5.7m from the side boundary. The dwellings are to have unroofed decks supported by poles, with setbacks of 4.1m to 4.7m from the side boundary.

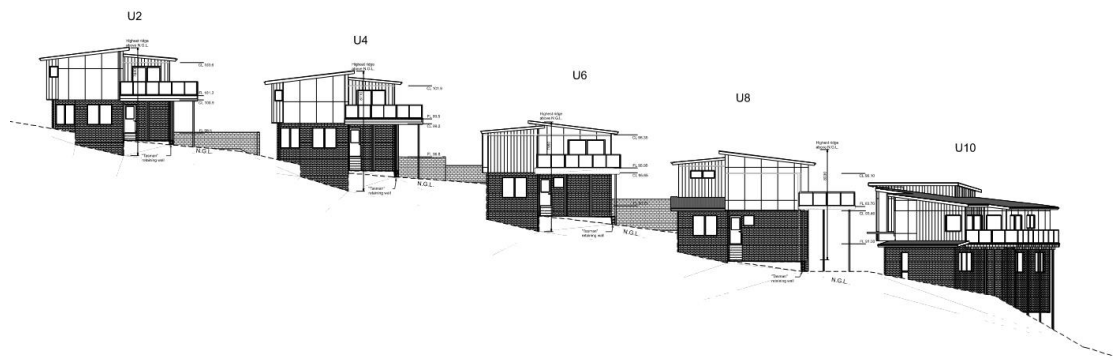


Figure 10: View of Units 2,4,6,8 and 10 from the south-eastern side boundary.

Units 2, 4, 6 & 8 have a narrow wall of 5.5m wide facing the units at 190 Marys Hope Road and are designed to have mixed wall material with tan and black bricks and light weight cladding with deep blue, white and cream colours.

The remainder of the facing wall is set back and is open underneath the deck providing greater visual separation and openness, as there is no roof over the deck. There is at least 6m between the proposed dwellings, which provide a greater sight ratio of open space to solid wall. This minimises the visual impact and allows views of the sky as shown in Figure 11 below.



Figure 11: View of the proposed development from private open space of Unit 5 at 190 Marys Hope Road

The dwellings are assessed as not causing an unreasonable visual impact with respect to bulk and scale on the dwellings at 190 Marys Hope Road.

The proposed development provides greater setbacks from dwellings on adjoining lots as those prevailing in the area. The setbacks proposed range between 1.3m to 10.4m which is compatible with setbacks on 190 Marys Hope Road and 194 Marys Hope Road.

Overall, the sitting and scale of the proposed development at 192 Marys Hope Road are assessed as not causing an unreasonable amenity impact on the adjoining lots and

therefore assessed as satisfying the performance criteria P3 and complies with the standard.

8 Merriwa Street

Units 1-10 comply with the acceptable solution A3 except for Unit 8.

The proposed Unit 8 at 8 Merriwa Street has protrusions of 1.2m along the north-eastern elevation which is situated outside the building envelope. The proposal therefore relies on performance criteria P3.



Figure 12: Extract of shadow diagram (9am – 3pm winter solstice) to show overshadowing impact of Unit 8 (encircled) at 8 Merriwa St on the adjoining property at 190 Marys Hope Road.

Unit 8 is to have a maximum height of 6.6m above natural ground level, with a setback of 3.3m from the south-eastern side boundary. Unit 8 does not cause overshadowing onto the adjoining lot until after noon and does not overshadow the living room windows of the dwellings on the adjoining lot. Unit 8 allows more than 50% of the private open space of the dwellings at 190 Marys Hope Road to have access to sunlight between noon and 3pm on winter solstice as shown in Figure 12.

The overall development at 8 Merriwa Street do not cause an unreasonable reduction in sunlight or overshadowing on adjoining lots and have setbacks compatible with those prevailing in the area most specifically at 190 Marys Hope Road and 194C Marys Hope Road.

The proposal is assessed as satisfying performance criteria P3 and complies with the standard.

10.4.3 Site coverage and Private Open Space

192 Marys Hope Road

The nominated private open space (decks) for Units 1, 3, 5, 7 and 10 have an area of 24.2m² each with direct access from the living area but do not meet the minimum dimension of 4m for part of the deck, as required by the acceptable solution A2. The proposal therefore relies on performance criteria P2, which requires the following:

A dwelling must have private open space that:

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

Comment:

The decks for units 1, 3, 5, 7 and 10 have an area of 24.2m² and are directly accessible from the open plan living/dining area through wide sliding doors. This allows the decks to act as an extension of the dwelling for outdoor relaxation, dining and entertaining. In addition to the deck, the units have access to more than 100m² of private yard space on the ground level, which can be utilised for children's play. The private yard is to be fully fenced to increase safety for future users. The decks are mostly oriented to the north and north-east with the finished surface level being mostly levelled with the roof line of the next dwelling down the slope, as shown in section views (figure 9 and 10). This allows the decks to have ample access to sunlight throughout the day. This has been further demonstrated by the shadow diagrams provided for the development (Figure 6 and 8). Overall, the proposal is assessed as complying with the performance criteria and therefore meeting the standard.

8 Merriwa Street

Units 1-10 nominated private open spaces (decks) do not comply with acceptable solution A2, except for Unit 3 as described in the appendix section of the report. The proposal therefore relies on performance criteria P2, which requires the following:

A dwelling must have private open space that:

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

Comment:

The deck for units 1, 2, 5, 6 and 7 have a minimum area of 24m² with direct access from the open plan living and dining area. This enables the deck to act as an extension of the dwelling for outdoor relaxation, dining and entertaining. The units also have access to more than 90m² of yard space on the ground level which can serve as additional area for children's play. The yard is clearly visible from the deck and living areas and would be fenced to provide safety for children's play. The decks are orientated to the north and northeast which would allow ample access to sunlight throughout the day as demonstrated in shadow diagram (Figure 12).

The decks for Units 4, 8, 9 and 10 have minimum area of 11m² – 13.8m², with a minimum width of 2m. The decks are directly accessible from the living room and would have access to ample sunlight. Unit 4 has access to the ground level yard space of approximately 140m² which is directly accessible from the rumpus room. The area together with the deck can act as an outdoor extension to the dwelling for outdoors entertaining, relaxation, dining and children's play. Units 8-10 have a private courtyard which are accessible from the dining area and would have an area ranging between 90m² – 180m² which would provide adequate area for outdoor recreation and children's play.

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

10.4.4 Sunlight (A1/P1)

The proposed units at 192 Marys Hope Road and 8 Merriwa Street do not have habitable room windows (other than bedroom) facing between 30 degrees west of north and 30 degrees east of north. The proposal therefore relies on performance criteria P1, which requires the following:

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

Comment:

The dwellings are designed to have the windows and doors of the open plan living and dining room window facing north and north-east. The windows have sill heights which are above the roof line of the next dwelling down the slope, as shown in Figure 13 and 14 below. This allows the habitable room windows to have uninterrupted access to

sunlight throughout the day. The proposal is assessed as complying with the performance criteria and therefore meets the standard.



Figure 13: A 3D image showing the living room windows and arrangement of dwellings down the slope for 192 Marys Hope Road (view from rear fence).



Figure 14: A 3D image showing the living room windows and arrangement of dwellings down the slope for 8 Merriwa Street (view from corner of front fence).

10.4.6 Privacy (A1/P1)

192 Marys Hope Road

As described in the appendix section of the report, Units 1, 2, 3 and 5 are unable to comply with the requirements of acceptable solution A1 due to the proposed decking being setback less than 6m from the closest habitable room window of another dwelling on the same site. As a result, the application relies on performance criteria P1, which requires the following:

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 be screened, or otherwise designed, to minimise overlooking of:

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

Comment:

The deck of Unit 1, 3 and 5 would be within 6m of the kitchen and dining room windows (south-west elevation) of Unit 3, 5 and 7 respectively but these windows are to be made opaque and therefore the proposal has been designed to minimise overlooking of habitable rooms. The decks are designed at the front of each unit and therefore would not be overlooked by the deck of another dwelling on the same site. The corner edge of the deck for Unit 2 is offset by approximately 1.5m from the kitchen window of Unit 4 which restricts potential overlooking. Additionally, the floor level of the deck is higher than the floor level of Unit 4 as shown in Figure 10 of the report. The line of sight from the deck would therefore be above the roofline of Unit 4 and further minimises the potential overlooking into the habitable room of Unit 4.

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

8 Merriwa Street

Unit 2 at 8 Merriwa Street has a deck that is less than 6m from Unit 3 deck and therefore relies on performance criteria P1.

The deck of Unit 3 is to have a 1.7m high privacy screen which restricts potential overlooking. The deck of Unit 2 is offset from the habitable room windows of Unit 3 and therefore has been designed to minimise overlooking.

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

10.4.6 Privacy (A3/P3)**8 Merriwa Street**

Units 8 and 10 have a bedroom each located on the ground level which are setback less than 1m from the shared driveway/turning area. As a result, the proposal relies on performance criteria P1, which requires the following:

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

Comment:

The bedroom 2 window for Unit 8 and bedroom 3 window for Unit 10, facing the driveway are to have a sill height of more than 1.7m above the finished surface of the driveway and would not be significantly impacted by vehicle light intrusion and have limited impact in terms of vehicle noise. The proposal is assessed as complying with the standard.

10.4.8 Waste storage for multiple dwellings

A communal waste storage area is proposed for both 192 Marys Hope Road and 8 Merriwa Street. The communal storage areas are designed along the frontage of the two properties with a setback of less than 4.5m from the frontage and less than 5.5m from the closest dwelling. As a result, the proposal relies on performance criteria P1, which requires the following:

A multiple dwelling development must provide storage, for waste and recycling bins, that is:

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

Comment:

The waste storage areas have been designed to be able to accommodate 12 240L Wheelin Bins for general rubbish, recycling and FOGO to service the ten (10) units on each site. The storage areas are to be screened from the frontage by a 1.5m high fence and by an acoustic wall for the units. The storage areas are to also be surrounded by vegetation and landscaping to minimise any visual impacts. The storage areas are to have a minimum setback of 4m from the closest residence and would be collected by Council on a weekly basis. This would help minimise the odour and the acoustic wall will help reduce the noise impact on the closest dwelling.

The proposal is assessed as meeting the performance criteria P1 and therefore meets the standard.

Part E: Codes

The following codes of the Scheme apply to this proposal:

E5.0 Road and Rail Asset Code

E5.5.1 Existing accesses and junctions (A3/P3)

The acceptable solution requires the annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access, in an area subject to a speed limit of 60km/h or less, to not increase by more than 20% or 40 vehicle movements per day, whichever is the greater. The vehicles movements generated by the proposal is assessed as increasing vehicle movements to and from the site by more than 20% or 40 vehicle movements per day and therefore relies on performance criteria P3, which requires the following:

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

- (a) the increase in traffic caused by the use;*
- (b) the nature of the traffic generated by the use;*
- (c) the nature and efficiency of the access or the junction;*
- (d) the nature and category of the road;*
- (e) the speed limit and traffic flow of the road;*
- (f) any alternative access to a road;*
- (g) the need for the use;*
- (h) any traffic impact assessment; and*
- (i) any written advice received from the road authority.*

Comment:

A Traffic Impact Assessment was submitted as part of the application, which was reviewed by Council's Development and Traffic Engineers, who have concluded that the proposal satisfies the performance criteria and that the additional traffic would not have a significant impact on the road network. Please refer to the engineering comments in the referral section of the report.

E6.0 Parking and Access Code

The application proposes a total of 46 parking spaces, two per dwelling and six visitor parking spaces (three visitor parking for 192 Marys Hope Road and three for 8 Merriwa Street).

This satisfies the parking requirement of the Acceptable Solution A1 of Clause E6.6.1 of the Glenorchy Interim Planning Scheme 2015.

E7.0 Stormwater Management Code

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

PART F: Specific Area Plans

No SAP applies.

INTERNAL REFERRALS

Development Engineer

The proposal is to construct a four (4) staged multiple dwelling development of twenty units with frontages to 192 Marys Hope Road and 8 Merriwa Street Berridale. The

works proposed include the demolition of two existing houses and the realignment of the rear boundary of the two properties. Both allotments are fully serviced.

E5.0 Road and Railway Assets Code

The development complies with Code E5.0 Road and Railway Assets Code; and the safety and efficiency of the road is not expected to be reduced by the proposed development. The development will increase vehicle movements, to and from the site by over 40 vehicle movements and therefore does not comply with the Acceptable solution A3 of E5.5.1. However, the development complies with the Performance Criteria P3 in that the increased vehicle traffic will be safe and will not unreasonably impact on the efficiency of the road, having regard to the site having two existing vehicular accesses which would be retained and the development will utilise both of the available access points for both entry and exit. There would be no through road connecting Merriwa Street to Marys Hope Road.

Marys Hope Road

The development is proposing a 6m wide two-way driveway access in the middle of the lot which will be reduced to a single lane within the site with passing areas. The driveway and parking areas are to be designed in accordance with AS2890.1.

The width of the Marys Hope Road is 10.2m which is adequate for two-way traffic and parking on both sides of the road. At the development site the road has a horizontal curve with a vertical crest to the north and incline to the south.

Sight distance at the proposed driveway access was assessed in the TIA with 137m of sight line to the north and 259m of sight line to the south. This is above the required sight distance for the driveway under the planning scheme of 105m. Thus, Clause E5.6.4 Sight Distance At Accesses is met.

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

Merriwa Street

The proposed increase in traffic in Merriwa Street indicates that the total traffic on the street post-development is still relatively low for a residential street that can carry up to 3,000 vehicles per day. The TIA reviewed the impacts of the increase in traffic on Merriwa Street and on the surrounding streets of Chandos Drive and Berriedale Road in which it concluded that the increase in traffic is not expected to have any adverse impacts to traffic efficiency and residential amenity.

Sight distance at the junctions of Merriwa Street / Chandos Drive and Chandos Drive / Berriedale Road was assessed in the TIA. All junctions met the required sight lines apart from the sight distance to the left at the Chandos Drive along Berriedale Road

which can be achieved by the removal of overhanging vegetation from a Council reserve.

E6.0 Parking and Access Code

The submitted plans indicate a total of forty six (46) parking spaces. The development complies with Code E6 Parking and Access Code and is considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected

E7.0 Stormwater Management Code

The development meets the requirements in the Stormwater Management Code. There are no GCC stormwater mains affected by this application. All runoff from the new impervious area will be discharged by gravity to the approved Council infrastructure. The development is considered to comply with the Acceptable Solution E7.7.1 Clause A1.

To comply with the acceptable solution A2, a stormwater system will incorporate water sensitive urban design for treatment, as the size of the new impervious area exceeds 600m². The report by Aldanmark, dated 31/08/20, and other drawings submitted as part of the application demonstrated that the WSUD design proposed will achieve the acceptable stormwater quality and quantity targets stated in Table E7.1 of the Glenorchy Interim Planning Scheme 2015, for the treatment of stormwater.

A design for a major stormwater drainage system will be required to accommodate a storm with an ARI of 10 years.

It has not been demonstrated that the minor stormwater system has been designed to accommodate an ARI of 20 years, therefore stormwater detention has been proposed to maintain the post-development flow rate to a pre-development stage. The stormwater detention arrangement for the site has been shown in Aldanmark Civil Drawings C1.03.

There is an overland flow path through the development, from the North-east side of Marys Hope Road to Merriwa Road. To manage these flows a 3m wide drainage easement and a cut-off V-drain has been provided between the lots to carry the 1 in 100-year flow. Therefore, A4 is met.

Other

E3.0 Landslide Code

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

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

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

E15.0 Inundation Prone Areas Code

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

Hydraulics Engineer

Referenced Documents

- 201130 CIV 19E99-221 G
- RFI response – Civil Design – 201007 CIV 19E99-221 Rev E
- Stormwater Report 19E 99-221
- ECM_2925813_v2_PLN-20-288 - 192 Marys Hope Road & 8 Merriwa - Advertising Full set of plans received 14th Dec & 3rd Sep 2020

E7.7.1 Stormwater Drainage and Disposal

a) A1/P1

Stormwater from the proposed development can be discharged by gravity to a suitable council approved outlet.

A1 is met.

b) A2/P2

As detailed in the Stormwater report by Aldanmark, the development is able to achieve the required 80% reduction in total suspended solids, 45% reduction in total phosphorus and 45% in total suspended solids as detailed in Table E7.1.

A2 is met.

c) A3

It has not been demonstrated that the minor stormwater system has been designed to accommodate an ARI of 20 years. Therefore, stormwater detention has been proposed to maintain the post-development flow rate to a pre-development stage. The stormwater detention arrangement for the site is shown in Aldanmark Civil Drawings C1.03.

A3 is met.

d) A4

A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.

There is an overland flow path through the development, from the North-east side of Marys Hope Road to Merriwa Road. A 3m wide drainage easement & a cut-off V-drain has been provided between these lots to convey the 1 in 100-year flow. Therefore, A4 is met.

Conclusion

In summary, I have no objections with the proposal from a hydraulics perspective, provided the recommended conditions are met.

Traffic Engineer

Introduction

The developer proposes to construct 10 three-bedroom townhouses off 192 Marys Hope Road and 10 three-bedroom townhouses off 8 Merriwa Street. The assessment below is based on the Traffic Impact Assessment (TIA) undertaken by Hubble Traffic dated July 2020 and addendum for 8 Merriwa Street regarding garbage truck turning facility December 2020.

192 Marys Hope Road Development

Parking Supply

The development is proposing to have two off-street parking spaces for each unit and three separate off-street parking spaces for visitors both properties. This meets the acceptable solution A1 of code E6.6.1 in the planning scheme. There is also parking available on Marys Hope Road and surrounding streets.

Traffic Generation

Marys Hope Road is a Collector Road with a speed limit of 60km/hr and is on a bus route. The purpose of a Collector Road is to move traffic to/from local streets to arterial roads. Collector roads are expected to carry medium to large amounts of traffic being up to 10,000 vehicles per day.

The TIA undertook a survey of traffic volumes on Marys Hope Road during peak hours with an adjustment factor for covid-19. The morning peak traffic was estimated to be 244 vehicles per hour from 8.30am to 9.30am and the afternoon peak traffic was estimated to be 330 vehicles per hour from 3.45pm to 4.4.5pm.

The average daily traffic on Marys Hope Road was estimated to be 2,800 vehicles per day in the TIA. This is acceptable for a collector road and in line with traffic count data for Marys Hope Road in March 2019 with an average daily traffic volume of 2,728 vehicles.

The traffic generated by the development is expected to be 65 trips during the day and 7 trips during peak hour based on the RTA (Road and Traffic Authority NSW) Guide

to Traffic Generation Development. This is based on 6.5 trips per day for larger units and townhouses (three or more bedrooms).

At the driveway access the traffic generated by the development being 65 vehicles per day is more than 40 vehicles per day or 20% of the average daily traffic at the driveway which has a single dwelling on it (20% of 9vpd is 2vpd), whichever is greatest. The development therefore does not meet the acceptable solution of Code E5.5.1 A3 and a TIA has been undertaken to address the performance criteria.

It should be noted that the acceptable solution for junctions on Marys Hope Road is met as 65 vehicles per day is less than 40 vehicles per day or 20% of the average daily traffic at junctions (20% of 2,728vpd is 560vpd), whichever is greatest.

Crash Data

The crash data in the vicinity of the development and along Marys Hope Road was reviewed in the TIA. Near the development site there has been one reported crash to Police in the last 5 years being a single vehicle loss of control involving a parked car. The crash data indicated no current crash problems along Marys Hope Road near the development.

Even though there may have been other crashes, unfortunately it is those that are reported to the Police that can be assessed. Reported crashes gives Councils an indication of any underlying issues on our road network and we strongly encourage drivers to report any crash to the Police.

Driveway Access

The development is proposing a 6m wide two-way driveway access in the middle of the lot which will be reduced to a single lane within the site with passing areas. The driveway and parking areas are to be designed in accordance with AS2890.1.

The width of the Marys Hope Road is 10.2m which is enough for two-way traffic and parking on both sides of the road. At the development site the road has a horizontal curve with a vertical crest to the north and incline to the south.

Sight distance at the proposed driveway access was assessed in the TIA with 137m of sight line to the north and 259m of sight line to the south. This is above the required sight distance for the driveway under the planning scheme of 105m. Thus, Code 5.6.4 sight distance at accesses is met.

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

The driveway access to the development is located 91m from Gentile Court while the driveway at 190 Marys Hope Road is located 13m from Gentile Court. There will be at

least 60m separation between the two driveways which is enough to allow access to each property.

Pedestrian Access

Council's footpath runs along the development side of Marys Hope Road. A pedestrian path is proposed from Council's footpath to the site, within the nature strip area. This path is located to the south of the driveway. The developer will need to obtain an agreement from Council to place the pedestrian path in the nature strip and will be responsible for maintenance.

The development proposes to have a bin encloser within the site and the bins will be placed on the footpath for waste collection. The footpath on Marys Hope Road is 1.5m and acceptable for kerb side collection.

Findings

Based on the TIA it is accepted that the performance criteria of Code E5.5.1 P3 is met and that the proposed development is not expected to have any significant detrimental impacts on the surrounding road network in terms of traffic efficiency or road safety.

8 Merriwa Street

Parking Supply

The development is again proposing to have two off-street parking spaces for each unit and three separate off-street parking spaces for visitors. This meets the acceptable solution A1 of code E6.6.1 in the planning scheme. There is also parking available in Merriwa Street and surrounding streets.

Traffic Generation

Merriwa Street is a short local residential street, approximately 72m in length, road pavement width of 8.5m, vertical grade of 8% and speed limit of 50km/h. There is no turning head provided at the end of Merriwa Street. Merriwa Street connects into Chandos Drive at a T-junction and then onto Berriedale Road.

The traffic generated by the development is expected to be 65 trips during the day and 7 trips during peak hour based on the RTA (Road and Traffic Authority NSW) Guide to Traffic Generation Development. This is based on 6.5 trips per day for larger units and townhouses (three or more bedrooms).

There are currently seven residential properties in Merriwa Street. Based on the RTA Guide for residential dwellings, this equates to 63 trips during the day with each residential dwelling generating 9 vehicles per day. The traffic on Merriwa Street will double.

At the driveway access the traffic generated by the development being 65 vehicles per day which is more than 40 vehicles per day or 20% of the average daily traffic at the driveway which has a single dwelling on it (20% of 9vpd is 2vpd), whichever is greatest. The development therefore does not meet the acceptable solution of Code E5.5.1 A3 and a TIA has been undertaken to address the performance criteria.

It should be noted that the junction on Merriwa Street the acceptable solution is not met as 65 vehicles per day is more than 40 vehicles per day or 20% of the average daily traffic at junctions (20% of 63vpd is 13vpd), whichever is greatest.

The proposed increase in traffic in Merriwa Street still means that the total traffic on the street after the development is still relatively low for a residential street that can carry up to 3,000 vehicles per day. The TIA reviewed the impacts of the increase in traffic on Merriwa Street and on the sounding streets of Chandos Drive and Berriedale Road in which it concluded that the increase in traffic is not expected to have any adverse impacts to traffic efficiency and residential amenity.

Sight distance at the junctions of Merriwa Street / Chandos Drive and Chandos Drive / Berriedale Road was assessed in the TIA. All junctions met the required sight lines apart from the sight distance to the left at the Chandos Drive along Berriedale Road which can be achieved by the removal of overhanging vegetation from a Council reserve.

Crash Data

The crash data in the vicinity of the development showed that there has been one reported crash to Police in the last 5 years. This was a damage crash due to loss of control into a parked vehicle on Chandos Drive near Kilander Crescent that is between Merriwa Street and Berriedale Road. The low reported crash data indicated no current crash problems.

Driveway Access

The development is proposing to place the driveway access at the end of Merriwa Street of 5.5m width for two-way access and footpath on the western side for 11m. This will then reduce to a single lane of traffic with passing areas and no pedestrian access. The driveway and parking areas are to be designed in accordance with AS2890.1.

The transition between the public street and private driveway access will be delineated by a v-channel kerb which will also assist in slowing vehicle speeds down. As the driveway comes off the end of the existing road, sight distance requirements are met and are above the required sight distance for the driveway under the planning scheme of 105m. Thus, Code 5.6.4 sight distance at accesses is met.

The width of Merriwa Street is 8.5m which is wide enough for parking on both sides of the road. However, to allow two-way access into the driveway parking will be banned at the end of Merriwa Street.

Pedestrian Access

Merriwa Road has a footpath on both side which will terminate on the eastern side of the road prior to the development. On the western side of the road the footpath will extend into the development site for about 11m at which point pedestrian will need to share the driveway access.

The gradient of the driveway will not exceed 25%. The TIA notes that these steeper grades are quite short in length and no operational or safety issues are expected for pedestrians. TIA has also concluded that the traffic movements will be very low along the driveway thus pedestrians and vehicles sharing this space is not expected to create any conflicts.

Garbage Collection

The developer proposes to place a small turning area at the end of Merriwa Street to allow the garbage truck and other vehicles to turn. This turning area will be achieved by extending the road to the east and removing the footpath that will not link up to the development. The garbage truck will be able to turn at the end of Merriwa Street and then reverse up the driveway to where the bin storage area is located just inside the development to collect the bins.

This turning area is not to standard but has been accepted to allow a garbage truck and other vehicles to turn and is an improvement, as the existing road has no turning facility. Further detail designs are required along with parking needing to be restricted at the end of the street to allow vehicles to be able to turn and for two-way access at the driveway.

Findings

Based on the TIA it is accepted that the performance criteria of Code E5.5.1 P3 is met and that the proposed development is not expected to have any significant detrimental impacts on the surrounding road network in terms of traffic efficiency or road safety.

Conclusion

As the proposed development is not expected to have any significant detrimental impacts on the surrounding road network in terms of traffic efficiency, parking or road safety, I have no objection to the development on traffic engineering or road safety grounds subject to the recommended conditions being met.

Waste Management Officer

Waste Services to the proposed multiple dwelling development at 192 Marys Hope Road and 8 Merriwa Street Berriedale would be Councils shared bin service, collected weekly. The wheelie bins should be stored in a bin enclosure within both property boundaries and are not to be taken to individual units.

There will be two bin enclosures built, one at each address. Total number of shared bins will be 24 x 240L wheelie bins, 12 per bin enclosure.

Wheelie bins will be collected from the internal bin enclosure at 8 Merriwa Street, which will be situated at the front entrance of the property. Wheelie bins from 192 Marys Hope Rd will be collected from the kerbside.

EXTERNAL REFERRALS

TasWater

Pursuant to the Water and Sewerage Industry Act 2008 (TAS) Section 56P (1) TasWater imposes conditions on the permit for this application.

REPRESENTATIONS

The application was advertised for the statutory 14-day period with 5 representations being received. The issues raised are as follows:

1. Density

The representor states that the development has a density similar to an Inner Residential Zone which impacts on the character of the area.

Planner's Comment:

The density of the proposed development complies with the minimum requirement of 325m² of site area per dwelling thus complying with the acceptable solution for Clause 10.4.1 Residential Density for Multiple Dwellings of the General Residential Zone. This has been further explained in the appendix section of the report. There is therefore no discretion with respect to the density of the development and the development complies with the density of the zone.

2. Change in demographics

The representor states that if the development is being undertaken by Housing Connect, it will cause a huge change in demographics for the area given 26 units has been approved for housing connect at 190 Marys Hope Road. The consequences of such an influx of people, (increased traffic, noise and crime) has not yet been seen. Housing connect tenants are renown for noise, violence, and drug use. Not what we want for our children's backyards. Long term locals are listing their properties for sale, because they are scared of what is to become of our quiet, safe neighbourhood. The

happiness and safety of the current residents must be considered. Our sense of community safety is being eroded.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application. The application was lodged by a private developer.

3. Hedge and fence impact

The representor states that as adjoining property owner, they would like to confirm if the new fencing and truck turning would affect trees/ hedges on their boundary and if fencing could be placed to match the height of existing rear fences.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application. The *Boundary Fences Act 1908* consolidates the law in relation to boundary fences in Tasmania, in particular the repair and erection of boundary fences. Any trees located on an adjoining property would not be removed as part of this application. The truck turning area would impact on the existing hedge which is located on Council's Road reservation rather than a private property. However, an advice has been included as part of the engineering condition, to consult with the owner at 3 Merriwa Street for potential impacts. The truck turning area would however be completely within the road and road reservation.

4. Traffic

The representor states that the proposal would allow through access from Marys Hope Road onto Merriwa Street which would lead in more traffic and accidents.

The ingress/egress point from Marys Hope Road to this development is within a dip, where sadly a fatal accident occurred in 1994, the roadway typography barely altered since that time. The approach of traffic from both directions to where the proposed driveway is problematic, in that due to the nature and fall of the roadway. Vision is hindered until the driver is almost upon the proposed driveway. This environment may be acceptable for a single or dual residence, however for the number of dwellings proposed to be built, this environment creates an unavoidable risk.

The proposed Merriwa Street ingress/egress point has different issues. Merriwa Street for over 40 years has had six dwellings. The destruction of the residence at the end opens up Merriwa Street as the principal access for the lower units in the proposed development. This will lead to a substantial increase in traffic in Merriwa street, that later enter Chandos Drive.

Issue is taken with the 'minor works' advertised for Merriwa Street. The detail in the plans indicate that substantial work will be undertaken to not only provide the driveway into the proposed development, but considerable widening of the edges of

the roadway in concrete, to allow rubbish trucks to undertake 3 point turns. The entry onto Chandos Street from Merriwa Street is on a curve. Chandos Drive will then have to absorb the extra traffic. The impact of this upon the existing residents of Merriwa Street and Chandos Drive is simply extra traffic flow, which with respect to the existing traffic flow in Chandos Drive is to the detriment of the surrounding residents.

Traffic Engineer's Comment:

At the Marys Hope Road driveway access, sight lines were assessed in the TIA taking into account the topography of the land and road. The sight lines at the driveway are above that required under the planning scheme and the Australian standard for the unit development.

At the Merriwa Street development, the traffic impacts on Merriwa Street and Chandos Drive was assessed in the TIA with an increase of 65 vehicles per day from the development. This will double the amount of traffic on Merriwa Street but is well below that for a residential street. The increase in traffic on Merriwa Street and Chandos Drive is able to be absorbed into the existing road network with no detrimental impacts on the surrounding road network in terms of traffic efficiency or road safety.

Planner's Comment:

The application does not propose to have a through road connecting Marys Hope Road and Merriwa Street. The existing access are to be retained for both properties. The works on Merriwa Street is to allow for truck turning and will be only for a small section of Council Road Reservation. This will allow garbage truck to move in a forward direction rather than reverse onto Chandos Drive as being done currently. Further traffic assessment has been detailed in the Traffic Engineer's referral section of the report.

5. Stormwater impact

The representor states that the runoff from the additional 20 proposed roofs with an increase in surrounding concrete will create significant downstream issues for the homes below especially considering that 26 units are also being built at 190 Marys Hope Road. Concerns are raised that the existing storm water pipes than run between 9 Kirala Court & 36 Chandos Drive and 1 Kirala Court & 30 Chandos Drive are not designed to be able to cope with the extra flow, not just in a 1 in 20 or 1 in 50 year rain event, but even heavy rain.

If the existing stormwater system is overloaded by the extra load that the proposed development may cause, this will impact upon the existing homes in Merriwa Street, Chandos Drive, Kirala Court and Croome Court. It is a simple premise of life, that water flows downhill, and down below the substantial proposed development are existing homes that have a history of water issues due to compromised stormwater capability.

If an example of the load on the system is sought, the storm water cover in the rear of 3 Kirala Court, that carries a significant load originating from Marys Hope Road, has often been at risk of popping during heavy rainfall.

Planner's Comment:

A stormwater detention system will be designed to manage run-off from the site and reduce the impact on the downstream infrastructure. This has been further addressed in the Hydraulics and Development Engineers referral section of the report. The proposal complies with the Stormwater Management Code and Clause E7.7.1 A1, A2, A3 and A4 Stormwater Drainage and Disposal.

6. Landslip concerns

The representor states that the Rosetta area is highly problematic from a land stability perspective, which has been evidenced in the past. The plans for the proposed development identify that the soil is classified as Class H-1 - citing it as reactive soil and is likely to experience significant surface movement with moisture fluctuations. This is mitigated in the plan citing that if any construction is undertaken on fill exceeding 0.05m depth the Class P would be applicable. This is an extreme risk on such a steep site. Unless this area has been subject to a thorough geotechnical review which negates all risk of slippage, this proposal presents an unacceptable risk.

Planner's Comment:

The site is not subject to a landslide hazard area and therefore a geotechnical assessment is not warranted as part of the planning application. As part of a building application, soil testing will need to be done prior to commencement of works which will determine the type of foundation and surface treatments to meet the Australian standards. This is however assessed as part of the building application rather than the planning application.

7. Advertising period

The representor states that the application was advertised in the Mercury on the 23/12/2020 with any objections or submissions to be presented to Council by 14/01/2021. The two days before the Christmas break period of Council, makes access to procedural advice for lodging objections rather difficult.

Planner's Comment:

Council has a statutory requirement under *Land Use and Approvals Act 1993* (LUPAA) to advertise a discretionary application for 14 days which is extended for the Christmas period by the number of days that Council chambers are closed. The plans were therefore on advertising for a total of 23 days to compensate for the Christmas break closure. The plans were available on Council's website for the full 23 day period. Council has no further ability to extend the advertising period.

CONCLUSION

The proposal is for a staged multiple dwelling development of 20 units at 192 Marys Hope Road and 8 Merriwa Street. The proposal also includes a boundary adjustment, associated demolition and minor road widening of Merriwa Street to allow for commercial vehicle (garbage truck) turning area.

The proposal relies on performance criteria for compliance with the standard for 10.4.2 Setback and Building Envelope, 10.4.3 Site coverage and Private open Space, 10.4.4 Sunlight, 10.4.6 Privacy, 10.4.8 Waste Storage and E5.5.1 Existing Accesses and Junctions. The proposal is assessed as satisfying the performance criteria and complies with the standard. 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 5 representations were received. The concerns raised were addressed within the body of the report.

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

Recommendation:

That a permit be granted for the proposed use and development of Staged Multiple dwelling (20) development with associated demolition and boundary adjustment at 192 Marys Hope Road Rosetta, 8 Merriwa Street Berriedale subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-20-288 and Drawing submitted on 3/09/2020 (2 pages) and Drawing submitted on 14/12/2020 (67 pages), except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2020/01140-GCC, dated 14/08/2020 and amended on 10/09/2020, form part of this permit.
3. The development must proceed in accordance with the approved stages:
 - a) Stage 1: Units 1 – 6 with associated driveway, all shared plumbing works, services and waste storage areas for 192 Marys Hope Road;

- b) Stage 2: Units 7 – 10 with associated driveway;
 - c) Stage 3: Units 5 – 10 with associated driveway, waste storage areas for 8 Merriwa Street and Merriwa Street road widening/works;
 - d) Stage 4: Units 1 – 4 with associated driveway.
- 4. An original and two copies of each of the Plan of Subdivision and Schedule of Easements must be submitted to Council for sealing prior to an occupancy permit being issued for Stage 1 of the development.
 - 5. The Plan of Survey and accompanying Schedule of Easements must describe all existing easements and any additional easements required.
 - 6. A permanently fixed 1.8m high privacy screen with no more than 25% transparency must be placed between parking space 2 of Unit 8 (U8P2) and Unit 6 at 192 Marys Hope Road. The screen must remain in place for the duration of the use as approved.
 - 7. A permanently fixed 1.8m high privacy screen with no more than 25% transparency must be placed between parking space 2 of Unit 4 (U4P2) and Unit 3 at 8 Merriwa Street. The screen must remain in place for the duration of the use as approved.
 - 8. A permanently fixed 1.8m high privacy screen with no more than 25% transparency must be placed between parking space 2 of Unit 5 (U5P2) and Unit 6 at 8 Merriwa Street. The screen must remain in place for the duration of the use as approved.

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. The design and construction of the accesses must generally comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004, to the satisfaction of the Council's Development Engineer. Drawings showing the design of the driveway must be submitted with the Building Application or prior to the commencement of works on site (whichever comes first) for approval by Council's Development Engineer. The proposed driveway and parking area must comply with the following-:
 - a) Be constructed to a sealed finish and the finished gradient must not exceed the maximum gradient of 25%;
 - b) The twenty six (26) external car parking spaces are to be clearly marked and must be provided in accordance with the approved plan and kept available for these purposes at all times;
 - c) Vertical alignment shall include transition curves (or straight sections) to the Australian Standard, Parking facilities - Part 1: Off-Street Carparking AS 2890.1 - 2004, Clause 2.5.3 (d) at all grade changes greater than 12.5%;
 - d) All runoff from paved and driveway areas must be discharged into Council's stormwater system;
 - e) Minimum carriageway width is to be no less than 3.0 metres.

The approved design of the driveway, parking, access and turning areas must be installed prior to the occupancy of any dwelling within each designated stage.

12. The developer must undertake a parking (or line marking) plan for the end of Merriwa Street and submit it to Council, to the satisfaction of the Council's Traffic Engineer. The signage (or line marking) must be installed as per the approved plan by the developer prior to the commencement of use.
13. The developer must provide detailed long and cross sections of the proposed turning area within Merriwa Street along with pavement details to Council, to the satisfaction of the Council's Development Engineer.

Advice: The developer must provide evidence that a consultation process was undertaken with the owners of 3 Merriwa Street and provide this to Council to the satisfaction of the Development Engineer before any designs for the turning area proposed adjacent to their property are submitted for approval.

14. The upgrade and extension of the driveway crossing in Marys Hope Road is to be in accordance with Municipal Standard Drawing TSD-R09 V3.
15. No civil works related to or associated with the use or development approved by this permit are to occur on or external to the site unless these works are in accordance with engineering drawings that have been approved by Council's Development Engineer. Changes to the design and/or location of civil works will require the submission of amended engineering drawings prepared by a licensed civil engineer for approval by Council's Engineer.
16. Provide written certification from a licensed civil engineer certifying that all civil works have been completed in accordance with the engineering drawings approved by Council's Development Engineer and to the applicable Australian Standards prior to the commencement of the use or within 20 days of completion of the works whichever occurs sooner
17. Arrange a compliance inspection with Council of the civil works that have been approved by Council's Development Engineer prior to the commencement of the use or within 20 days of completion of the works whichever occurs sooner. Note that a minimum of five (5) business days' notice must be given to Council for a compliance inspection.
18. Adequate on-site stormwater detention must be provided so that stormwater discharged from the site does not exceed the pre-development stormwater runoff for 1 in 20 ARI (5% AEP) storm event. A detailed design must be submitted with the Building Application prepared by a qualified professional engineer for approval by Council's Senior Civil Engineer and completed prior to a Certificate of Occupancy being issued for any dwelling within each designated stage.
19. A major stormwater drainage system must be designed to ensure overland flow formed in any major flood events (e.g. 1% AEP) can pass the site in a controlled manner, without causing risk to properties or users of the site. Any flood mitigation proposed onsite must not impede overland flood or increase flood risks to neighbouring properties in any major flood events.
20. 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.
21. The development must incorporate the nominated Water Sensitive Urban Design (WSUD) element(s) or equivalent, as presented in the stormwater report by Aldanmark, dated 31/08/20, and other drawings approved as part of this permit. The WSUD design must achieve the acceptable stormwater quality and quantity targets stated in Table E7.1 of the Glenorchy Interim Planning Scheme 2015, for the treatment of stormwater discharging from the development and be submitted and approved in association with a Building Permit Application.

- a) Prior to the commencement of works, a WSUD Maintenance Scheme must be submitted for approval, to the satisfaction of Council's Hydraulic Engineer, defining the maintenance method and frequency for each WSUD elements incorporated in the treatment train. The body corporate managing the site must comply with the WSUD Maintenance Scheme once it is accepted by the Council, and any changes to this Scheme must first be approved by Council's Hydraulic Engineer.
- b) Upon approval of the WSUD Maintenance Scheme, the applicant must enter into a registered agreement with Council, at the sole expense of the applicant, pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993*, for the area which is subject to this permit.
- c) The Part 5 agreement will require the owner and all successors in title to covenant and agree with the Council:
 - i. All works outlined in the approved WSUD maintenance Scheme, including the maintenance method and frequency for individual Water Sensitive Urban Design (WSUD) elements, must be implemented and managed by the owner and all successors in title at their sole expense;
 - ii. Keep the maintenance records in an accessible form (either printed or electronic) for five years from the date of the work was carried out to prove that the maintenance of each WSUD elements have been conducted in accordance with the WSUD Maintenance Scheme;
 - iii. Repair and replace all the WSUD elements at the sole expense of the owner and its successors in title so that it functions (removing pollutants from stormwater runoff) in a safe and efficient manner;
 - iv. Permit the Council from time to time and upon giving reasonable notice (but in the case of an emergency, at any time and without notice) to enter and inspect the WSUD elements for compliance with the requirements of this agreement;
 - v. Comply with the terms of any written notice issued by the Council in respect of the requirements of this agreement within the time stated in the notice;
 - vi. In the event that Owner fails to comply with its obligations under this Agreement, Council may arrange for its employees, agents or contractors to enter upon the Land and undertake all works necessary to ensure that the obligations of this Agreement are met and all required works are performed in full;

- vii. The reasonable costs of all works undertaken pursuant to the clause above (including GST) will constitute a debt due and owing to the Council immediately upon demand, by the owner of the land upon which such works were undertaken and, if not paid to Council within 14 days of receipt of a demand for payment by Council, are recoverable by Council in a court of competent jurisdiction along with interest calculated.
- 22. The landscaping within the parking and circulation areas must be provided. A landscape design is to be submitted for approval of the Council's Senior Statutory Planner prior to the commencement of any works on-site. These works are to be completed prior to the occupancy of any dwelling within each designated stage.
- 23. Lighting is to be provided to all car parking and driveways areas in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car parks" of AS/NZ 1158.3.1: 2005. The illumination of the proposed light standards is to be activated prior to the occupancy.

Waste Management

- 24. The design for both bin enclosures for shared bins, one at 192 Marys Hope Rd and one at 8 Merriwa Street must comply with the following:
 - a) must be built on a flat surface with a concrete base/pad and surround of a brick or painted block enclosure or other suitable material to Councils approval,
 - b) must have concrete at the entrance to the bin enclosure;
 - c) must suit in each bin enclosure 12 X 240L wheelie bins of size 1100 height x 600mm wide x 800mm deep and must allow for 300mm space in between each bin;
 - d) recommended minimum height of the enclosure is 1200mm and minimum recommended depth is 930mm;
 - e) the front of the enclosure must face the internal access driveway, and be left open throughout the length of the bin enclosure to enable the bins to be removed, and returned in a safe and efficient manner;
 - f) there must be no lip on the concrete slab of the bin enclosure;

Prior to occupancy of the dwelling/s the bin enclosure must be constructed to the satisfaction of Council's Waste Services Co-ordinator.

Advice: A Deed of Release must be signed by the Developer and Council prior to Councils contractor service vehicles entering the property at 8 Merriwa Street Berriedale to empty the shared wheelie bins.

Advice to Applicant

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

Engineering

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

Waste Management

Twenty dwellings in total, ten (10) units per address, would be eligible for a maximum of 4 x 240L waste wheelie bins, 4 x 240L recycling bins, and 4 FOGO bins, collected weekly to be shared by all the 10 dwellings at each address.

Storage and Collection of Waste & Recycling Bins

The bins would be stored in the bin enclosures preferably to be built opposite the letter boxes.

The bin enclosures should be built within the property boundary preferably at the entrance of the property allowing a 4.5 metre distance from the entrance to prevent impacting on sight distances for vehicles leaving the site.

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

Collection of bins will be from the internal bin enclosure at 8 Merriwa Street due to there being no room within the cul-de-sac for the placement of wheelie bins on the kerbside.

Council's Waste Management Contractor would not enter the property at 192 Marys Hope Rd to collect and empty bins. All wheelie bins from this address should be placed on the existing kerbside for collection.

Other Permits

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

Attachments/Annexures

- 1** GPA Attachment - 192 Marys Hope Road & 8 Merriwa Street, Rosetta



APPENDIX A

10.0 General Residential Zone

Standard	Acceptable Solution	Proposed	Complies?
10.4 Development Standards for Residential Buildings and Works			
10.4.1 Residential density for multiple dwellings	A1 Multiple dwellings must have a site area per dwelling of not less than: (a) 325m ² ; or (b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.	10 dwellings are proposed on each lot. 192 Marys Hope Road 192 Marys Hope Road is to have an area of 3681m ² and therefore have 368.1m ² of site area per unit. 8 Merriwa Street 8 Merriwa is to have an area of 3924m ² post boundary adjustment and therefore have 392.4m ² of site area for each unit.	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	192 Marys Hope Unit 1 and 2 are located along the frontage with a minimum setback of 4.7m for Unit 1 and 5.1m for Unit 2. 8 Merriwa Unit 1 along the Merriwa Street frontage has a minimum setback of 5m. Please note, the frontage is taken as the section of the land abutting the road.	Yes

	(b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or (c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or (d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.		
	A2 A garage or carport must have a setback from a primary frontage of at least: (a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or (b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or	The proposed garages along the primary frontage have the same setback as the respective dwellings. The dwellings have a portion of gross floor area above the respective garages.	Yes

	(c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.		
	A3 A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must: (a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by: (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and	192 Marys Hope Road U1 – Unit 1 has eaves of approximately 1m outside the building envelope – relies on P3 U2 – eaves of approximately 1.3m outside the building envelope – relies on P3 U3 - complies with A3 U4 – 8.7m max height – relies on P3 U5 - eaves of approximately 1.5m outside the building envelope – relies on P3 U6 - eaves of approximately 1m outside the building envelope – relies on P3 U7 –portion of dwelling approximately 2.4m outside the building envelope – relies on P3 U8 – eaves of approximately 1.3m outside the building envelope – relies on P3 U9 – eaves of approximately 0.9m outside the building envelope – relies on P3 U10 – complies with A3 *U1, 2, 4, 5, 6, 7, 8 and 9 – rely on P3 8 Merriwa Street U1 – complies with A3 U2 - complies U3 - complies U4 - complies	No – see report

	(b) only have a setback within 1.5 m of a side boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or (ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).	U5 - complies U6 - complies U7 - complies U8 – protrusion of 1.2m outside the building envelope – relies on P3 U9 - complies U10 – complies *U8 – relies on P3	
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.	192 Marys Hope Road Site coverage – 33.4% U1 – 10 > 60sqm of POS 45% free from impervious surface 8 Merriwa Street Site coverage = 29.7% U1 – 10 > 60sqm of POS 39% free from impervious surface	Yes

	A2 A dwelling must have an area of private open space that: (a) is in one location and is at least: (i) 24 m²; or (ii) 12 m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (b) has a minimum horizontal dimension of: (i) 4 m; or (ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and (d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area	192 Marys Hope Road U1 – (complies with all A2 req except for A2 (b)) minimum dimension less than 4m for 1 side of deck - relies on P2 U2 - complies U3 - (complies with all A2 req except for A2 (b)) minimum dimension less than 4m for 1 side of deck - relies on P2 U4 - complies U5 - (complies with all A2 req except for A2 (b)) minimum dimension less than 4m for 1 side of deck - relies on P2 U6 - complies U7 - (complies with all A2 req except for A2 (b)) minimum dimension less than 4m for 1 side of deck - relies on P2 U8 - complies U9 - complies U10 – (complies with all A2 req except for A2 (b)) minimum dimension less than 4m for 1 side of deck - relies on P2 *U1, 3, 5, 7 and 10 – rely on P2 8 Merriwa Street U1 – 2.1 width for 1 side of deck – relies on P2 U2 – 2.7m width for 1 side of deck – relies on P2 U3 - complies	No – see report
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	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.	U4 – 5.8m x 2m and less than 24sqm – relies on P2 U5 – 2.3m width on 1 side – relies on P2 U6 – 2.3m width on 1 side – relies on P2 U7 - 2.7m width for 1 side of deck – relies on P2 U8 - 6m x 2.3 and less than 24sqm – relies on P2 U9 - 6m x 2.3 and less than 24sqm – relies on P2 U10 – 6m x 2.3 and less than 24sqm – relies on P2 *U1-10 rely on P2 except U3. *U1,2,5,6,7 – do not meet A2 (b) *U4, 8, 9 and 10 – do not meet A2 (a & b)	
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).	192 Marys Hope Road U1-10 rely on P1 8 Merriwa Street U1-10 rely on P1	No – see report
	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):	192 Marys Hope Road U1 – 10 – complies A2 (b) 8 Merriwa Street U1 - 10 – complies A2 (b)	Yes

	(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B): (i) at a distance of 3 m from the window; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.		
	A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c):	192 Marys Hope Road U1 – 10 – complies A3 (b) 8 Merriwa Street U1 – 10 – complies A3 (b)	Yes

	(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C): (i) at a distance of 3 m from the northern edge of the private open space; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.		
10.4.5 Width of openings for garages and carports for all dwellings	A1 A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of	192 Marys Hope Road No garage facing the frontage is proposed 8 Merriwa Street No garage facing the frontage is proposed	NA

	not more than 6 m or half the width of the frontage (whichever is the lesser).		
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	192 Marys Hope Road No balcony, roof terrace or carport proposed. Only U4P2 and U8P2 have parking space finished level more than 1m above natural ground level. U1 – Deck – setback 3m from side boundary but less than 6m from habitable room window of U3 – relies on P1 U2 – Deck – setback 4.4m from side boundary but less than 6m from the kitchen window of U4 – relies on P1 U3 – Deck – setback 3.7m from side boundary but less than 6m from habitable room window of U3 – relies on P1 U4 – Deck – setback 4.7m from side boundary and does not face habitable room opening of U6 (SW elevation). U4P2 parking space has level approx. 1.2m above NGL but SW elevation of U6 has no habitable room opening – complies with A1 U5 - Deck – setback 3.5m from side boundary but less than 6m from habitable room window of U3 – relies on P1	No – see report

	(ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.	U6 – Deck – setback 4.5m from side boundary, no habitable room opening for U8 on SW elevation – complies with A1. U7 – Deck setback 3.4m from side boundary and does not face a habitable room opening or private open space of U9 – complies with A1. U8 – Deck setback 4m from side boundary, 7m from the living room window of U10 and 10m from U10 POS. U8P2 is to have a 1.8m high fence between parking space and U6 – complies with A1. U9 – deck setback 7.2m from rear boundary and setback more than 6m from U10 openings or POS – complies with A1. U10 – Deck setback 7.4m from rear boundary and 10m from side boundary– complies with A1 *U1, 2, 3 and 5 – rely on P1. 8 Merriwa Street No balcony, roof terrace or carport proposed. Only U5,6,7 parking 2 and visitor parking 3 have finished levels more than 1m above natural ground level. U1 – deck 3m from side boundary, does not face another dwelling on the same site. No parking space more than 1m above NGL proposed – complies with A1	
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		U2 – deck setback 9m from northern side boundary, less than 6m from U3 – relies on P1. U3 – deck setback 4.7m from side boundary and has 1.7m high privacy screen along SE elevation facing U2- complies with A1. U4 – deck 4.5m from side boundary and 1.7m high screen on SE elevation facing U3 – complies with A1. U5 – deck – 3.5m from side boundary and U4 has no habitable room opening or POS on SW elevation – complies with A1. A condition is recommended for U5P2 to have a 1.7m high screen affixed to the surface level of the parking space between U6 and U5P2 U6 – deck – 1.7m screen along southeast elevation facing U7. Does not overlook habitable room windows – complies with A1. U6P2 is setback less than 6m from U7 however U7 has no habitable room along the south-western elevation and therefore complies with A1. U7 – deck – setback more than 4m from side boundary and closest corner is setback more than 6m from the habitable room window of U6 – complies with A1. U7P2 and visitor parking VP3 are setback less than 6m from	
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		U6. However, U6 southeast elevation has no habitable room window – complies with A1 U8 – deck setback 3.3m from side boundary and more than 6m from U7 and has a 3m tall solid wall separation from U9 deck – complies with A1 U9 – complies with A1 U10 – complies with A1 *U2 relies on P1	
	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	192 Marys Hope Road U1 – living room window setback less than 3m from side boundary but has more than 20m horizontal offset to house on 194 Marys Hope Road - complies with A2 (b) (i), U1 habitable room windows are setback 6m from U3- complies with A2 (a) (iii) U2 – complies with (a) (i) (iii) (iv) U3 – living room windows has more than 12m horizontal offset to house on 194 Marys Hope Road - complies with A2 (b) (i) and complies with A2 (a) (iii) & (iv) U4 – complies with A2 (a) U5 - Closest window to house on 194 Marys Hope Road is over 6m from that house's window, and horizontally offset by 2.5m. - complies with A2 (b) (i), U7 to have opaque glass on SW windows - complies with A2 (b) (ii).	Yes

	(iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site. (b) The window or glazed door: (i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or (c) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.	U6 - 5.1m to boundary, does not overlook any habitable rooms on U8 - complies with A2 U7 - Closest window to neighbouring house is 10.5m from that house's window, and horizontally offset by 5.5m. - complies with A2 (b) (i); U9 has no habitable room along southwest elevation U8 – complies with A2 (a) U9 – complies with A2 (a) U10 – complies with A2 (a) 8 Merriwa Street U1 – complies- windows and doors setback minimum 3m from side boundaries. U2 – complies – does not have habitable room on western façade U3 – window facing U2 complies with A2 (b) (ii) and those facing U4 are offset by 2.9m approximately thus complying with A2 (b) (i). unit 4 deck has 1.7m high screen thus complying with A2 (c) U4 – minimum 4.5 side setback and complies with A2 (b) (i) for U3 habitable room window with offset of approx. 2.9m U5 – complies with A2 (a) U6 – does not overlook habitable room windows of U5 and U7. U7 – complies with A2 (a) and B(ii)	
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		U8 – complies with A2 U9 – complies with A2 U10 – dining window setback 3.2m from side boundary – complies with A2 (a)	
	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 1.7m 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.	192 Marys Hope Road Unit 1– complies – sill height approx. 1.8m, setback 1.5m Unit 2 – complies - living room window upper level setback 2.4m from the shared section of the driveway, sill height more than 1.7m above driveway level- living room windows setback more than 2.5m from VP1 - complies Unit 3 – driveway setback = 2.5m – complies; bed 3 setback 1.3m from VP2 and sill height 2.2m above FSL of VP2 - complies Unit 4 – driveway and living room setback 2.6m with sill height > 1.7m - complies; kitchen window sill height >1.7m setback 1.3m - complies Unit 5 – driveway setback approx. 2.2m, sill height 1.7m – complies; bed 3 setback 1.6m from U7P2 and sill height > 1.7m above FSL of U7P2 - complies Unit 6- no habitable room window faces the driveway. A 1.8m high fence is proposed between parking space for U8 and the U6	No – Only units 8 and 10 at 8 Merriwa Street rely on performance criteria P3

		windows – this has also been recommended as a condition to ensure compliance. Unit 7- driveway setback = 1.95m, sill height 1.7m – complies; bed 3 setback 1.4m from VP3 and sill height >1.7m above FSL of VP3 - complies Unit 8- complies Unit 9- complies Unit 10 – complies 8 Merriwa Street Unit 1 – complies - no habitable room windows face the driveway Unit 2 – complies – setback more than 2.5m from driveway or parking allocated to another dwelling. Unit 3 – complies – no habitable room face driveway. U3 is setback 1.5m from U4 P2. A 1.8m high screen is proposed to be placed between U4 P2 and U3. A condition has been recommended to ensure compliance Unit 4 – complies – no habitable room face driveway. Unit 5 – complies – no habitable room face driveway to the south-west. The driveway along the north is setback approx. 3.5m from U5 windows and doors. Unit 6 – complies – U6 is setback more than 1.6m from U5P2. A 1.8m high fence is	
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		proposed between U6 and U5P2 – condition recommended. Unit 7 - 1.9m setback, sill height >1.7m - complies Unit 8 – habitable room windows setback less than 1m from driveway therefore rely on PC3 Unit 9 - habitable room windows setback 1m from driveway and sill height 1.7m above driveway level – complies Unit 10 – habitable room windows setback less than 1m from driveway therefore rely on PC3	
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).	192 Marys Hope Road A 1.5m high fence is proposed along the frontage with 1.2m solid and 0.3m screen slat with 30% transparency Additionally, a 1.5m high acoustic fence is proposed to screen the waste storage area from the proposed dwellings along the frontage, approximately 2m from the front boundary. The acoustic fence is to be 1.2m solid plus 0.3m screen slat on top with 30% transparency. 8 Merriwa Street No frontage fence is proposed	Yes
10.4.8	A1	192 Marys Hope Road	

Waste Storage for multiple dwellings	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 communal waste storage area is setback less than 4.5m from the frontage with Marys Hope Road and setback approximately 3.5m from the closest dwelling. The proposed waste storage area does not comply with A1 (b) (i) and (ii) and therefore rely on performance criteria P1. 8 Merriwa Street The communal waste storage area is setback approximately 3.2m from the frontage and 2m from the deck of nearest dwelling (U2) on the site. The proposed waste storage area does not comply with A1 (b) (i) and (ii) and therefore rely on performance criteria P1.	No – see report for assessment against performance criteria P1.
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E5.0 Road and Railway Assets Code

Standard	Acceptable Solution	Proposed	Complies?
5.5 Use Standards			

Standard	Acceptable Solution	Proposed	Complies?
E5.5.1 Existing road accesses and junctions	A1 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.		NA
	A2 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.		NA
	A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.	The estimated AADT at each proposed access is 74.00. The TIA submitted demonstrated compliance with the Performance Criteria.	NO – see report
E5.5.2 Exiting Level Crossings	A1 Where use has access across part of a rail network, the annual average daily traffic (AADT) at an existing level crossing must not be increased by greater than 10% or 10 vehicle movements per day, whichever is the greater.		NA

Standard	Acceptable Solution	Proposed	Complies?
5.6 Development Standards			
E5.6.1 Development adjacent to roads and railways	A1.1 Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h: (a) new buildings; (b) other road or earth works; and (c) building envelopes on new lots.		NA
	A1.2 Buildings, may be: (a) located within a row of existing buildings and setback no closer than the immediately adjacent building; or (b) an extension which extends no closer than: (i) the existing building; or (ii) an immediately adjacent building.		NA
E5.6.2	A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h		NA

Standard	Acceptable Solution	Proposed	Complies?
Road accesses and junctions	A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.	Existing accesses to be utilised.	YES
E5.6.3 New Level Crossings	A1 No Acceptable Solutions.		NA
E5.6.4 Sight distance at accesses, junctions and level crossings	A1 Sight distances at: (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.	The TIA submitted demonstrated compliance with Table E5.1	YES

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:	Forty six (46) spaces proposed, which includes 2 spaces/dwelling and 6 visitor spaces.	YES

Standard	Acceptable Solution	Proposed	Complies?
	(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.		
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 a requirement	NA
E6.6.3 Number of Motorcycle Parking Spaces	A1 The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the	Not a requirement	NA

Standard	Acceptable Solution	Proposed	Complies?
	nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.		
E6.6.4 Number of Bicycle Parking Spaces	A1 The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.	Not a requirement	NA
E 6.7 Development Standards			
E6.7.1 Number of Vehicle Accesses	A1 The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.	Existing approved accesses to be utilised.	YES
E6.7.2 Design of Vehicular Accesses	A1 Design of vehicle access points must comply with all of the following: (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of	Confirmed in TIA	YES

Standard	Acceptable Solution	Proposed	Complies?
	AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.		
E6.7.3 Vehicular Passing Areas Along an Access	A1 Vehicular passing areas must: (a) be provided if any of the following applies to an access: (i) it serves more than 5 car parking spaces; (ii) is more than 30 m long; (iii) it meets a road serving more than 6000 vehicles per day; (b) be 6 m long, 5.5 m wide, and taper to the width of the driveway; (c) have the first passing area constructed at the kerb; (d) be at intervals of no more than 30 m along the access.	Compliant passing bays proposed	YES

Standard	Acceptable Solution	Proposed	Complies?
E6.7.4 On-Site Turning	A1 On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following: (a) it serves no more than two dwelling units; (b) it meets a road carrying less than 6000 vehicles per day.	Proposal is compliant	YES
E6.7.5 Layout of Parking Areas	A1 The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same Standard.		YES
E6.7.6 Surface Treatment of Parking Areas	A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following; (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.	Concrete proposed.	YES

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

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

Standard	Acceptable Solution	Proposed	Complies?
	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.		
E6.7.1.13 Facilities for Commercial Vehicles	A1 Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless: (a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site; (b) the use is not primarily dependent on outward delivery of goods from the site.		NA
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements of the road authority.		YES

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

Standard	Acceptable Solution	Proposed	Complies?
	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 m²; (b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots.	WSUD proposed, impervious area exceeds 600m ² area	YES
	A3 A minor stormwater drainage system must be designed to comply with all of the following: (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed; (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.	Conditioned	YES
	A4	Conditioned	YES

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

7. PROPOSED USE AND DEVELOPMENT - DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF MULTIPLE DWELLINGS (EIGHT) - 68 BUTLER AVENUE MOONAH AND 70 BUTLER AVENUE MOONAH

Author: Planning Officer (Sylvia Jeffreys)

Qualified Person: Planning Officer (Sylvia Jeffreys)

Property ID: 5413410

REPORT SUMMARY

Application No.:	PLN-20-327
Applicant:	Another Perspective Drafting Design
Owner:	Noag Pty Ltd
Zone:	Inner Residential
Use Class	Residential
Application Status:	Discretionary
Discretions:	11.4.6 P3 Privacy for all dwellings 11.4.8 P1 Waste Storage for multiple dwellings E5.5.1 P3 Existing road accesses and junctions (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	21 Jan 2021
Existing Land Use:	Single Dwelling
Representations:	3
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The application proposes demolition of two single dwellings and construction of eight multiple dwellings over two lots. The proposed dwellings would be double storey and arranged on either side of a central driveway. The dwellings would have a combination of bricks and cement-sheet cladding for the walls and an iron, hipped roofs. There would be a single garage and open plan living on the ground floor and three bedrooms on the first floor for all dwellings. Each dwelling would also have an area of private outdoor space of at least 24m² that is accessible from the living areas, as well as an additional parking space. There would be two visitor parking spaces. The application is discretionary for, window separation from driveways, location of bin enclosure and increase in traffic. The proposal is shown in Figure 1.



Figure 1: Proposal Plan - Another Perspective

SITE and LOCALITY

The subject site comprises two lots at 68 and 70 Butler Avenue, near the intersection with Fletcher Avenue. The title references are CT94529/4 and CT230491/1. Each of the lots contains a single dwelling. The site is rectangular, reasonably level and has an area of 1671m². The site adjoins four properties. The neighbouring properties on either side contain a single dwelling, one property at the rear also contains a single dwelling and another five units. The subject site is shown in Figure 2.



Figure 2: Zoning Map - GIPS 2015

ZONE

The subject land is situated within the Inner Residential Zone in maroon and adjoins the General Residential Zone in red at the rear. The zoning map is shown in Figure 3.

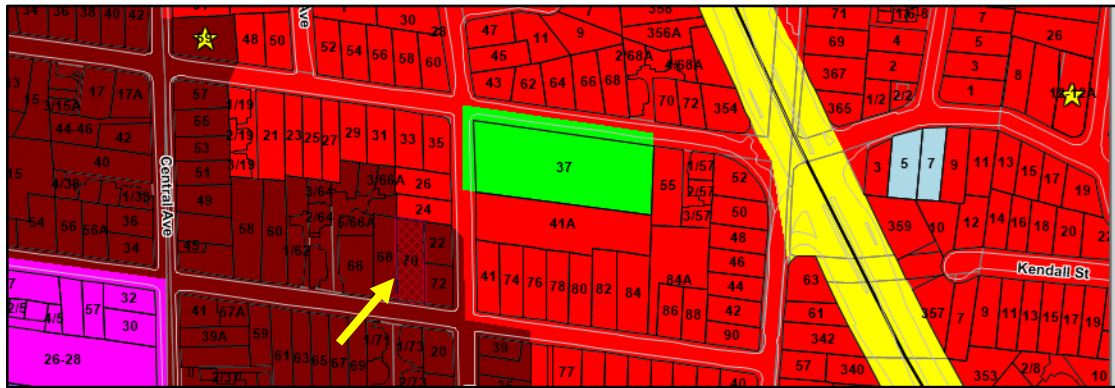


Figure 3: Zoning Map - GIPS 2015

BACKGROUND

There is no background information relevant to this assessment.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil.

Limited Exemptions

Nil.

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

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

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

Use Class Description (Table 8.2):

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

Residential

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

Other relevant definitions (Clause 4.1):

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

Multiple Dwelling

means 2 or more dwellings on a site.

Dwelling

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

Discretionary Use or Development

The application is discretionary under Clause 8.8 as follows:

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

- the use is within a use class specified in the applicable Use Table as being a use which is discretionary;*
- the use or development complies with each applicable standard but relies upon a performance criterion to do so; or*
- 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:

- 11.4.6 P3 Privacy for all dwellings
- 11.4.8 P1 Waste Storage for multiple dwellings
- E5.5.1 P3 Existing road accesses and junctions

Part C: Special Provisions

There are no special provisions applicable.

Part D: Zones

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

11.1.1 Zone Purpose Statements

The purpose of the Inner Residential Zone in 11.1 is as follows:

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

- *To provide for compatible non-residential uses that primarily serve the local community.*
- *To encourage residential development at higher densities in locations within walkable distance of services, facilities, employment and high frequency public transport corridors.*
- *To provide for a change in character from single dwellings on larger lots to alternative forms of housing such as terrace housing and apartments at greater density and with improved public open space amenity, whilst protecting amenity for existing nearby development.*

Comment:

It is considered that the proposal meets the Zone Purpose Statement; as it provides for residential development at a higher density which provides an alternative form of housing to single dwellings and would not unreasonably affect the amenity of existing nearby development.

11.1.2 Local Area Objectives

There are no local area objectives for this zone.

11.1.3 Desired Future Character Statements

There are no desired future character statements for this zone.

Use Table

The use class Residential (Multiple Dwellings) is 'permitted' within the Inner Residential Zone in 11.2 Use Table.

Use Standards

The standards in Clause 11.3 Use Standards specifically relate to non-residential use, visitor accommodation and local shop and are therefore not applicable to this proposal.

Development Standards for Residential Buildings & Works

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

11.4.6 A3 Privacy for all dwellings

The proposal does not accord with the Acceptable Solution in 11.4.6 A3 with respect to distance of shared driveway from a window. Therefore, the proposal relies on the related Performance Criteria as follows:

11.4.6 P3 Privacy for all dwellings

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

Comment

The proposal provides for garden beds adjacent to kitchen windows of various width between 1m and 2.7m wide, whereas the Acceptable Solution requires separation of 2.5m, if there is no screen. Considering, that only the kitchen windows are affected and that there is separation with landscaping, it is considered that the proposal is designed to minimise detrimental impacts of vehicle noise and light intrusion. It is noted that the main living room windows face the private outdoor space rather than the driveway, so that the main living spaces would not be adversely affected.

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

11.4.8 A1 Waste storage for multiple dwellings

The proposal does not accord with the Acceptable Solution in 11.4.8 A1 with respect to distance of the bin enclosure from the frontage and dwellings. Therefore, the proposal relies on the related Performance Criteria as follows:

11.4.8 P1 Waste storage for multiple dwellings

A multiple dwelling development must provide storage, for waste and recycling bins, that is:

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

Comment

The proposal includes two communal bin enclosures on either side of the driveway at the frontage of the lot. The plans show a screening wall facing the frontage that needs to be 1.2m in height and is conditioned accordingly. The bin enclosure would be approximately 0.2m from the front boundary, whereas the Acceptable Solution requires a 3m front setback. The bin enclosure would also be between 2.6m and 3.2m from a dwelling, whereas the acceptable solution requires 5.5m separation. Nevertheless, the proposal accords with the Performance Criteria for the following reasons:

- The bin enclosure would store nine bins as required by Waste Management Services
- The bin enclosures would be screened by a 1.2m high brick wall from the frontage and would be behind a screening fence.
- The bin enclosures would be opposite garage walls so that any impact from noise or odours would be minimised.

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

Part E: Codes

The following codes of the Scheme apply to this proposal:

E5.0 Road and Railway Assets Code

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

E5.5.1 A3 Existing road accesses and junctions

The proposal does not accord with the Acceptable Solution in E5.5.1 A3 with respect to increase of vehicular movements. Therefore, the proposal relies on the related Performance Criteria as follows:

E5.5.1 P3 Existing road accesses and junctions

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

- (a) the increase in traffic caused by the use;*
- (b) the nature of the traffic generated by the use;*
- (c) the nature and efficiency of the access or the junction;*
- (d) the nature and category of the road;*
- (e) the speed limit and traffic flow of the road;*
- (f) any alternative access to a road;*
- (g) the need for the use;*
- (h) any traffic impact assessment; and*
- (i) any written advice received from the road authority.*

Comment

There would be an increase in vehicular movements of 52.20 (AADT), which exceeds 40 vehicular movements of the Acceptable Solution. Nevertheless, the Engineering Referral, later in this report finds that the proposal accords with the above Performance Criteria as it would not unreasonably impact on the efficiency of the road or road safety. For further comments please refer to the Engineering Assessment under the Referrals section later in this report.

E6.0 Access and Parking Code

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

E7.0 Stormwater Management Code

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

PART F: Specific Area Plans

No specific area plan applies.

INTERNAL REFERRALS

Development Engineer

Comments

The proposal is to demolish the existing dwellings and construct eight (8) self-contained dwellings. The allotment is fully serviced and an existing cross-over will be widened to provide access to the development.

E5.0 Road and Railway Assets Code

The development complies with Code E5 Road and Railway Assets Code; and the safety and efficiency of the road is not expected to reduce by the proposed development. The development will increase vehicle movements, to and from the site, over 40 vehicle movements and therefore does not comply with the Acceptable solution A3 of E5.5.1, but can meet the Performance Criteria P3 in that the increased vehicle traffic will be safe and not unreasonably impact on the efficiency of the road. The site will be accessed off the existing vehicle crossing; this complies with A1 and A2 under the Clause E5.6.2.

E6.0 Parking and Access Code

The submitted plans indicate a total of eighteen (18) parking spaces. The development complies with Code E6 Parking and Access Code and it is considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected

E7.0 Stormwater Management Code

The development meets the requirements in the Stormwater Management Code. There are no GCC stormwater mains affected by this application. All runoff from the new impervious area will be discharged by gravity to an upgraded kerb connection. The development is considered to comply with the Acceptable Solution E7.7.1 Clause A1. In order to comply with the acceptable solution A2 the stormwater system will incorporate water sensitive urban design for treatment, as the size of the new impervious area exceeds 600m².

Other*E3.0 Landslide Code*

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

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

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

E15.0 Inundation Prone Areas Code

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

Waste Management Officer

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

Conditions

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

- (a) it must be built on a flat surface with a concrete base/pad and surround of a brick or painted block enclosure or other suitable material to Councils approval,
- (b) it must have concrete at the entrance to the bin enclosure;
- (c) it must suit nine (9) X 240L wheelie bins of size 1100 height x 600mm wide x 800mm deep and must allow for 300mm space in between each bin;
- (d) recommended minimum height of the enclosure is 1200mm and minimum recommended depth is 930mm;
- (e) the front of the enclosure must face the internal access driveway, and be left open throughout the length of the bin enclosure to enable the bins to be removed, and returned in a safe and efficient manner;
- (f) there must be no lip on the concrete slab of the bin enclosure;

Prior to occupancy of the dwelling/s the bin enclosure must be constructed to the satisfaction of Council's Waste Services Co-ordinator.

Advice

Eight (8) dwellings would be eligible for a maximum of three (3) x 240L waste wheelie bins, three (3) x 240L recycling bins and three (3) FOGO bins, collected weekly to be shared by all the eight (8) dwellings. Collection of bins would be from the kerbside.

Storage and Collection of Waste & Recycling Bins

The bins would be stored in a bin enclosure. The bin enclosure should be built as shown on the approved plan.

Council's Waste Services Contractor would not enter the property to collect and empty bins. All wheelie bins should be placed on the existing kerbside for collection.

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 three representation(s) being received. The following issues were raised:

1. Out of Character with the area

The representation states that the design of the proposed dwellings is out of character with Federation and Edwardian Houses in Butler Avenue and will dominate the area.

The representor states that the proposal is not in keeping with the area, where existing buildings are almost entirely single storey and early 20th century weatherboard houses. The demolition of the existing dwellings would result in the loss of the heritage feel. New development should be positioned at the rear of existing dwellings and should be single storey. This proposal would set a precedent and result in the loss of all the houses in the area, which make it a special place to live. It is hoped that the history of the area will be protected. In addition, this proposal 'pushes the limits' as it only just complies with many of the planning standards, which results in extreme bulkiness and a lack of consideration for the area.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application for the following reasons. There are no desired future character statements applicable within the Inner Residential Zone and neither is the area a heritage precinct under the Historic Heritage Code. Therefore, there are no special planning standards/controls for this particular area of Butler Avenue in terms of urban character, other than maximum height and setbacks.

2. Setbacks and Building Envelopes

The representation states that the proposal fails to meet the objective of the standard in 11.4.2 with respect to visual impact and separation between dwellings. Furthermore, that it also fails to meet the performance criteria in 11.4.2 P1 with respect to the frontage setback. In particular, as existing frontage setback in Butler Avenue are between 8 to 9m. Moreover, that the south elevations of Units 1 & 8 show little regard for the streetscape as the design does not respond to desirable elements of the existing streetscape. In particular, the proposed development does not reflect the scale of windows, gabling of roofs, tiering created by stepped down verandas and use of building materials of the dwellings in the street. Therefore, there would be no cohesion between the old and the new. Furthermore, there would be no landscaping in front of the dwellings and the height of the dwellings would not integrate well into the street. In addition, the proposal fails to meet the performance criteria in clause 11.4.2 P3. There were no shadow diagrams submitted to demonstrate that there will be no reduction in sunlight to a habitable room on the neighbouring property to the west. In addition, there would be also overshadowing of the private outdoor space of

the property to the west, which would impact on the garden. Furthermore, visual impact is a concern due to the double storey nature of the proposal.

Planner's Comment:

The proposal accords with all boundary setbacks in the building envelope acceptable solutions of clause 11.4.2 A1 (front setback) and 11.4.2 A3 (building envelope) as demonstrated in the attached appendix. This means that the performance criteria are not applicable and there is no discretion to be considered. The objectives are only to help with the interpretation of the standard, as any proposal must either comply with the acceptable solution or the performance criteria to comply with the standard. The required front setback is 3m, the rear and side setbacks are also 3m. The dwellings are well below the maximum allowable height of 9.5m, at approximately 7.2m. Furthermore, there are no design standards in the planning scheme that would ensure that architectural elements of the existing streetscape are reflected in any new proposal. Overshadowing and loss of sunlight are also regulated by the building envelope standard. There is no reliance on the performance criteria in this regard as the proposal complies so that no shadow diagrams were required.

3. Visual Impact

The representor states that the proposed dwellings would cause an unreasonable visual impact due to the scale and bulk of the proposal and because the dwellings would be close together. Furthermore, the proposal would obscure the view to Mount Wellington.

Planner's Comment:

The proposal accords with clause 11.4.2 A3 with respect to the building envelope and all boundary setbacks so that visual impact cannot have discretionary consideration as the related performance criteria is not applicable.

4. Overshadowing

The representation states that the proposed dwellings would overshadow the front garden where winter sunlight is critical to the survival of the heritage roses in the garden which are about 80 years old. In addition, overshadowing at the rear of the dwelling would result in the demise of a fernery. Moreover, the living room windows would receive shadows.

Planner's Comment:

The proposal accords with clause 11.4.2 A3 with respect to the building envelope and all boundary setbacks which ensures that no unreasonable overshadowing occurs to adjoining lots. It is noted that the site is aligned in a north/south direction so that the properties on either side are due east or west, which means that either morning sun or afternoon sun will be accessible on the shortest day of the year.

5. Site Coverage and Private Outdoor Space

The representation states that the areas nominated for private outdoor space would not be oriented to receive at least 3 hours of sunlight to 50% of the area between 9am and 3pm.

The representor state that private outdoor space for Unit 6 is only 50.07m², which is so close to the rules that it would need to be carefully checked.

Planner's Comment:

The proposal complies in terms of receiving enough sunlight to private outdoor space areas. The site is orientated north/south so that outdoor areas are either due east or west, which means that each area would receive sunlight either before 12pm or after 12pm on the shortest day of the year. In terms of required area, a condition is recommended to ensure that there would be at least 50m² of private outdoor space.

6. Privacy

The representation states that the proposal fails to address issues surrounding privacy as four of the dwellings are to be alongside the boundary with 66 Butler Avenue. This would result in direct view into rooms and into the front and back garden of the neighbouring property. Moreover, the development does not consider loss of acoustic privacy.

The representation states that Units 7 and 8 would directly overlook the front yard of the neighbouring property at 72 Butler Avenue and would affect the enjoyment of gardening in the front yard.

Planner's Comment:

The proposal accords with the privacy standard in clause 11.4.6 A2 as demonstrated in the attached appendix, that requires windows of a room with a floor level of more than 1m above natural ground level to be 3m from a side or rear boundary to ensure no unreasonable loss of privacy. There is no planning standard for acoustic privacy, although the dwellings would be 3m from the side boundaries and there is also a driveway along the western boundary that would help with separation between neighbouring properties.

7. Waste Storage

The representation states that the bin enclosure does not have the required front setback and separation from the dwellings and is not capable of storing twenty-four bins. In addition, that the smell of so many bins would create an odour issue.

Planner's Comment:

This issue has been previously addressed under the heading Waste Storage for Multiple Dwellings. There would be only nine bins because bins would be shared and

the bin enclosure would be opposite garage walls, so that a lesser separation distance is acceptable.

8. Utilities

The representation states that the proposal is likely to affect power and NBN lines to the property at 72 Butler Avenue and that any outage would affect the ability to meet work commitments. In addition, that any power outage would interfere with heating/cooling requirements of the house which needs to be stable for health reasons.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application because it would be a matter for the service providers involved. Should either of these services be temporarily unavailable then there would be probably advance notice, so that alternative arrangements could be made.

9. Noise

The representor states that there would be a high number of people and pets because of the number of people that could be accommodated within the dwellings, which would create noise levels that would be disruptive and untenable.

Planner's Comment:

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

10. Property Values

The representation states that the proposal represents an overdevelopment of the site and would negatively affect property values. There would be no objection to a smaller development.

Planner's Comment:

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

CONCLUSION

The application is for demolition of two single dwellings and construction of eight multiple dwellings over two lots within the Inner Residential Zone. The application is discretionary for window separation from driveways, location of bin enclosure and increase in traffic. In terms of privacy, there is a discretion for the separation distance of windows from a shared driveway. The affected windows would be kitchen windows which will be separated from the driveway between 1m and 2.7m, which is considered sufficient as the windows are not main windows of the living areas. A further discretion is in relation to the bin enclosure that would not have the required front setback and distance from dwellings under the acceptable solution. Nevertheless, the

proposal accords with the performance criteria as the nearest part of the dwellings would be only garages which would not be affected by odours. The bin enclosure would be screened by a 1.2m high wall from the frontage, which accords, and would be also behind a fence. In terms of traffic, the additional vehicular movements would not unreasonably impact on the efficiency of the road or road safety. Therefore, all discretions satisfy the related performance criteria.

The application was advertised in accordance with statutory requirements and three representations were received in response. The representations raise various issues of which not all are planning considerations. However, the main issues relating to setbacks and building envelopes in terms of overshadowing and visual impact; issues of privacy and private outdoor space have been addressed by the proposal satisfactory. The proposal complies with respect to these planning standards. Waste storage complies with the performance criteria.

A special condition is recommended to adhere the titles as the proposal would be over two titles.

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 Demolition of existing dwelling and construction of multiple dwellings (eight) at 68 Butler Avenue and Moonah 70 Butler Avenue Moonah, subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-20-327 and Drawing submitted on 18/11/20, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2020/01218-GCC, dated 18/08/2020, form part of this permit.
3. Titles for the land subject to the use and development approved herewith must be adhered and a registered title prior to the lodging of the building permit application.
4. A total area of private open space of not less than 50m² associated with each dwelling must be provided.

5. The shared driveway must be separated from windows with landscaping as shown on the approved landscaping plan.

Engineering

6. Prior to the issuing of a Building Approval or the commencement of works on site, including demolition (whichever occurs first), submit a Soil and Water Management Plan detailing proposed sediment and erosion control measures to the satisfaction of Council's Development Engineer. The approved control measures must be installed prior to any disturbance of soil or construction activity such as concrete cutting, demolition and must be regularly inspected and maintained during the construction and demolition period to prevent soil and other materials entering the local stormwater system, roadways or adjoining properties.

The approved control measures must remain in place until such time as all construction activity likely to generate sediment has been completed or all disturbed areas have been stabilised using vegetation and/or restored or sealed to the satisfaction of the Council. The approved Soil and Water Management Plan (SWMP) forms part of this permit and must be complied with.

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

7. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
8. The design and construction of the access must generally comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004, to the satisfaction of the Council's Development Engineer. Drawings showing the design of the driveway must be submitted with the Building Application or prior to the commencement of works on site (whichever comes first) for approval by Council's Development Engineer. The proposed driveway and parking area must comply with the following:-
 - (a) Be constructed to a sealed finish and the finished gradient must not exceed the maximum gradient of 25%;
 - (b) The ten (10) external car parking spaces (two per dwelling) are to be clearly marked and must be provided in accordance with the approved plan and kept available for these purposes at all times;
 - (c) Vertical alignment shall include transition curves (or straight sections) to the Australian Standard, Parking facilities - Part 1: Off-Street Carparking AS 2890.1 - 2004, Clause 2.5.3 (d) at all grade changes greater than 12.5%;

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

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

The approved design of the driveway, parking, access and turning areas must be installed prior to the occupancy of each dwelling.

9. No civil works related to or associated with the use or development approved by this permit are to occur on or external to the site unless these works are in accordance with engineering drawings that have been approved by Council's Development Engineer. Changes to the design and/or location of civil works will require the submission of amended engineering drawings prepared by a licensed civil engineer for approval by Council's Engineer.
10. Provide written certification from a licensed civil engineer certifying that all civil works have been completed in accordance with the engineering drawings approved by Council's Development Engineer and to the applicable Australian Standards prior to the commencement of the use or within 20 days of completion of the works whichever occurs sooner
11. Arrange a compliance inspection with Council of the civil works that have been approved by Council's Development Engineer prior to the commencement of the use or within 20 days of completion of the works whichever occurs sooner. Note that a minimum of five (5) business days notice must be given to Council for a compliance inspection.
12. Adequate on-site stormwater detention must be provided so that stormwater discharged from the site does not exceed the pre-development stormwater runoff for 1 in 20 ARI (5% AEP) storm event. A detailed design must be submitted with the Building Application prepared by a qualified professional engineer for approval by Council's Development Engineer and completed prior to a Certificate of Occupancy being issued for the new dwellings.
13. 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.

WSUD (Water Sensitive Urban Design)

14. Prior to the commencement of works, a WSUD Maintenance Scheme must be submitted for approval, to the satisfaction of Council's Hydraulic Engineer, defining the maintenance method and frequency for each WSUD elements incorporated in the treatment train. The body corporate managing the site must comply with the WSUD Maintenance Scheme once it is approved by the Council, and any changes to this Scheme must first be approved by Council.

15. The agreement with Council, is at the sole expense of the applicant, pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993*, for the area which is subject to this permit. The Part 5 agreement will require the owner and all successors in title to covenant and agree with the Council:
- (a) All works outlined in the approved WSUD maintenance Scheme submitted by the applicant, including the maintenance method and frequency for individual Water Sensitive Urban Design (WSUD). Upon approval of the WSUD Maintenance Scheme, the applicant must enter into a registered elements, must be implemented and managed by the owner and all successors in title at their sole expense;
 - (b) The Part 5 agreement will require the owner and all successors in title to covenant and agree with the Council:
 - (c) All works outlined in the WSUD maintenance Scheme submitted by the applicant, including the maintenance method and frequency for individual Water Sensitive Urban Design (WSUD) elements, must be implemented and managed by the owner and all successors in title at their sole expense;
 - (d) Keep the maintenance records in an accessible form (either printed or electronic) for five years from the date of the work was carried out to prove that the maintenance of each WSUD elements have been conducted in accordance with the WSUD Maintenance Scheme;
 - (e) Repair and replace all the WSUD elements at the sole expense of the owner and its successors in title so that it functions (removing pollutants from stormwater runoff) in a safe and efficient manner;
 - (f) Permit the Council from time to time and upon giving reasonable notice (but in the case of an emergency, at any time and without notice) to enter and inspect the WSUD elements for compliance with the requirements of this agreement;
 - (g) Comply with the terms of any written notice issued by the Council in respect of the requirements of this agreement within the time stated in the notice;
 - (h) In the event that Owner fails to comply with its obligations under this Agreement, Council may arrange for its employees, agents or contractors to enter upon the Land and undertake all works necessary to ensure that the obligations of this Agreement are met and all required works are performed in full;
 - (i) The reasonable costs of all works undertaken pursuant to the clause above (including GST) will constitute a debt due and owing to the Council immediately upon demand, by the owner of the land upon which such

works were undertaken and, if not paid to Council within 14 days of receipt of a demand for payment by Council, are recoverable by Council in a court of competent jurisdiction along with interest calculated.

16. Landscaping within the parking and circulation areas must be provided. A landscape design is to be submitted for approval of the Senior Statutory Planner prior to the commencement of any works on-site. These works are to be completed prior to the occupancy of the new dwellings.
17. Lighting is to be provided to all car parking and driveways areas in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car parks" of AS/NZ 1158.3.1: 2005. The illumination of the proposed light standards is to be activated prior to the occupancy of the dwellings.
18. The driveway crossing extension is to be constructed in accordance with Municipal Standard Drawing TSD-R09-v3. The redundant cross-over is to be removed and the kerb and gutter is to be reinstated to match existing.

Advice: All works to be undertaken within the road reservation will require an approved Road Opening Permit issued by Council prior to the commencement of any works on the site.

19. The property owner is to ensure that Council's Road Assets and Infrastructure are protected during the demolition and building process. The owner is to ensure that damage to road assets, footpaths, kerb and channel, drainage pits, nature strips and other services is kept to a minimum and any damaged assets are reinstated. Should damages occur, the repair costs associated with such damages are the responsibility of the property owner.
20. If reinstatement works are not undertaken promptly or to Council's satisfaction, Council may elect to reinstate or rectify any defects and recover the expenses reasonably incurred in doing so from the property owner.

Waste Management

21. The design for the bin enclosure must comply with the following:
 - (a) must be built on a flat surface with a concrete base/pad and surround of a brick or painted block enclosure or other suitable material to Council's approval,
 - (b) must have concrete at the entrance to the bin enclosure;
 - (c) must suit nine (9) X 240L wheelie bins of size 1100 height x 600mm wide x 800mm deep and must allow for 300mm space in between each bin;
 - (d) minimum recommended height of the enclosure is 1200mm and minimum recommended depth is 930mm;

- (e) the front of the enclosure must face the internal access driveway, and be left open throughout the length of the bin enclosure to enable the bins to be removed, and returned in a safe and efficient manner;
- (f) there must be no lip on the concrete slab of the bin enclosure;
- (g) the bin enclosure must be constructed prior to occupancy of the first dwelling to the satisfaction of Council's Waste Services Co-ordinator.

Advice to Applicant

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

Other Permits

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

Other Services

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

Waste Management

Eight (8) dwellings would be eligible for a maximum of three (3) x 240L waste wheelie bins, three (3) x 240L recycling bins and three (3) FOGO bins, collected weekly to be shared by all the eight (8) dwellings. Collection of bins would be from the kerbside.

Storage and Collection of Waste & Recycling Bins

The bins would be stored in a bin enclosure. The bin enclosure should be built as shown on the approved plan.

Council's Waste Services Contractor would not enter the property to collect and empty bins. All wheelie bins should be placed on the existing kerbside for collection.

Attachments/Annexures

1 GPA Attachment - 68 and 70 Butler Avenue, Moonah



APPENDIX

11.0 Inner Residential Zone

Standard	Acceptable Solution	Proposed	Complies?
11.4 Development Standards for Buildings and Works			
11.4.1 Residential density for multiple dwellings	A1 Multiple dwellings must have a site area per dwelling of not less than 200m ² and not more than 400m ² .	Land 1671m ² /8 = 208.9m ²	Yes
11.4.2 Setbacks and building envelope	A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is: (a) at least 3m, or, if the setback from the frontage is less than 3m, not less than the setback from the frontage of any existing dwelling on the site; (b) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street.	Front setback 3m	Yes
	A2 A garage or carport must have a setback from a frontage of at least: (a) 4m, or alternatively 1m behind the façade of the dwelling; or (b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.	Integrated with dwelling and not facing frontage	NA

Standard	Acceptable Solution	Proposed	Complies?
	A3 A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must: (a) be contained within a building envelope (refer to diagrams 11.4.2A, 11.4.2B, 11.4.2C and 11.4.2D) determined by: (i) a distance equal to the permitted frontage setback or, for an internal lot, a distance of 3m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 3m from the rear boundary; to a building height of not more than 9.5 m above natural ground level; and (b) only have a setback within 1.5 m of a side boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or (ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).	Front setback 3m Rear setback: 3.077m Side setback east: 3m (wall heights are less than 6m) Side setback: west 3m (wall heights are less than 3m)	Yes
11.4.3 Site coverage and private open space	A1 Dwellings must have: (a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and (b) for multiple dwellings, a total area of private open space of not less than 50m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and	a) Site coverage: 40.2% - complies b) Total POS would be between 50.27m² and 66.60m² - complies c) Impervious free area 40.2% - complies	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(c) a site area of which at least 25% of the site area is free from impervious surfaces.		
	A2 A dwelling must have an area of private open space that: (a) is in one location and is at least: (i) 24 m²; or (ii) 12 m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (b) has a minimum horizontal dimension of: (i) 3 m; or (ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and (d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and (e) located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of 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.	Each dwelling has private outdoor space in one place of at least 24m ² , with minimum width of 3m that is directly adjacent and accessible from a living area and not located to the south of the building. There are small landings with a couple of steps for some of the dwellings.	Yes
11.4.4 Sunlight and overshadowing	A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west and 30 degrees east of north (see Diagram 11.4.4A).	All dwellings have windows that face due north from the living areas.	Yes
	A2 A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling	There would be dwellings to the north of the north facing windows. The separation distance	Yes

Standard	Acceptable Solution	Proposed	Complies?
	on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 11.4.4A), must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 11.4.4B): (i) at a distance of 3 m from the window; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.	would be 3m but not within the 45° angle. Nevertheless, all dwellings have the main living room window due east, due west or north which means that there would be at least 3 hours of sunlight on the shortest day of the year, which complies.	
	A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 11.4.3, must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 11.4.4C): (i) at a distance of 3 m from the northern edge of the private open space; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of:	Private outdoor space is to the side of all dwellings so that other dwellings would not be to the north.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(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.		
11.4.5 Width of openings for garages and carports	A1 A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).	Garages are not facing the frontage	NA
11.4.6 Privacy for all dwellings	A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: (a) side or rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the boundary; and (b) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m: (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.	There are small landings and steps to the POS for some of the dwellings, less than 0.6m in height.	Yes
	A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b): (a) the window or glazed door:	All windows are at least 3m from a side boundary and 3m from the rear boundary. Windows on the second floor between dwellings have high windows (1.7m above floor level) on one of the opposing walls as well as opaque windows on some of the	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(i) is to have a setback of at least 3 m from a side or rear boundary; and (ii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iii) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site. (b) the window or glazed door: (i) is to be offset, in the horizontal plane, at least 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.	dwellings with bathrooms on the relevant walls, which complies.	
	A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least: (a) 2.5 m; or (b) 1 m if: (i) it is separated by a screen of at least 1.7 m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.	There would be a central driveway between four dwellings on either side. The proposal provides landscaping beds between the driveway and kitchen windows. The beds are less than 2.5m wide.	No – discretion

Standard	Acceptable Solution	Proposed	Complies?
11.4.7 Frontage Fences	A1 A fence (including a free-standing wall) within 3 m of a frontage must have a height above natural ground level of not more than: (a) 1.2 m if the fence is solid; or (b) 1.5 m, if any part of the fence that is within 3m of a primary frontage has openings above a height of 1.2m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).	There would be a 1.2m high front fence for part of the frontage, as shown on the landscaping plan.	Yes
11.4.8 Waste Storage for multiple dwellings	A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m ² per dwelling and is within one of the following locations: (a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) in a communal storage area with an impervious surface that: (i) has a setback of at least 3 m from a frontage; and (ii) is at least 5.5 m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2m above the finished surface level of the storage area.	There would be two bin enclosures at the frontage at either side of the driveway, that does not accord with the front setback or separation from the dwelling, which would be between 2.6m and 3.2m.	No- discretion

APPENDIX

E5 Road and Railway Assets Code

Standard	Acceptable Solution	Proposed	Complies?
5.5 Use Standards			

Standard	Acceptable Solution	Proposed	Complies?
E5.5.1 Existing road accesses and junctions	A1 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.		NA
	A2 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.		NA
	A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.	Estimated AADT= 59.20,	NO but complies with performance criteria P3
E5.5.2 Exiting Level Crossings	A1 Where use has access across part of a rail network, the annual average daily traffic (AADT) at an existing level crossing must not be increased by greater than 10% or 10 vehicle movements per day, whichever is the greater.		NA
5.6 Development Standards			

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

Standard	Acceptable Solution	Proposed	Complies?
	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.		NA
E5.6.4 Sight distance at accesses, junctions and level crossings	A1 Sight distances at: (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.		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	18 Spaces proposed.	YES

Standard	Acceptable Solution	Proposed	Complies?
	parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (ii) this provision was not used in this planning scheme.		
E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability	A1 Car parking spaces provided for people with a disability must: (a) satisfy the relevant provisions of the Building Code of Australia; (b) be incorporated into the overall car park design; (c) be located as close as practicable to the building entrance.	No requirement	NA
E6.6.3 Number of Motorcycle Parking Spaces	A1 The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.	No requirement	NA
E6.6.4 Number of Bicycle Parking Spaces	A1 The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.	No requirement	NA
E 6.7 Development Standards			
E6.7.1 Number of Vehicle Accesses	A1 The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.	One access proposed	YES
E6.7.2 Design of Vehicular Accesses	A1 Design of vehicle access points must comply with all of the following: (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply		YES

Standard	Acceptable Solution	Proposed	Complies?
	with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.		
E6.7.3 Vehicular Passing Areas Along an Access	A1 Vehicular passing areas must: (a) be provided if any of the following applies to an access: (i) it serves more than 5 car parking spaces; (ii) is more than 30 m long; (iii) it meets a road serving more than 6000 vehicles per day; (b) be 6 m long, 5.5 m wide, and taper to the width of the driveway; (c) have the first passing area constructed at the kerb; (d) be at intervals of no more than 30 m along the access.	Passing bays provided	YES
E6.7.4 On-Site Turning	A1 On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following: (a) it serves no more than two dwelling units; (b) it meets a road carrying less than 6000 vehicles per day.		YES
E6.7.5 Layout of Parking Areas	A1 The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same Standard.		YES
E6.7.6	A1	Concrete proposed	YES

Standard	Acceptable Solution	Proposed	Complies?
Surface Treatment of Parking Areas	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.		
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.	Conditioned	YES
E6.7.8 Landscaping of Parking Areas	A1 Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.	Conditioned	YES
E6.7.9 Design of Motorcycle Parking Areas	A1 The design of motorcycle parking areas must comply with all of the following: (a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) be located within 30 m of the main entrance to the building.	No requirement	
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;	No requirement	NA

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.	No requirement	NA
E6.7.11 Bicycle End of Trip Facilities	A1 For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.	No requirement	NA
E6.7.12 Siting of Car Parking	A1 Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.		NA
E6.7.1.13 Facilities for Commercial Vehicles	A1 Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless: (a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site; (b) the use is not primarily dependent on outward delivery of goods from the site.		NA
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements of the road authority.		

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

**8. PROPOSED USE AND DEVELOPMENT - PLAY AREA UPGRADE
(PASSIVE RECREATION) - GIBLINS RESERVE GEPP PARADE
DERWENT PARK**

Author: Planning Officer (Sylvia Jeffreys)

Qualified Person: Planning Officer (Sylvia Jeffreys)

Property ID: 2060701

REPORT SUMMARY

Application No.:	PLN-20-435
Applicant:	Glenorchy City Council
Owner:	Glenorchy City Council
Zone:	Open Space
Use Class	Passive Recreation
Application Status:	Discretionary
Discretions:	E2.5 P1 Use Standards E2.6.2 P1 Excavation E11.7.1 P1 Buildings and Works E15.7.3 A3 Coastal Inundation Low Hazard Areas (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	21 Jan 2021
Existing Land Use:	Public Park (Passive Recreation)
Representations:	0

Recommendation:**Approval, subject to conditions**

REPORT IN DETAIL

PROPOSAL

The application is for demolition of an existing playground and installation of a new play space at Gibblins Reserve, near the eastern boundary of the reserve. The proposal includes various play equipment, park furniture, landscaping and upgrade of an existing parking area to provide for three accessible spaces in a bank of seven parking spaces. The application is discretionary for potential soil contamination, watercourse protection and potential inundation. The proposal is shown in Figure 1.

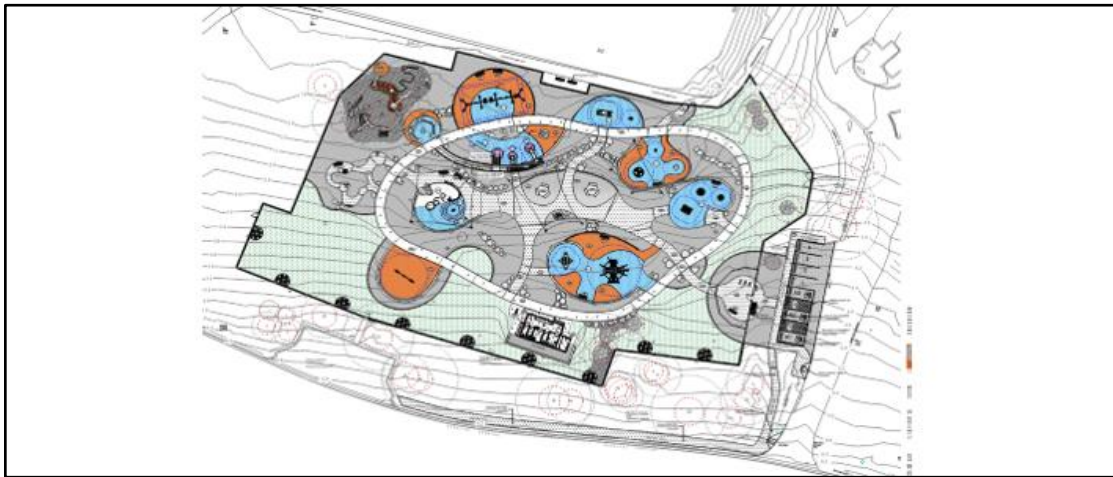


Figure 1: Proposal Plans - Inspiring Place

SITE and LOCALITY

The subject property is Gibblins Reserve in Derwent Park, Playground No 1. The property comprises two titles CT135895/1 and CT95880/24. Gibblins Reserve is a foreshore reserve, adjacent to the River Derwent and adjoins Gepp Parade, as well as Howard Road. The property borders mostly residential development, except for the western end where there is industrial development. The site is shown in Figure 2.

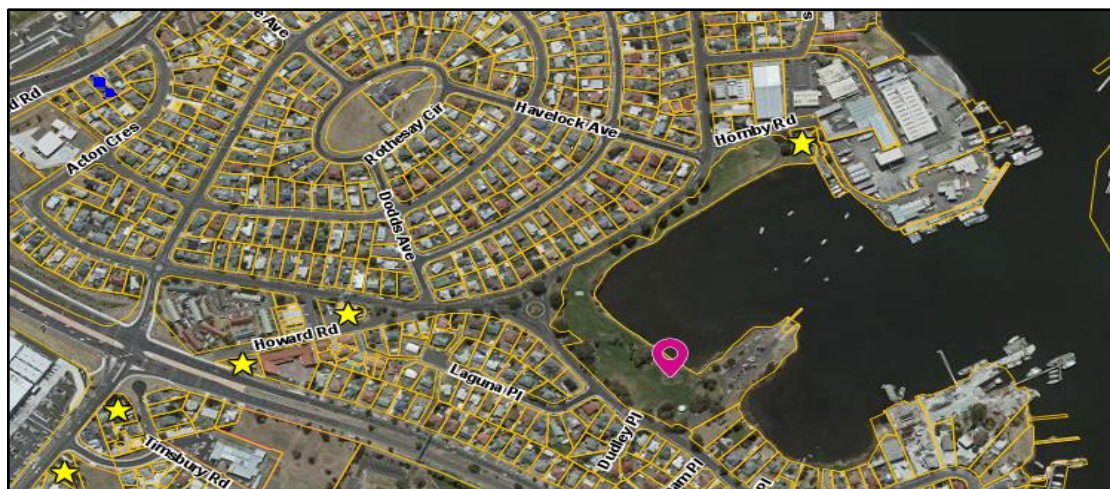


Figure 2: Subject Property - LIST Aerial

ZONE

The subject property is located within the Open Space Zone and adjoins the General Residential Zone to the west and north and the Light Industrial Zone to the northeast. The bordering area of the River Derwent is zoned Environmental Management. The zoning map is shown in Figure 3.



Figure 3: Zone (GIPS 2015) – TheList

BACKGROUND

The property adjoins land which was used for a potentially contaminating activity of bulk fuel storage. The bulk fuel storage was located approximately 300m away from the playground site, near the industrial area to the northeast, according to an Environmental Site Assessment submitted as part of the application. Nevertheless, there was also low levels of contamination found on the site. The report is as follows:

- Environmental Site Assessment by Geo-Environmental Solutions, dated September 2020

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil.

Limited Exemptions

Nil. The exemption in clause 6.2.2 does not apply for the provision of play equipment, as the location is within 30m of a watercourse and disturbance of more than 1m² of land is required at a potentially contaminated site.

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

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

- E2.0 Potentially Contaminated Land Code
- E5.0 Road and Railway Assets Code
- E6.0 Access and Parking Code
- E7.0 Stormwater Management Code
- E15.0 Inundation Prone Areas
- E11.0 Waterway and Coastal Protection Code

Use Class Description (Table 8.2):

The application is for a new playground within a public park. The use is classed Passive Recreation (Public Park). The use is defined in Table 8.2 Use Classes as follows:

Passive recreation

use of land for informal leisure and recreation activities principally conducted in the open. Examples include public parks, gardens and playgrounds, and foreshore and riparian reserves.

Other relevant definitions (Clause 4.1):

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

public open space

means land for public recreation or public gardens or for similar purposes.

hours of operation

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

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:

- E2.5 P1 Use Standards
- E2.6.2 P1 Excavation
- E11.7.1 P1 Buildings and Works
- E15.7.3 A3 Coastal Inundation Low Hazard Areas

Part C: Special Provisions

There are no special provisions applicable.

Part D: Zones

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

Zone Purpose Statements

The purpose of the Open Space zone in 19.1.1 is as follows:

- To provide land for open space purposes including for passive recreation and natural or landscape amenity.
- To encourage open space networks that are linked through the provision of walking and cycle trails.

Comment

The proposed playground upgrade is in association with an existing public park under the use class Passive Recreation. Therefore, the proposal is in accordance with the zone purpose.

Use Table

The use class Passive Recreation is no 'no permit required' within the Open Space Zone in 19.2 Use Table.

Use Standards

The application accords with all relevant acceptable solutions, as demonstrated in the attached appendix.

Development Standards for Buildings or Works

The application accords with all relevant acceptable solutions as demonstrated in the attached appendix.

Part E: Codes

The following codes of the Scheme apply to this proposal:

E5.0 Road and Railway Assets Code

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

E6.0 Access and Parking Code

The use class Passive Recreation does not require the provision of parking spaces. However, three new parking spaces will be provided so that the sections relevant to the parking layout and design of the code apply.

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

E2.0 Potentially Contaminated Land Code

The property adjoins land which was used for a potentially contaminating activity of bulk fuel storage. Therefore, the Potentially Contaminated Land Code applies.

E2.5 A1 Use Standards

The proposal does not accord with the acceptable solution in E2.5 A1 with respect to approval from the EPA. Therefore, the proposal relies on the related performance criteria as follows:

E2.5 P1 Use Standards

Land is suitable for the intended use, having regard to:

- (a) an environmental site assessment that demonstrates there is no evidence the land is contaminated; or*
- (b) an environmental site assessment that demonstrates that the level of contamination does not present a risk to human health or the environment; or*
- (c) a plan to manage contamination and associated risk to human health or the environment that includes:*
 - (i) an environmental site assessment;*
 - (ii) any specific remediation and protection measures required to be implemented before any use commences; and*
 - (iii) a statement that the land is suitable for the intended use.*

Comment

The applicant provided an Environmental Site Assessment as part of the application. The report found that there were no potential environmental impacts or human health exceedance, which means the land is suitable for its intended use.

Therefore, the proposal complies with the standard through the performance criteria. For further details please refer to the assessment by the Environmental Health Officer under the Referrals section later in this report.

E2.6.2 A1 Excavation

The proposal cannot accord with the acceptable solution in E2.6.2 A1 because there is no acceptable solution. Therefore, the proposal relies on the related performance criteria as follows:

E2.6.2 P1 Excavation

Excavation does not adversely impact on health and the environment, having regard to:

- (a) an environmental site assessment that demonstrates there is no evidence the land is contaminated; or*
- (b) a plan to manage contamination and associated risk to human health and the environment that includes:*
 - (i) an environmental site assessment;*
 - (ii) any specific remediation and protection measures required to be implemented before excavation commences; and*

- (iii) *a statement that the excavation does not adversely impact on human health or the environment.*

Comment

The applicant provided an Environmental Site Assessment as part of the application. The report found that there were no potential environmental impacts or human health exceedance. Low levels of contamination were found on site and will need to be managed in accordance with procedures of the Environmental Protection Authority.

Therefore, the proposal complies with the standard through the performance criteria. For further details please refer to the assessment by the Environmental Health Officer under the Referrals section later in this report.

E7.0 Stormwater Management Code

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

E11.0 Waterway and Coastal Protection Code

The mapped Waterway and Coastal Protection Area covers the site as shown in Figure 4.



Figure 4: WCPC Overlay-TheList

E11.7.1 A1 Buildings and Works

The proposal cannot accord with the acceptable solution in E11.7.1 A1 as there is no building area on the title. Therefore, the proposal relies on the related performance criteria as follows:

E11.7.1 P1 Buildings and Works

Building and works within a Waterway and Coastal Protection Area must satisfy all of the following:

- (a) avoid or mitigate impact on natural values;*
- (b) mitigate and manage adverse erosion, sedimentation and runoff impacts on natural values;*
- (c) avoid or mitigate impacts on riparian or littoral vegetation;*
- (d) maintain natural streambank and streambed condition, (where it exists);*
- (e) maintain in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;*
- (f) avoid significantly impeding natural flow and drainage;*
- (g) maintain fish passage (where applicable);*
- (h) avoid landfilling of wetlands;*
- (i) works are undertaken generally in accordance with 'Wetlands and Waterways Works Manual' (DPIWE, 2003) and "Tasmanian Coastal Works Manual" (DPIPWE, Page and Thorp, 2010), and the unnecessary use of machinery within watercourses or wetlands is avoided.*

Comment

The proposed playground upgrade is in the same location as a previous playground area and does not contain remnant native vegetation. The proposal would not affect stream bank or streambed condition. A condition is recommended for soil and water management to prevent sedimentation and runoff impacts.

Therefore, the proposal complies with the standard through the performance criteria.

E15.0 Inundation Prone Areas Code

The mapped Inundation Prone Area covers the site as shown in Figure 5.



Figure 5: Inundation Prone Areas overlay - TheList

E15.7.3 A3 Coastal Inundation Low Hazard Areas

The proposal cannot accord with the acceptable solution in E15.7.4 A3 as the area of the works exceeds 60m². Therefore, the proposal relies on the related performance criteria as follows:

E15.7.3 P3 Coastal Inundation Low Hazard Areas

A non-habitable building must satisfy all of the following:

- (a) risk to users of the site, adjoining or nearby land is acceptable;*
- (b) risk to adjoining or nearby property or public infrastructure is acceptable;*
- (c) need for future remediation works is minimised;*
- (d) provision of any developer contribution required pursuant to policy adopted by Council for coastal protection works;*

except if it is a building dependent on a coastal location.

Comment

The Engineering Referral, later in this report, states that the playground is located within the designated area and of an elevation that could be impacted by a 1% AEP storm event in 2050 and inundation from a mean high tide by 2100. The flooding risk is acceptable at present. However, should flooding occur in the future, Council would close the playground to reduce the risk to the community. Therefore, the site will not be substantially altered through excavation to require future remediation works.

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

PART F: Specific Area Plans

No specific area plan applies.

INTERNAL REFERRALS

Development Engineer

Comments

The proposal is to upgrade the existing play area at the Giblins Reserve, Derwent Park with new play equipment and extensive landscaping and areas for passive recreation.

E5.0 Road and Railway Assets Code

The development complies with Code E5 Road and Railway Assets Code; and the safety and efficiency of the road is not expected to reduce by the proposed development. The development is not expected to increase vehicle movements, to and from the site, over 40 vehicle movements and therefore complies with the Acceptable solution A3 of E5.5.1.

E6.0 Parking and Access Code

The submitted plans indicate that the existing carpark is to be upgraded to include three (3) disabled parking spaces and four (4) traditional spaces. There is no requirement under the Glenorchy Interim Planning Scheme 2015 to provide parking for passive recreation.

E7.0 Stormwater Management Code

The development meets the requirements in the Stormwater Management Code. There are no GCC stormwater mains affected by this application. All runoff from the new impervious area will be discharged by gravity to the existing connection. The development is considered to comply with the Acceptable Solution E7.7.1 Clause A1. The total size of impervious areas is 590m² which does not trigger the requirement to provide Water Sensitive Urban Design (WSUD). Notwithstanding this, the proposal will incorporate WSUD elements as detailed in the concept plans submitted by JMG Drawing Nos. J201124CH-C03 and C05.

Other

E3.0 Landslide Code

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

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

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

E15.0 Inundation Prone Areas Code

The foreshore section of the allotment has been identified as being within a Coastal Inundation Hazard Area, part of the proposed redevelopment is located within the designated area and of an elevation that could be impacted by a 1% AEP storm event in 2050 and inundation from a mean high tide by 2100.

Hydraulic Engineer

Referenced Documents

Plans

E7.7.1 Stormwater Drainage and Disposal

A1/P1

A concept plan has been provided indicating how all stormwater from the site, including hardstand drainage, will be discharged to Council infrastructure. Subsoil drains from previous are collected in grated pits and then connected into Council's existing stormwater infrastructure which then discharges to the bay. Therefore, A1 has been met.

A2/P2

The total size of impervious areas is 590m², which doesn't trigger the requirement to provide Water Sensitive Urban Design (WSUD). Therefore, A2 is met.

A3

Given the proximity to the Derwent River, stormwater detention is not required. Therefore, A3 is met.

A4

There are no proposed changes to the existing overland flows paths, therefore A4 is met.

Conclusion and Conditions

The hydraulic engineer indicated no objections with the proposal from a hydraulics perspective, provided the following conditions are met:

- The development must incorporate the nominated Water Sensitive Urban Design (WSUD) element(s) or equivalent, as presented in the JMG drawing J201124CH-C03 and C05, revision T1.

Environmental Health Officer

Environmental Health has assessed this application in conjunction with the Environmental Site Assessment undertaken by Geo-Environmental Solutions. The report found that there were no potential environmental impacts or human health exceedance; however, low level contamination was found on-site.

While there are no conditions recommended for this development, it is noted that the applicant is required to comply with the sampling and disposal of contaminated soil in accordance with Environmental Protection Authority's Information Bulletin 105 - Classification and management of contaminated soil for disposal.

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 the replacement of Playground 1 at Gibblins Reserve. The proposal includes various play equipment, park furniture, landscaping and three additional parking spaces. The application triggers a number of codes under which there are discretions relating to potential soil contamination, watercourse protection and potential inundation. These issues can be managed satisfactorily as outlined in the report. 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 Play Area Upgrade (Passive Recreation) at Gibblins Reserve Gepp Parade Derwent Park, subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-20-435 and Drawing submitted on 30/09/20, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2020/01589-GCC, dated 16/11/20, form part of this permit.

Engineering

3. Prior to the issuing of a Building Approval or the commencement of works on site, including demolition (whichever occurs first), submit a Soil and Water Management Plan detailing proposed sediment and erosion control measures to the satisfaction of Council's Development Engineer. The approved control measures must be installed prior to any disturbance of soil or construction activity such as concrete cutting, demolition and must be regularly inspected and maintained during the construction and demolition period to prevent soil

and other materials entering the local stormwater system, roadways or adjoining properties. The approved control measures must remain in place until such time as all construction activity likely to generate sediment has been completed or all disturbed areas have been stabilised using vegetation and/or restored or sealed to the satisfaction of the Council. The approved Soil and Water Management Plan (SWMP) forms part of this permit and must be complied with.

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

4. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
5. The development must incorporate the nominated Water Sensitive Urban Design (WSUD) element(s) or equivalent, as presented in the JMG drawing J201124CH-C03 and C05 revision T1.
6. All internal hydraulic service works required for the development must be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor. Any alterations or works to Council mains must be undertaken by Council at the developer's cost.
7. The landscaping of the area encompassed by the development is to be installed as detailed in the submitted landscape plans.
8. The design and construction of the proposed upgraded parking area access must generally comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004, to the satisfaction of the Council's Development Engineer. Drawings showing the design of the proposed upgraded parking area must be submitted prior to the commencement of works on site for approval by Council's Development Engineer. The proposed parking area must comply with the following:-
 - (a) Be constructed to a sealed finish and the finished gradient shall not exceed the maximum gradient of 25%;
 - (b) Seven (7) clearly marked car parking spaces, including the designated spaces for people with a disability.
 - (c) Vertical alignment shall include transition curves (or straight sections) to the Australian Standard, Parking facilities - Part 1: Off-Street Carparking AS 2890.1 - 2004, Clause 2.5.3 (d) at all grade changes greater than 12.5%;
 - (d) All runoff from paved and driveway areas must be discharged into Council's stormwater system;

- (e) The gradient of any parking areas must not exceed 5%; and
9. The demolition contractor must ensure that Council's Road Assets and Infrastructure are protected during the demolition and building process. The owner is to ensure that damage to road assets, footpaths, kerb and channel, drainage pits, nature strips and other services is kept to a minimum and any damaged assets are reinstated. Should damages occur, the repair costs associated with such damages are the responsibility of the property owner.

If reinstatement works are not undertaken promptly or to Council's satisfaction, Council may elect to reinstate or rectify any defects and recover the expenses reasonably incurred in doing so from the property owner.

Advice to Applicant

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

Other Permits

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

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.

Management of Potentially Contaminated Soil

Compliance is required with the Environmental Protection Authority's Information Bulletin 105 - Classification and management of contaminated soil for disposal.

Attachments/Annexures

- 1 GPA Attachments - Giblins Reserve, Derwent Park



APPENDIX

19.0 Open Space Zone

Standard	Acceptable Solution	Proposed	Complies?
19.3 Use Standards			
19.3.1 Hours of Operation	A1 Hours of operation of a use within 50 m of a residential zone must be within: (a) 8.00 am to 6.00 pm Mondays to Saturdays inclusive; (b) 10.00 am to 4.00 pm Sundays and Public Holidays. except for office and administrative tasks.	Th application is not for a business so that hours of operations do not apply.	NA
19.3.2 Noise	A1 Noise emissions measured at the boundary of a residential zone must not exceed the following: (a) 55dB(A) (LAeq) between the hours of 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 and 8.00 am; (c) 65dB(A) (LAmax) at any time. Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness. Noise levels are to be averaged over a 15 minute time interval.	The application is for a playground that is not expected to exceed these noise levels	Yes
19.3.3 External Lighting	A1 External lighting within 50 m of a residential zone must comply with all of the following: (a) be turned off between 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 outside the zone.	Lighting is not proposed	NA
19.3.4 Commercial Vehicle Movements	A1	No change	NA

Standard	Acceptable Solution	Proposed	Complies?
	Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must be within the hours of: (a) 7.00 am to 5.00 pm Mondays to Fridays inclusive, (b) 9.00am to 12 noon Saturdays; (c) Nil Sundays and public holidays.		
19.3.5 Discretionary Use	A1 No acceptable solution.	Not discretionary	NA
19.4 Development Standards for Buildings and Works			
19.4.1 Building Height	A1 Building height must be no more than: 6.5m.	Less than 6.5m	Yes
19.4.2 Setback	A1 Building setback from frontage must be no less than: 5m.	17m	Yes
	A2 Building setback from a residential zone must be no less than: (a) 3m; or (b) half the height of the wall, whichever is the greater.	More than 3m	Yes
19.4.3 Landscaping	A1 Landscaping along the frontage of a site must be provided to a depth of no less than 2 m.	The site is not along the frontage however landscaping is provided	Yes
	A2 Along a boundary with a residential zone landscaping must be provided for a depth no less than 2m.	The reserve boundary does not adjoin any residential zone.	NA
19.4.4 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.	A playground fence is proposed but is more than 1.5m from the frontage and not adjoining a residential zone.	Yes

APPENDIX**E11 Waterway and Coastal Protection Code**

Standard	Acceptable Solution	Proposed	Complies?
E11.7 Development Standards			
E11.7.1 Buildings and Works	A1 Building and works within a Waterway and Coastal Protection Area must be within a building area on a plan of subdivision approved under this planning scheme.	There is no building area on the tile, which causes a discretion	No – Discretion
	A2 Building and works within a Future Coastal Refugia Area must be within a building area on a plan of subdivision approved under this planning scheme.		NA
	A3 Buildings and works within a Potable Water Supply Area must be within a building area on a plan of subdivision approved under this planning scheme.		NA
	A4 Development must involve no new stormwater point discharge into a watercourse, wetland or lake.	No new stormwater point discharge is proposed	Yes
E11.7.2 Building and Works Dependent on a Coastal Location	A1 An extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date.		NA
	A2 No Acceptable Solution for dredging and reclamation.	Not proposed	NA
	A3 No Acceptable Solution for coastal protection works initiated by the private sector.	Not proposed	NA

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

Standard	Acceptable Solution	Proposed	Complies?
E2.5 Use Standards			
E2.5 Use Standards	A1 The Director, or a person approved by the Director for the purpose of this Code: (a) certifies that the land is suitable for the intended use; or (b) approves a plan to manage contamination and associated risk to human health or the environment that will ensure the land is suitable for the intended use.		No – Discretion
E2.6 Development Standards			
E2.6.1 Subdivision	A1 For subdivision of land, the Director, or a person approved by the Director for the purpose of this Code: (a) certifies that the land is suitable for the intended use; or (b) approves a plan to manage contamination and associated risk to human health or the environment, that will ensure the subdivision does not adversely impact on health or the environment and is suitable for its intended use.		NA
E2.6.2 Excavation	A1 No acceptable solution.		No – Discretion

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

Standard	Acceptable Solution	Proposed	Complies?
E15.6 Use Standards			
E15.6 Use Standards	A1 Change of use of a non-habitable building to a habitable building or a use involving habitable rooms must comply with all of the following: (a) floor level of habitable rooms is no less than the AHD level for the Coastal Inundation Low Hazard Area in Table E15.1; (b) floor level of habitable rooms is no less than the AHD level for the 1% AEP plus 300mm if in an area subject to riverine flooding.		NA
E15.7 Development Standards for Buildings and Works			
E15.7.1 Coastal Inundation High Hazard Areas	A1 For a habitable building, including extensions to existing habitable buildings, there is no Acceptable Solution.		NA
	A2 For a non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, there is no Acceptable Solution.		NA
E15.7.2 Coastal Inundation Medium Hazard Areas	A1 For a new habitable building there is no acceptable solution.		NA

	A2 Except for new rooms associated with habitable buildings other than dwellings, for which there is no acceptable solution, an extension to an existing habitable building must comply with one of the following: (a) new habitable rooms must comply with both of the following: (i) floor level no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1, (ii) floor area of the extension no more than 40 m ² from the date of commencement of this planning scheme; (b) new habitable rooms must be above ground floor.		NA
	A3 A non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, must have a floor area no more than 40 m ² .		NA
E15.7.3 Coastal Inundation Low Hazard Areas	A1 A new habitable building must comply with the following: (a) floor level no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1.		NA
	A2 An extension to a habitable building must comply with either of the following: (a) floor level of habitable rooms is no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1; (b) floor area is no more than 60 m ² .		NA
	A3 A non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, must have a floor area no more than 60 m ² .	Area greater than 60m ²	No – discretion

E15.7.4 Riverine Inundation Hazard Areas	A1 A new habitable building must have a floor level no lower than the 1% AEP (100 yr ARI) storm event plus 300 mm.		NA
	A2 An extension to an existing habitable building must comply with one of the following: (a) floor level of habitable rooms is no lower than the 1% AEP (100 yr ARI) storm event plus 300 mm; (b) floor area of the extension no more than 60 m ² as at the date of commencement of this planning scheme.		NA
	A3 The total floor area of all non-habitable buildings, outbuildings and Class 10b buildings under the Building Code of Australia, on a site must be no more than 60 m ² .		NA
15.7.5 Riverine, Coastal Investigation Area, Low, Medium, High Inundation Hazard Areas	A1 For landfill, or solid walls greater than 5 m in length and 0.5 m in height, there is no acceptable solution.		NA
	A2 No acceptable solution.		NA
	A3 A land application area for onsite wastewater management must comply with all of the following: (a) horizontal separation distance from high water mark or from the top of bank of a watercourse or lake must be no less than 100 m; (b) vertical separation distance from the water table must be no less than 1.5 m.		NA

E15.7.6 Development Dependent on a Coastal Location	A1 An extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date.		NA
	A2 No acceptable solution		NA
	A3 No Acceptable Solution for coastal protection works initiated by the private sector.		NA

APPENDIX**E5 Road and Railway Assets Code**

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

Standard	Acceptable Solution	Proposed	Complies?
	A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.	The proposed development is not expected to increase the traffic utilising the park by more than 40 VPD	YES
E5.5.2 Exiting Level Crossings	A1 Where use has access across part of a rail network, the annual average daily traffic (AADT) at an existing level crossing must not be increased by greater than 10% or 10 vehicle movements per day, whichever is the greater.		NA
5.6 Development Standards			
E5.6.1 Development adjacent to roads and railways	A1.1 Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h: (a) new buildings; (b) other road or earth works; and (c) building envelopes on new lots.		NA

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

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

APPENDIX**E6.0 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.	Areas utilised for passive recreation are not subject to providing parking.	NA
E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability	A1 Car parking spaces provided for people with a disability must: (a) satisfy the relevant provisions of the Building Code of Australia; (b) be incorporated into the overall car park design; (c) be located as close as practicable to the building entrance.	3 spaces proposed	YES
E6.6.3	A1		NA

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

Standard	Acceptable Solution	Proposed	Complies?
	(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.		NA
E6.7.5 Layout of Parking Areas	A1 The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same Standard.		YES
E6.7.6 Surface Treatment of Parking Areas	A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following; (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.	Upgraded carpark will have a bituminous surface course.	YES
E6.7.7 Lighting of Parking Areas	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 “Basis of Design” and clause 3.6 “Car Parks” in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.		NA
E6.7.8 Landscaping of Parking Areas	A1 Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This		NA

Standard	Acceptable Solution	Proposed	Complies?
	landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.		
E6.7.9 Design of Motorcycle Parking Areas	A1 The design of motorcycle parking areas must comply with all of the following: (a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) be located within 30 m of the main entrance to the building.		NA
E6.7.10 Design of Bicycle Parking Facilities	A1 The design of bicycle parking facilities must comply with all the following; (a) be provided in accordance with the requirements of Table E6.2; (b) be located within 30 m of the main entrance to the building.		NA
	A2 The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.		NA
E6.7.11 Bicycle End of Trip Facilities	A1 For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.		NA
E6.7.12 Siting of Car Parking	A1 Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.		NA
E6.7.1.13	A1		

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

APPENDIX

E7.0 Stormwater Management Code

Standard	Acceptable Solution	Proposed	Complies?
E7.7 Development Standards			
E7.7.1 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 m²; (b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots.	Not required under the Stormwater Management Code., but provision has been included in the submission to provide WSUD elements.	YES
	A3 A minor stormwater drainage system must be designed to comply with all of the following: (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50	Stormwater detention not required.	YES

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

**9. PROPOSED USE AND DEVELOPMENT - MULTIPLE DWELLINGS
(1 EXISTING AND 1 NEW) - 36 ELWICK ROAD GLENORCHY**

Author: Planning Officer (Sylvia Jeffreys)

Qualified Person: Planning Officer (Sylvia Jeffreys)

Property ID: 5367792

REPORT SUMMARY

Application No.:	PLN-20-522
Applicant:	B Sloan
Owner:	Eagles Iv Pty Ltd
Zone:	Inner Residential
Use Class	Residential
Application Status:	Discretionary
Discretions:	11.4.3 P2 Site coverage and private open space 11.4.7 P1 Frontage fences 11.4.8 P1 Waste storage for multiple dwellings E5.6.4 P1 Sight distance at accesses, junctions and level crossings E6.6.1 P1 Number of car parking spaces E6.7.2 P1 Design of Vehicular Accesses (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	21 Jan 2021
Existing Land Use:	Single Dwelling
Representations:	3
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The application proposes an additional dwelling on a corner block with an existing dwelling. The proposed dwelling would be single storey, with rendered walls and hipped iron roof. The dwelling would accommodate three bedrooms and open plan living areas. The existing dwelling and the new dwelling would both have level private outdoor space of at least 3m x 8m, accessible from the back door and the living area respectively. The proposal would provide for two parking spaces for both dwellings, to only have one access from Grove Road, which is necessary from an engineering perspective. The application is discretionary for accessibility of private outdoor space of the existing dwelling, height of a frontage fence, location of bin storage, a parking shortfall of two spaces and sight distances. The proposal is shown in Figure 1.

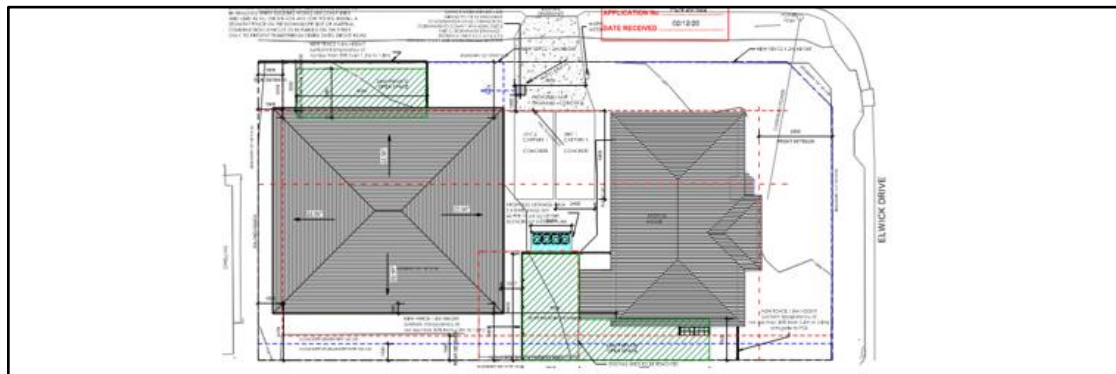


Figure 1: Proposal Plan - bdaa Building Design

SITE and LOCALITY

The subject property is located on the southwest corner of Elwick Road and Grove Road in Glenorchy. The property is rectangular, near level with an area of 647m² and contains a single dwelling, close to the Elwick Road frontage. The property adjoins two other residential properties with a single dwelling each. The property is shown in Figure 2.



Figure 2: Subject Property – Council Database 2019

ZONE

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



Figure 3: Subject Property – Council Database 2019

BACKGROUND

There is no background information relevant to this assessment.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil.

Limited Exemptions

Nil.

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

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

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

Use Class Description (Table 8.2):

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

Residential

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

Other relevant definitions (Clause 4.1):

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

Multiple Dwelling

means 2 or more dwellings on a site.

Dwelling

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

Desired future character

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

Part C: Special Provisions

No other provisions apply.

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:

- 11.4.3 P2 Site coverage and private open space
- 11.4.7 P1 Frontage fences
- 11.4.8 P1 Waste storage for multiple dwellings
- E5.6.4 P1 Sight distance at accesses, junctions and level crossings
- E6.6.1 P1 Number of car parking spaces
- E6.7.2 P1 Design of Vehicular Accesses

Part D: Zones

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

11.1.1 Zone Purpose Statements

The purpose of the Inner Residential Zone in 11.0 is as follows:

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

- To provide for compatible non-residential uses that primarily serve the local community.*
- To encourage residential development at higher densities in locations within walkable distance of services, facilities, employment and high frequency public transport corridors.*
- To provide for a change in character from single dwellings on larger lots to alternative forms of housing such as terrace housing and*

apartments at greater density and with improved public open space amenity, whilst protecting amenity for existing nearby development.

Comment

It is considered that the proposal meets the Zone Purpose Statement. The addition of the second dwelling on site would provide for a higher density development than the dominant single dwelling developments within the area and would utilise existing serviced land.

11.1.2 Local Area Objectives

There are no local area objectives for this zone

11.1.3 Desired Future Character Statements

There are no desired future character statements for this zone.

Use Table

The use class Residential (Multiple Dwellings) is 'permitted' within the Inner Residential Zone in 11.2 Use Table.

Use Standards

The standards in Clause 11.3 Use Standards specifically relate to non-residential use, visitor accommodation and local shop and are therefore not applicable to this proposal.

Development Standards for Residential Buildings & Works

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

11.4.3 A2 Site coverage and private open space

The proposal does not accord with the acceptable solution in 11.4.3 A2 with respect the accessibility of the private outdoor space from a living area. Therefore, the proposal relies on the related performance criteria as follows:

11.4.3 P2 Site coverage and private open space

A dwelling must have private open space that:

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

Comment

The proposal provides for level private outdoor space for the proposed dwelling of at least 3m x 8m, along the northern frontage, which is accessible from a sliding door

from the living areas. The private outdoor space would be screened by a 1.8m-high fence along the secondary frontage which would be solid to 1.2m and then 30% transparent. The area would be orientated 30° east of north so that it may be located within a frontage. The proposed private outdoor space area for the new dwelling would accord with the performance criteria.

The private outdoor space for the existing dwelling would be located to the west of the existing dwelling, between the two dwellings, and would be accessible from the back door. The private outdoor space would have an area of 43m² and a minimum width of 3m. Shadow diagrams were submitted that demonstrate that 24m² of the area would receive at least three hours of sunlight on June 21 to at least 50% of the area between 11am and 2pm, which would be in accordance the acceptable solution. The access from the back door, is off a small hallway adjacent to the dining area, which is considered conveniently located. The private outdoor space area would be capable of serving as an extension of the dwelling for outdoor relaxation, dining entertaining and children's play and would be orientated to take advantage of sunlight. Therefore, the proposal complies with the standard through the performance criteria.

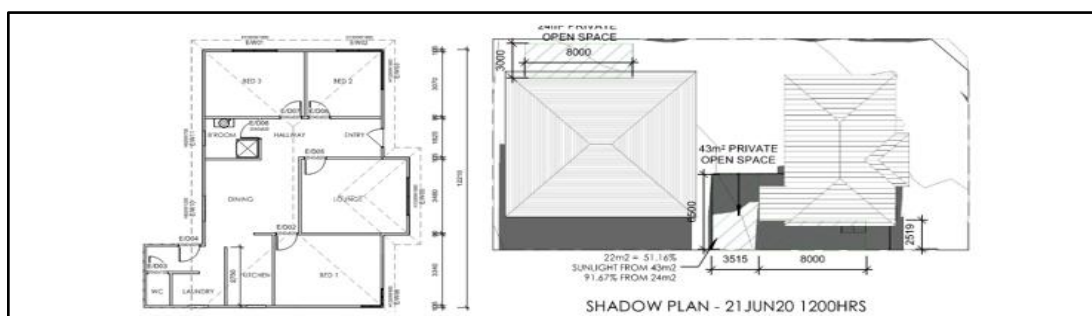


Figure 4: Floor Plan Existing dwelling - Shadow Diagram

11.4.7 A1 Frontage fences

The proposal does not accord with the acceptable solution in 11.4.7 A1 with respect to fence height. Therefore, the proposal relies on the related performance criteria as follows:

11.4.7 P1 Frontage fences

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

Comment

The plans show a new fence along the private outdoor space of the additional dwelling. The fence would be 1.8m in height with 30% transparency above 1.2m and is to be located on a secondary frontage. The acceptable solution limits the maximum height to 1.5m. It is considered that the transparent part of the fence would still allow

for mutual passive surveillance. In addition, the proposed fence would be only for a section of the Grove Road frontage. The existing dwelling would retain a low fence on that frontage, which allows for passive surveillance. In terms of maintaining the streetscape, a number of properties along Grove Road have similarly high fences, as shown in Figure 5. A condition is recommended to ensure the fence has transparency as proposed.

Therefore, the proposal complies with the standard through the performance criteria.



Figure 5: Grove Road Frontage – Google Street View

11.4.8 A1 Waste storage for multiple dwellings

The proposal does not accord with the acceptable solution in 11.4.8 A1 with respect to communal bin storage. Therefore, the proposal relies on the related performance criteria as follows:

11.4.8 P1 Waste storage for multiple dwellings

A multiple dwelling development must provide storage, for waste and recycling bins, that is:

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

Comments

The site plan shows a shared area for bin storage of four bins between the dwellings, at the back of the parking area. Waste management advises that there will be six bins in total, as each dwelling would have its own bins. The communal storage area is not 5.5m from the dwellings as required by the acceptable solution and the plan does not show any screening. There would be room to accommodate an addition two bins. Allowing for the extra bins, the storage area would be approximately 1.2m from the

proposed dwelling and 2.3m from the existing dwelling. The proposed dwelling has only a door and bathroom window on the elevation facing the bin enclosure so that noise and odour would be minimised. The existing dwelling has a dining room window in the vicinity. Nevertheless, the separation distance is still reasonable and the bins closest would be from that dwelling. In addition, the bin enclosure is only for two dwellings so that noise would be minimal. A condition is recommended to ensure the bin enclosure would be capable of storing six bins and is screened.

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

Part E: Codes

The following codes of the Scheme apply to this proposal:

E5.0 Road and Railway Assets Code

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

E5.6.4 A1 Sight distance at accesses, junctions and level crossings

The proposal does not accord with the acceptable solution in E5.6.4 A1 with respect to sight distances. Therefore, the proposal relies on the related performance criteria as follows:

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

The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles, having regard to:

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

Comment

The Engineering Assessment later in this report finds that the access satisfies the above performance criteria due to the nature and low frequency of traffic generated by the use. For further comments please refer to the Engineering Assessment under the Referrals section later in this report.

E6.0 Access and Parking Code

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

E6.6.1 A1 Number of Car Parking Spaces

The proposal does not accord with the acceptable solution in E6.6.1 A1 with respect to number of car parking spaces. Therefore, the proposal relies on the related performance criteria as follows:

E6.6.1 P1 Number of Car Parking Spaces

The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:

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

- (m) *whether the provision of the parking would result in the loss, directly or indirectly, of one or more significant trees listed in the Significant Trees Schedule.*

Comment

The proposal provides for two parking spaces, whereas the acceptable solution requires four. The proposal originally provided four parking spaces, but it was not considered safe to have a new access off Elwick Road. Nevertheless, it is considered that there would be sufficient on-street parking available in the vicinity, according to the Engineering Assessment later in this report. Furthermore, it is notated that there is also public transport available in the area.

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

E6.7.2 A1 Design of Vehicular Accesses

The proposal does not accord with the acceptable solution in E6.7.2 A1 with respect to sight distance. Therefore, the proposal relies on the related performance criteria as follows:

E6.7.2 A1 Design of Vehicular Accesses

Design of vehicle access points must 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.*

Comment

The Engineering Assessment later in this report finds that the access satisfies the above performance criteria due to the nature and low volume of the traffic generated by the use. The location of the access is not expected to create unreasonable interference with the flow of traffic on Grove Road. For further comments please refer to the Engineering Assessment under the Referrals section later in this report.

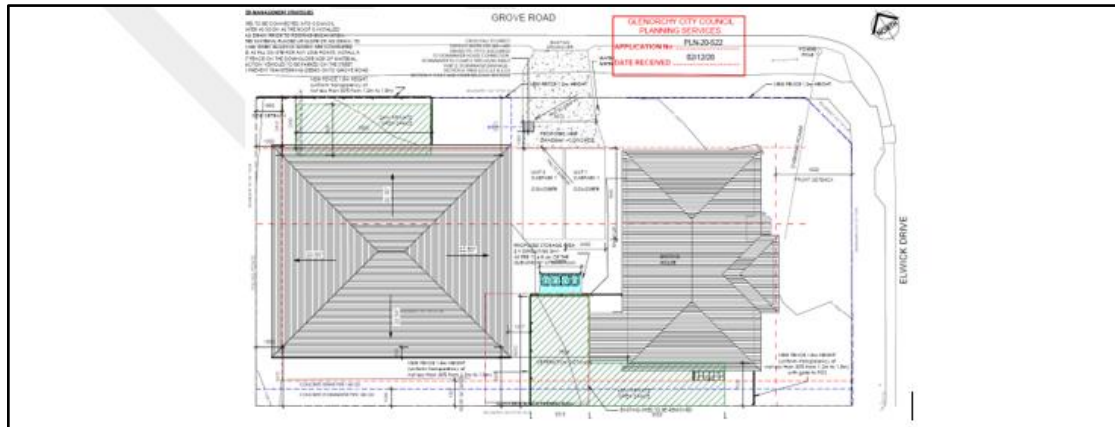
PART F: Specific Area Plans

No specific areas plan applies.

INTERNAL REFERRALS

Development Engineer

The application is for two multiple dwellings.



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 initial application proposed an additional access fronting Elwick Road to accommodate two carparking spaces, however due to its location in the vicinity of Elwick and Grove Road intersection that has a median island in front of the property, it was recommended to the applicant the access not be shown on the proposal plans to reduce the likelihood of vehicles stopping on Elwick Road close to this intersection creating potential traffic and safety issues with this being recommended by Council's Traffic Engineer. The applicant submitted amended plans resulting in a shortfall of two carparking spaces. This shortfall is discussed under E6.6.1 Number of Car Parking Spaces.

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 Elwick/Grove Road intersection. It is considered however the access can satisfy the relevant clauses of the performance criteria of this code due to the nature and low frequency of the traffic generated by the use.

The plans show a front boundary fence at 1.2 meters high. However, recognised standards for sightlines require the drivers eye height and the height of an object be taken as 1.15 meters high when assessing sightlines and sight distance. It is recommended a condition be included in the planning permit that this proposed fence be a maximum of one meter high to ensure adequate distance under the sightline to the fence/obstruction and to ensure the acceptable solution of E5.6.4 (a) Sight distance at accesses, junctions and level crossings is met.

A representation raised concerns associated with the proposed fence and sightlines in the vicinity of the Elwick and Grove Road intersection. It is considered a condition on the planning permit limiting the maximum height of the fence to one meter high will address the representors concern.

There are no other clauses of the road and railway assets code applicable to this application.

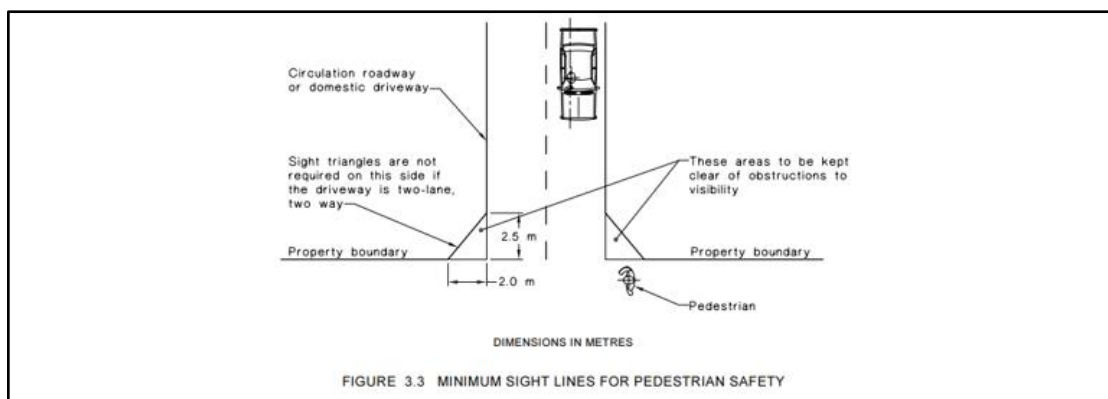
E6.0 Parking and Access Code

This code applies to all use and development.

Two (2) car parking spaces are proposed to be provided. Under the Parking and Access Code four carparking spaces are required to be provided resulting in a proposed shortfall of two car parking spaces. It is considered the two deficient parking spaces that are not proposed to be accommodated on the site is available within nearby on-street car parking, with the shortfall of two spaces not adversely impacting the safety and efficiency of the surrounding area. The site is also serviced well by public transport with a bus stop located on Elwick and Grove Road. It is considered this satisfies the relevant clauses of the performance criteria of E6.6.1 Number of Car Parking Spaces and is supported by Council's Traffic Engineer.

The two proposed carparking spaces are proposed to be accessed from an existing access off Grove Road. Sight distance for this existing access does not meet the acceptable solution of Clause E6.7.2 Design of Vehicular Accesses, however it is considered the access can satisfy the relevant clauses of the performance criteria of this code due to the nature and low volume of the traffic generated by the use and is not expected to create unreasonable interference with the flow of traffic on Grove Road.

The access opening should 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.



A condition is recommended to ensure these sight triangles are maintained, that these areas are to be kept clear of any obstruction to visibility and the following condition be included in planning permit. To meet minimum sight lines for pedestrian safety as required under clause 3.2.4 sight distance at access driveway exists of the Australian Standard, Off-Street Car parking, AS 2890.1 – 2004; the fence and any obstruction either side of the access within the sight triangle is not permitted, as to not obstruct sightlines for pedestrian safety when vehicles are exiting the site in accordance with this standard and to ensure these sightlines are maintained.

Council received a representation raising concerns with sightlines at this access point with Grove Road. This recommended treatment to improve sightlines is expected to address the representors concerns.

On-site turning is not required to be provided so that vehicles can exit the site in a forward direction to satisfy the acceptable solution of clause E6.7.4. On-site turning is only to be provided to enable vehicles to exit a site in a forward direction, where it serves no more than two dwelling units or it meets a road carrying less than 6000 vehicles per day. The application is for no more than two dwelling units and also Grove Road does not exceed 6000 vehicles per day therefore the acceptable solution is satisfied.

Surfacing of the parking and driveway area is adequate with concrete shown on the proposal plans and considered to satisfy E6.7.6 Surface Treatment of Parking Areas.

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

A representation was received raising concerns that there should be a minimum of 4 off street parks available as the application appears as though the intention is for student accommodation or is intended as a share house for several adults rather than a family. Although 4 carparking spaces are required to satisfy the acceptable solution of E6.6.1 Number of Car Parking Spaces of the Glenorchy Interim Planning Scheme, it is considered the performance criteria can be satisfied as previously discussed.

E7.0 Stormwater Management Code

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

The applicant has shown how stormwater from new impervious areas will be connected by gravity to public stormwater infrastructure (public stormwater connection in the western corner of the property) to satisfy Clause E7.7.1 A1.

In addition, a condition is recommended that internal stormwater comply with the requirements of Councils Plumbing Surveyor to satisfy comply the requirements of the acceptable solution A1 of clause E7.7.1 Stormwater Drainage and Disposal of GIPS, that Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.

The applicant has not addressed A4 of this code. However, it is assessed that the application satisfies the acceptable solution of this clause.

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

A representation was received that it is not clear in the plans if the small parcel of outdoor space is going to be sealed and has requested council to ensure this area is not sealed as this will cause storm water runoff issues.

Stormwater runoff onto adjoining properties is regulated under Section 23 of *Urban Drainage Act 2013* where Property owners are required not to direct stormwater onto neighbouring properties so that it causes or is likely to cause a nuisance. Council has no jurisdiction or mechanism to control if this area is sealed (concreted or paved). However, it is considered if this area is sealed that stormwater runoff be controlled as to not create a nuisance on adjoining property.

Other

E3.0 Landslide Code

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

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

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

E15.0 Inundation Prone Areas Code

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

Waste Management Officer

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

- The Council's Standard Bin Service includes one (1) x 140L wheelie bin for Waste, one (1) x 240L wheelie bin for recycling and (1) x 240L FOGO bin to each of the dwelling, collected fortnightly.
- Please note that this property would have a total of six (6) bins, two (2) Waste Bins and two (2) Recycling Bins, and two (2) FOGO Bins.
- This property has an existing kerbside/nature strip area for placement of the bins therefore the dwellings would have their own individual bins.
- All bins are to be placed on the kerbside for collection.
- Council's Waste Management Contractor collection trucks will not enter the property to collect and empty the wheelie bins.

EXTERNAL REFERRALS

TasWater

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

REPRESENTATIONS

The application was advertised for the statutory 14-day period with 3 representation(s) being received. The following issues were raised:

1. Land Use

The representor states that the additional dwelling is designed for each bedroom to be a self-contained dwelling. Each bedroom has an en-suite, sliding door and a bench with a sink that would allow for a kitchen.

The representor states that the additional dwelling is designed for four separate tenancies.

Planner's Comment:

The application is for a new dwelling with three bedrooms. Whilst each bedroom of the new dwelling would have an en-suite, the kitchen, dining area and living areas would be shared so that the arrangement would not be considered three self-contained dwellings or apartments. The description of the proposal is for Multiple Dwellings (1 existing and 1 new), which would only allow for one additional dwelling if a permit was granted and not multiple dwellings within the new building. It is also noted that any dwelling could be a shared house without any different classification.

2. Character of the area

The representor states that the proposed new dwelling does not match the aesthetics of the area, in particular the Californian bungalows on either side of the property.

These houses were built in the 1920s. The new dwelling would not be in keeping with the style of these historically significant Glenorchy buildings.

The representor states that the size, materials and design of the additional dwelling is not fitting with the surrounding properties and would affect property values.

The representor states that the grey rendered walls of the proposed additional dwelling are not in keeping with the 1920 Californian bungalow next door.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application, because there are no Local Area Objectives for the Inner Residential Zone in clause 11.1.2 of the Scheme and neither is the area a Heritage Precinct in E13.8 of the Scheme. In addition, there are no Development Standards/controls with respect to materials or colour of any building in the Inner Residential Zone, unless a building was heritage listed. Property values are not a statutory planning consideration.

3. Setbacks

The representor states that the new dwelling appears to be larger than the existing home at 36 Elwick Road, it is also very close to the adjoining with only a 900mm gap between the eaves and our property. It is acknowledged that this is within the planning permissions in the area, it does however cause a loss of amenity as there are two exiting doors out into this area from the new dwelling. This is directly impinging on the amenity of the adjoining dwelling. If it is not possible to have the dwelling built further away from the boundary, it is requested that council consider a 1.8m fence and plants to provide a screen so the view is not of the gutters and a small parcel of outdoor space.

The representor states that no shadow diagrams were provided and that shadows to the neighbouring property on Elwick Road should be kept to a minimum.

Planner's Comment:

This proposal complies with all setbacks as demonstrated in the attached appendix. The setback from the northwest boundary is 1.5m, not including eave overhang of 0.6m, which is exempt. Council would not be able to request any screening or higher fences as there is no discretion with respect to the setbacks. There were no shadow diagrams required to show shadows on neighbouring properties because the proposal complies with applicable acceptable solution, so that any resulting shadows would not be considered unreasonable. It is also noted that the proposed dwelling is not very high and has a maximum wall height of 3m, so that any shadows would not be excessive.

4. Sunlight to private outdoor space

The representor states that private outdoor space would be located on the southwest side of the dwelling and would not receive three hours of sunlight to 50% of the outdoor space on June 30.

Planner's Comment:

This issue has been previously addressed under the heading Site Coverage and Private Outdoor Space. The private outdoor space of the existing dwelling would receive three hours of sunlight between 11am and 2pm to 50% of 24m², which is the required area of private outdoor space. The proposal therefore accords in this respect.

5. Fences

The representor states that the side fence on Elwick Road has lattice for privacy and a block wall where there is an existing garage on the subject property, which will be demolished. It is hoped that any new fence would be 2.1m in height. Any new fence installation would need to be managed so as to keep the dogs in. Furthermore, any change in soil level would need to ensure that there will be no gaps under the fence where dogs could escape.

The representor states that the fence on Grove Road be 1.8m in height and solid as it would be better for the people using the adjacent private outdoor space in terms of traffic noise and privacy. There is an existing 1.7m high solid fence.

Planner's Comment:

The representations raise issues about the front and side fences. Side fences are not a planning issue provided the maximum height is less than 2.1m and are regulated under the *Boundary Fences Act 1908*. Any fencing issues are normally a matter between the neighbours. In terms of the front fence on Grove Road, the application seeks a discretion as the fence would be 1.8m in height instead of 1.5m required by the acceptable solution. The site plan shows a 1.8m high fence adjacent to the north-east wall of the proposed dwelling with uniform transparency of 30% above 1.2m. The proposed height is considered acceptable and has been previously addressed under the heading 'frontage fences'.

6. Stairs and Privacy

The representor states that the new stairs for the sliding door on the existing dwelling may not fit and would require a landing, which could potentially turn into a deck and affect privacy.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application, because the plan does not show a deck, any deck would require separate planning approval. In addition, the southwest elevation shows the new sliding door with the

steps which are less than 1m off the ground, so that no privacy screen would be required in any event.

7. Windows and Privacy

The representor states that the existing house on the subject property has a laundry and a kitchen window that enable a view to a bedroom of the neighbouring property and would like them to be frosted.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application, because the windows are existing. It is also noted that the windows would be more than 3m from the neighbouring dwelling, so that even if the windows were new there would be adequate separation so as not to require frosting.

8. Waste Storage

The representation states that bin storage is inadequate as there would be three bins per dwelling with green waste and bins may be placed in an unapproved location. Furthermore, that the bin enclosure would not have the required distance away from dwelling and would not be screened.

Planner's Comment:

This issue has been previously addressed under the heading 'waste storage for multiple dwellings'. The assessment by Waste Management states that each dwelling will have individual bins and that there would be six bins in total. The application has nominated shared area to store the bins as shown on the site plan. The communal storage area is not 5.5m from the dwellings which triggers a discretion, but a lesser distance is considered acceptable. It is noted that the bin storage area is not near the boundary of any of the neighbouring properties so as not to create any nuisance for the neighbours. A condition for screening is recommended.

9. Vehicular Sight Lines

The representation states that there would be new 1.2m high front fence on the corner Grove Road and Elwick Road, which would impede visibility at the intersection.

Planner's Comment:

The Engineering Assessment earlier in this report, found that the proposed fence would have to be lower so as not to impede sight lines. A condition is recommended for the fence to be only 1m high.

10. Safety of Entry/Exit

The representation states that entry and exit on Elwick Road would not be safe in terms of pedestrians, proximity to intersection and interruptions to traffic. Also, any relocation a no standing sign would need to be carefully considered.

The representation states that entry and exit on Grove Road would not be safe with the proximity of the intersection and as there is no on-site turning.

Planner's Comment:

This issue has been previously addressed under the heading Development Engineer. The original plans showed a new access on Elwick Street, which was later deleted at the request of the Development Technical Officer, due to safety concerns. As such, the no standing sign would not be relocated. In terms of on-site turning, the planning scheme in clause E6.7.4 only requires on-site turning if there are more than two dwellings or if the driveway meets a road carrying more than 6000 vehicles per day. The Engineering Assessment earlier in this report states that on-site turning is not required as Grove Road Carries less than 6000 vehicles a day.

11. Parking Spaces

It is not clear what the property is to be used for, however given that each bedroom has a substantial en-suite it appears as though the intention is for student accommodation or is intended as a share house for several adults rather than a family. This means that there is potentially going to be five vehicles that need to be parked, if each room housed a couple the vehicle load for 36 Elwick Road could be eight. There is nowhere near enough parking for that number of vehicles. Grove Road is already incredibly busy and the space out the front of 2 Grove Road would be the first area available for parking past the no standing zone. It is believed that this it is vital that there is a minimum of four off street parks available for the residents of 36 Elwick Road.

The representor states that two parking spaces would not be sufficient and that parking in Elwick Road outside the property would not be possible as there are no standing signs on both sides of the street.

Planner's Comment:

This issue has been previously addressed under the heading Development Engineer. The Engineering Assessment states that four carparking spaces would be required under the acceptable solution, however there would be only two parking spaces on site as the second driveway off Elwick Road with two spaces had to be deleted due to safety concerns. Nevertheless, the shortfall of two spaces can be accommodated within nearby on-street parking.

12. Stormwater

The representor states that it is not clear in the plans if the small parcel of outdoor space that abuts 2 Grove Road is going to be concreted or paved. It is requested that council ensure this area is not concreted or paved as this will cause storm water runoff issues directed towards our home.

Planner's Comment:

This issue has been previously addressed under the heading Development Engineer. The Engineering Assessment states that property owners are not allowed to direct stormwater onto neighbouring properties so that it causes a nuisance under the *Urban Drainage Act 2013*. Therefore, any stormwater runoff would need to be controlled.

13. Landscaping

The representor states that landscaping should be provided to soften the development and create street appeal.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application, because there are no development standards requiring landscaping other than for parking areas with more than five spaces. Nevertheless, there would be sufficient impervious area, including private outdoor space for landscaping if the future owners want to create a garden.

14. Tree Removal

The representor states that there is an existing gum tree on the subject property and asks that the tree be removed by professionals and any damage to neighbouring properties is made good again.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application. The property is not heritage listed and there are no significant trees on the property, so that there are no planning standards applicable in respect to tree removal.

15. Construction Hours

The representation states that construction hours should be only on weekdays to protect residential amenity.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application, because construction noise is outside the planning scheme and are regulated under the Environmental Management and Pollution Control (Noise) Regulations 2016.

CONCLUSION

The application is for a second dwelling on a corner lot. The application is discretionary for accessibility of private outdoor space of the existing dwelling, height of a frontage fence, location of bin storage, a parking shortfall of two spaces and sight distances. The proposal complies with all of the relevant performance criteria as outlined within the report.

The application was advertised in accordance with statutory requirements and three representations were received in response. The representations raise fifteen issues of which only some are planning issues or relate to engineering standards. In particular, it is noted that there are no standards relating to the character of the area, that the proposed use is for two multiple dwelling and that the proposal complies with setbacks and privacy standards. There are discretions in relation to fencing, private outdoor space, waste storage and parking spaces, which were also issues raised, but were satisfactory in terms of each performance criteria.

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

Recommendation:

That a permit be granted for the proposed use and development of Multiple Dwellings (1 existing and 1 new) at 36 Elwick Road Glenorchy, subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-20-522 and submitted on 02/12/20, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2020/01910-GCC, dated 06/11/20, form part of this permit.
3. The fence that screens the private outdoor space of the new dwelling must be installed prior to a Certificate of Occupancy of that dwelling, as shown on the approved plan to the following specifications:
 - 1.8m in height, with openings above the height of 1.2m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).
4. The design for the bin enclosure must comply with the following:
 - a) it must be built on a flat surface with a concrete base/pad and surround of a brick or painted block enclosure or other suitable material to Councils approval,
 - b) it must have concrete at the entrance to the bin enclosure;
 - c) it must suit six (6) X 240L wheelie bins of size 1100 height x 600mm wide x 800mm deep and must allow for 300mm space in between each bin;

- d) recommended minimum height of the enclosure is 1200mm and minimum recommended depth is 930mm;
- e) there must be no lip on the concrete slab of the bin enclosure;
- f) the bin enclosure must be screened from the frontage and dwellings;
- g) the bin enclosure must be constructed to the satisfaction of Council's Waste Services Co-ordinator prior to occupancy of the dwellings.

Engineering

- 5. Soil and water management is to comply with best practice to prevent any transfer of soil material outside of the area specifically and necessarily disturbed for construction. Particular attention is to be paid to ensure no soil material is tracked onto roads and footpaths or to enter the Council's stormwater system. All aspects and protection measures in connection with soil and water management are to comply with the requirements of Council's Development Engineer and be installed prior to the removal of and/or disturbance of any soil or vegetation.
- 6. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
- 7. Two (2) clearly marked car parking spaces (one dedicated to each dwelling) must be provided and kept available for these purposes at all times prior to occupancy of the second dwelling unit. Car parking spaces, manoeuvring areas and aisles must be provided in accordance with the Australian Standard AS 2890.1 – 2004 Off-Street Parking.
- 8. Driveways and car parking areas must be constructed and sealed with an approved impervious surface treatment prior to occupancy of the second dwelling. The driveway and parking areas must be kept clear of obstructions, such as service authority infrastructure, letterboxes or bin enclosures, so that vehicle paths are not restricted.
- 9. To meet minimum sight lines for pedestrian safety as required under clause 3.2.4 sight distance at access driveway exists of the Australian Standard, Off-Street Car parking, AS 2890.1 – 2004; the fence and any obstruction either side of the access within the sight triangle is not permitted, as to not obstruct sightlines for pedestrian safety when vehicles are exiting the site in accordance with this standard.
- 10. The front boundary fence in the vicinity of the Elwick and Grove Road intersection must not exceed one meter in height to ensure sightlines are not compromised in accordance with the Australian Standard, Off-Street Car parking, AS 2890.1 – 2004.

11. All internal hydraulic service works required for the development shall be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor.

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 should ensure that the needs of all providers including TasWater, TasGas, TasNetworks, and Telstra are catered for both in the design and construction of the works.

Attachments/Annexures

- 1 GPA Attachment - 36 Elwick Road, Glenorchy



APPENDIX

11.0 Inner Residential Zone

Standard	Acceptable Solution	Proposed	Complies?
11.4 Development Standards for Buildings and Works			
11.4.1 Residential density for multiple dwellings	A1 Multiple dwellings must have a site area per dwelling of not less than 200m ² and not more than 400m ² .	Land 647m ² / 2 = 323.5m ²	Yes
11.4.2 Setbacks and building envelope	A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is: (a) at least 3m, or, if the setback from the frontage is less than 3m, not less than the setback from the frontage of any existing dwelling on the site; (b) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street.	The additional dwelling would have a setback from the secondary frontage of 3m.	Yes
	A2 A garage or carport must have a setback from a frontage of at least: (a) 4m, or alternatively 1m behind the façade of the dwelling; or (b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.	Not proposed	NA

Standard	Acceptable Solution	Proposed	Complies?
	A3 A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must: (a) be contained within a building envelope (refer to diagrams 11.4.2A, 11.4.2B, 11.4.2C and 11.4.2D) determined by: (i) a distance equal to the permitted frontage setback or, for an internal lot, a distance of 3m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 3m from the rear boundary; to a building height of not more than 9.5 m above natural ground level; and (b) only have a setback within 1.5 m of a side boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or (ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).	Primary frontage: 4.5m Secondary frontage: 3m Side setback S: 3.465m Side setback W: 1.5m (wall height less than 4.5m)	Yes
11.4.3 Site coverage and private open space	A1 Dwellings must have: (a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and (b) for multiple dwellings, a total area of private open space of not less than 50m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and	a) Site coverage: 39% b) More than 50m² c) Impervious free area 50.28%	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(c) a site area of which at least 25% of the site area is free from impervious surfaces.		
	A2 A dwelling must have an area of private open space that: (a) is in one location and is at least: (i) 24 m²; or (ii) 12 m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (b) has a minimum horizontal dimension of: (i) 3 m; or (ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and (d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and (e) located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of 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.	See report	No – discretion
11.4.4 Sunlight and overshadowing	A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west and 30 degrees east of north (see Diagram 11.4.4A).	The proposed dwelling would have a living room window facing 30° west of north, which complies.	Yes
	A2 A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling	Not to the north	NA

Standard	Acceptable Solution	Proposed	Complies?
	on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 11.4.4A), must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 11.4.4B): (i) at a distance of 3 m from the window; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.		
	A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 11.4.3, must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 11.4.4C): (i) at a distance of 3 m from the northern edge of the private open space; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of:	Not to the north	NA

Standard	Acceptable Solution	Proposed	Complies?
	(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.		
11.4.5 Width of openings for garages and carports	A1 A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).	No garages are proposed	NA
11.4.6 Privacy for all dwellings	A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: (a) side or rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the boundary; and (b) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m: (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.	None proposed	NA
	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:	Floor level is less than 1m above NGL	NA

Standard	Acceptable Solution	Proposed	Complies?
	(i) is to have a setback of at least 3 m from a side or rear boundary; and (ii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iii) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site. (b) the window or glazed door: (i) is to be offset, in the horizontal plane, at least 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.		
	A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least: (a) 2.5 m; or (b) 1 m if: (i) it is separated by a screen of at least 1.7 m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.	Each dwelling has its own parking within 1m of a side wall.	Yes

Standard	Acceptable Solution	Proposed	Complies?
11.4.7 Frontage Fences	A1 A fence (including a free-standing wall) within 3 m of a frontage must have a height above natural ground level of not more than: (a) 1.2 m if the fence is solid; or (b) 1.5 m, if any part of the fence that is within 3m of a primary frontage has openings above a height of 1.2m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).	A new fence is proposed along the private outdoor space of the additional dwelling on the Grove Road frontage. The fence would be 1.8m with 30% transparency above 1.2m and is on a secondary frontage.	No – discretion
11.4.8 Waste Storage for multiple dwellings	A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m ² per dwelling and is within one of the following locations: (a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) in a communal storage area with an impervious surface that: (i) has a setback of at least 3 m from a frontage; and (ii) is at least 5.5 m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2m above the finished surface level of the storage area.	The bins would be stored at the end of the parking area between the dwellings. Whilst Waste Management does not require a communal bin storage area as there would be no shared bins, the site plan shows a communal storage area. The storage area is not 5.5m from the dwellings, and the plan does not show screening. For details please see report.	No -discretion

APPENDIX

E5 Road and Railway Assets Code

Standard	Acceptable Solution	Proposed	Complies?
5.5 Use Standards			

Standard	Acceptable Solution	Proposed	Complies?
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
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.	

Standard	Acceptable Solution	Proposed	Complies?
5.6 Development Standards			
E5.6.1 Development adjacent to roads and railways	A1.1 Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h: (a) new buildings; (b) other road or earth works; and (c) building envelopes on new lots.	Not an applicable standard.	
	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.		

Standard	Acceptable Solution	Proposed	Complies?
E5.6.2 Road accesses and junctions	A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h	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.	
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.		No
E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability	A1 Car parking spaces provided for people with a disability must: (a) satisfy the relevant provisions of the Building Code of Australia; (b) be incorporated into the overall car park design; (c) be located as close as practicable to the building entrance.	Not an applicable standard.	
E6.6.3	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	Not an applicable standard.	

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

Standard	Acceptable Solution	Proposed	Complies?
	Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.		
E6.7.3 Vehicular Passing Areas Along an Access	A1 Vehicular passing areas must: (a) be provided if any of the following applies to an access: (i) it serves more than 5 car parking spaces; (ii) is more than 30 m long; (iii) it meets a road serving more than 6000 vehicles per day; (b) be 6 m long, 5.5 m wide, and taper to the width of the driveway; (c) have the first passing area constructed at the kerb; (d) be at intervals of no more than 30 m along the access.	Not an applicable standard.	
E6.7.4 On-Site Turning	A1 On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following: (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 - conditioned

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

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

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

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

Standard	Acceptable Solution	Proposed	Complies?
	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 m²; (b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots.	Not an applicable standard.	
	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 - conditioned
	A4 A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.		Yes

**10. PROPOSED USE AND DEVELOPMENT - ONE LOT PLUS
BALANCE SUBDIVISION - 26 MAIN ROAD CLAREMONT**

Author: Planning Officer (Chantelle Griffin)

Qualified Person: Planning Officer (Chantelle Griffin)

Property ID: 5330025

REPORT SUMMARY

Application No.:	PLN-20-542
Applicant:	PDA Surveyors
Owner:	R J Martin
Zone:	Inner Residential
Use Class	Residential, Subdivision
Application Status:	Discretionary
Discretions:	Clause 9.7 Subdivision and Clause 11.5.1 Lot Design (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	Extension granted until 22 Jan 2021
Existing Land Use:	Single Dwelling
Representations:	1
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The proposal would create a one lot subdivision plus balance for an existing parcel of land that will have access via Amber Street.

The existing property consists of 993m² with a single dwelling and associated outbuildings. The original residence is to be retained on the portion fronting Main Road and will form the balance lot of 723m². A new driveway will be located via the south-east boundary adjoining Amber Street. This will accommodate the parking of two vehicles for the existing dwelling.

Lot 1 will consist of a total area of 270m². The lot will include the existing access along the south-west side boundary and an extension to the stormwater service main to provide a connection to the site (figure 1).

The proposal would be reliant on performance criteria for Clause 11.5.1 for lot design.

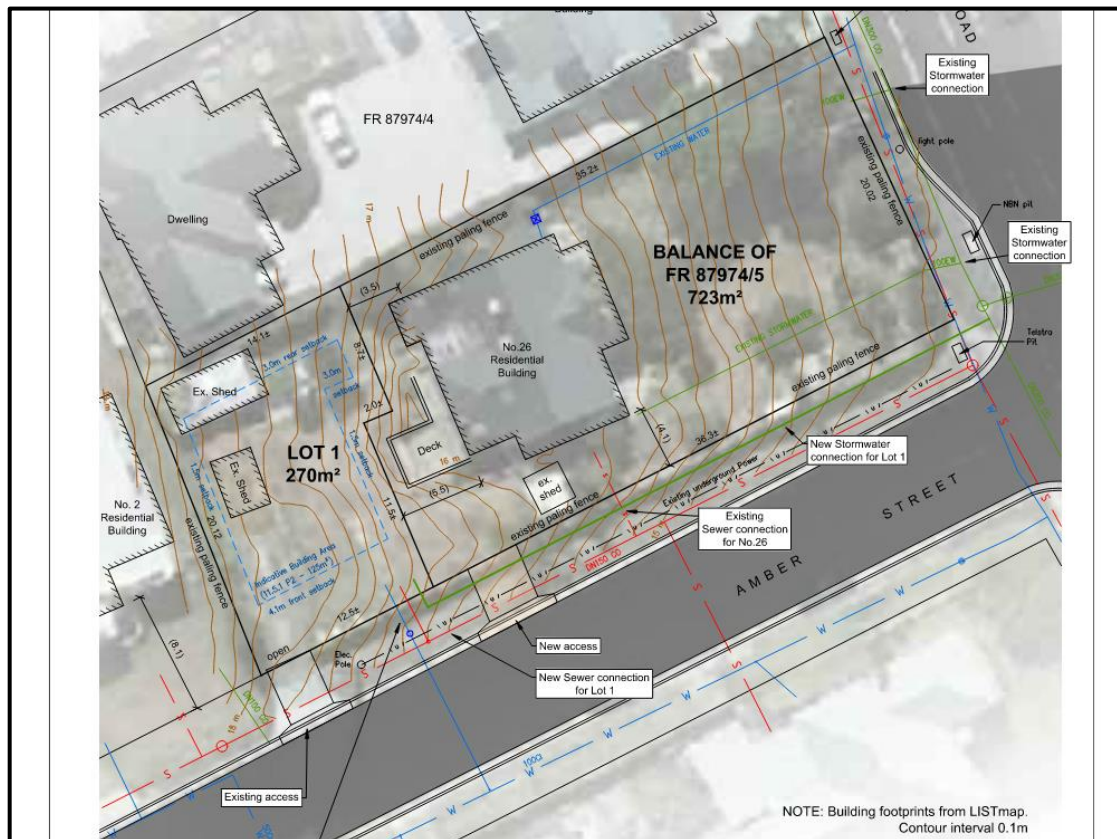


Figure 1: Site plan of 26 Main Road, Claremont.

SITE and LOCALITY

The property is located on the eastern corner of Main Road and Amber Street, Claremont. The land is situated opposite Claremont Recreation Ground and is in close proximity to the Claremont shopping area.

The property has the original dwelling located on the middle of the site. Several detached outbuildings are located between the dwelling and the south-west side boundary.

The property has a moderate slope, with an average gradient of 1 in 10 falling to the north-east. The site is rectangular in shape, with a combined frontage of 68.82m, an average depth of 49m and a total area of 993m².

The property is surrounded by single dwellings and multiple dwellings in a residential area. The site lies adjacent the Utilities zone for the Main Road and across from the Claremont Recreation Ground. The General Business zone is further to the north (Figure 2).



Figure 2: Aerial of 26 Main Road, Claremont.

ZONE

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

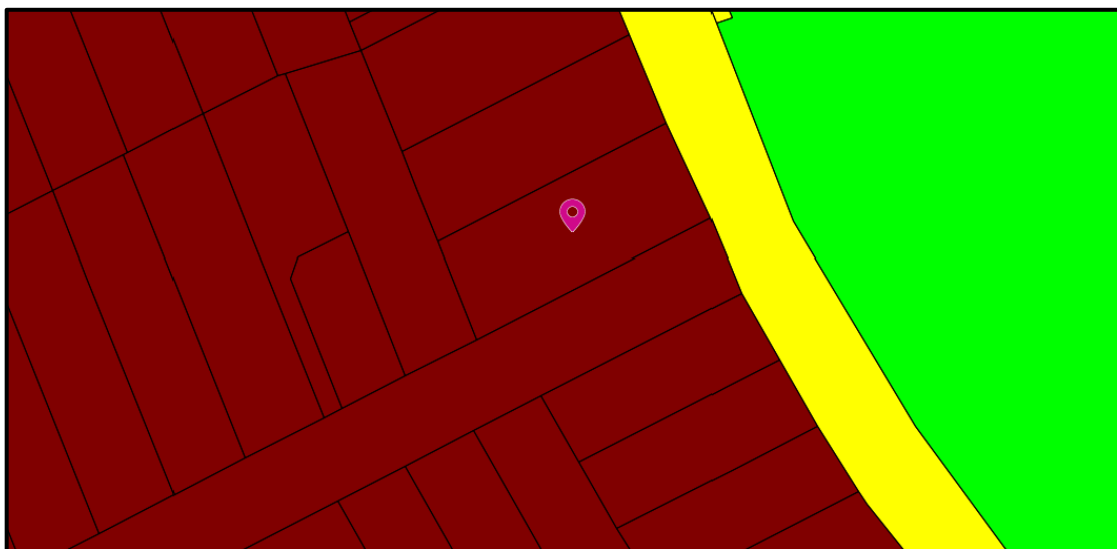


Figure 3: Inner Residential Zone 26 Main Road, Claremont.

BACKGROUND

No background on file relevant to the assessment.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil.

Limited Exemptions

Nil.

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

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

Use Class Description (Table 8.2):

Not applicable because the proposal is for subdivision.

Other relevant definitions (Clause 4.1):

Subdivision is defined as the following in Clause 4.1 of the Glenorchy Interim Planning Scheme 2015:

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

Subdivide is defined as the following in Clause 4.1 of the Glenorchy Interim Planning Scheme 2015:

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

- (a) a lease of a building or of the land belonging to and contiguous to a building between the occupiers of that building;*
- (b) a lease of airspace around or above a building;*
- (c) a lease of a term not exceeding 10 years or for a term not capable of exceeding 10 years;*

- (d) *the creation of a lot on a strata scheme or a staged development scheme under the Strata Titles Act 1998; or*
- (e) *an order adhering existing parcels of land.*

Discretionary Use or Development (Clause 8.8):

The application is discretionary under Clause 8.8 as follows:

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

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

The proposal is discretionary under (b) and (c) above as it relies on a discretion in the Special Provisions and Performance Criteria because it does not meet the following Acceptable Solutions and a provision of the Scheme:

- Clause 9.7.2 Subdivision (for subdivision)
- Clause 11.5.1 A2, A3 and A5 Lot design (for Lot 1)

Part C: Special Provisions

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

9.4 Demolition

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

Unless approved as part of another development or prohibited by another provision, an application for demolition may be approved at the discretion of the planning authority having regard to:

- (a) the purpose of the applicable zone;
- (b) any relevant local area objective or desired future character statement of the applicable zone;
- (c) the purpose of any applicable code; and
- (d) the purpose of any applicable specific area plan.

The proposal will involve demolition of the detached outbuildings on the site for the subdivision. There are no applicable local area objectives or desired future character statements. The demolition would enable the potential for residential use and development in the future and will form part of the subdivision application. Therefore, it is considered that proposal would be acceptable in this instance.

9.7 Subdivision

The proposal includes subdivision, therefore Clause 9.7 of the Scheme applies:

9.7.1

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

9.7.2

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

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

The proposed subdivision is discretionary in accordance with Clause 9.7.2.

Part D: Zones

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

Zone Purpose Statements

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

11.1.1.1

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

11.1.1.2

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

11.1.1.3

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

11.1.1.4

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

The proposed subdivision would provide for a variety of residential uses and dwelling types close to services and facilities, encourage residential development at higher densities, and would provide opportunity for alternative forms of housing. The proposal would be compatible and primarily serve the local community. Therefore,

the proposal is considered to be in accordance with the zone purpose statement in Clause 11.1.1 of the Scheme.

Use Table

The proposed subdivision is for a residential purpose. Residential uses in this zone can be no permit required if a single dwelling and permitted if for multiple dwellings.

Development Standards for Subdivisions

Clause 11.5.1 – Standard A2, Lot Design

There is no acceptable solution, in accordance with Clause 11.5.1 – Standard A2. The proposal is considered in accordance with the performance criteria:

The design of each lot must contain a building area able to satisfy all of the following:

- (a) be reasonably capable of accommodating residential use and development at a density of no lower than one dwelling unit per 250 m² of site area;*
- (b) meets any applicable standards in codes in this planning scheme;*
- (c) enables future development to achieve reasonable solar access, given the slope and aspect of the land and the intention for density of development higher than that for the General Residential Zone.*

The proposed lot will provide for a building area of approximately 125m² and therefore is reasonably capable of accommodating residential use and development and complies with the density requirement of one dwelling per 250m².

The proposal will enable the future development to achieve reasonable solar access with a higher density than the General Residential zone and would meet the standards of the Scheme. The proposal has been designed to meet the standards of the Parking and Access Code and the Stormwater Management Code. Therefore, it is considered that reliance on the performance criteria would be acceptable in this instance, to comply with the standard.

Clause 11.5.1 – Standard A3, Lot Design

There is no acceptable solution, in accordance with Clause 11.5.1 – Standard A3. The proposal is considered in accordance with the performance criteria:

The frontage of each lot must satisfy all of the following:

- (a) provides opportunity for practical and safe vehicular and pedestrian access;*
- (b) is no less than 6 m except if an internal lot.*

The proposed lot is located on a “no through” road and has been designed to provide safe vehicular and pedestrian access. The proposed lot will have a frontage of 12.5m.

Therefore, it is considered that reliance on the performance criteria would be acceptable in this instance, to comply with the standard.

Clause 11.5.1 – Standard A5, Lot Design

There is no acceptable solution, in accordance with Clause 11.5.1 – Standard A5. The proposal is considered in accordance with the performance criteria:

Arrangement and provision of lots must satisfy all of the following;

- (a) *have regard to providing a higher net density of dwellings along;*
 - (i) *public transport corridors;*
 - (ii) *adjoining or opposite public open space, except where the public open space presents a hazard risk such as bushfire;*
 - (iii) *within 200 m of business zones and local shops;*
- (b) *will not compromise the future subdivision of the entirety of the parent lot to the densities envisaged for the zone;*
- (c) *staging, if any, provides for the efficient and ordered provision of new infrastructure;*
- (d) *opportunity is optimised for passive surveillance between future residential development on the lots and public spaces;*
- (e) *is consistent with any applicable Local Area Objectives or Desired Future.*

The proposed lot will result in a higher density within close proximity to public transport. The proposal will provide for a balance lot with two frontages and sufficient size and width to enable future development at a density envisaged by the zone. The proposal will be utilising existing infrastructure with the extension to the stormwater main in an orderly manner within the road reserve. The proposed lot will be designed to have a large frontage with the potential to maximise the opportunity for passive surveillance between the future residential development and the public road reserve. Therefore, it is considered that reliance on the performance criteria would be acceptable in this instance, to comply with the standard.

Part E: Codes

The following codes of the Scheme apply to this proposal:

E5.0 Road and Railway Assets Code

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

E6.0 Parking and Access Code

The proposal is not exempt under Clause E6.4. However, the proposal complies with the acceptable solutions of the standards in Section E6.0. Conditions have been recommended for the driveways to each lot and parking for the balance lot.

E7.0 Stormwater Management Code

The proposal is not exempt under Clause E7.4. However, the proposal complies with the acceptable solutions of the standards in Section E7.0. Conditions have been recommended to ensure the extension to the stormwater main will service a majority of Lot 1.

PART F: Specific Area Plans

No Specific Area Plans apply to this assessment.

INTERNAL REFERRALS

Development Engineer

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

This application proposes to subdivide the land by creating one additional lot and the balance lot. The balance lot will contain the existing dwelling and is 723m², while the new lot is located at the rear of the site, is vacant and 270m² in size. Services are available to fully service each allotment.

E5.0 Road and Railway Assets Code

The development complies with Code E5 Road and Railway Assets Code; and the safety and efficiency of the road is not expected to reduce by the proposed development. The development is not expected to increase vehicle movements, to and from the site, over 40 vehicle movements and therefore complies with the Acceptable solution A3 of E5.5.1. The site will be accessed off the existing vehicle crossing; this complies with A1 and A2 under the Clause E5.6.2.

E6.0 Parking and Access Code

The development will require two (2) parking spaces to be provided for the balance property (existing house) to comply with Code E6 Parking and Access Code, and is considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected.

E7.0 Stormwater Management Code

The development meets the requirements in the Stormwater Management Code. There is a proposal to construct a new service to the proposed new lot with a new connection to the existing 300 dia. GCC stormwater main on the corner of Main Road and Amber Street.

Other

E3.0 Landslide Code

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

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

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

E15.0 Inundation Prone Areas Code

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

EXTERNAL REFERRALS

TasWater

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

TasNetworks

The application was referred to TasNetworks, which is supportive of the proposal.

REPRESENTATIONS

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

1. Loss of view

The representor states that the views from the neighbouring living area on the south-west side looking toward the village green, River Derwent and beyond would be lost.

Planner's Comment:

Unfortunately, the neighbouring view is not a matter that can be assessed under the Planning Scheme. However, a future building would be assessed separately under the provisions of the Scheme. Therefore, this is not a planning issue that can be considered as part of the subdivision application.

2. Loss of Privacy

The representor states that privacy of the adjoining dwelling to the south-west would be impacted.

Planner's Comment:

The proposal has demonstrated that a building area of approximately 8.95m x 13.57m would be able to be provided clear of the minimum setbacks for a future dwelling. However, if the design of the future building relies on the performance criteria for privacy this would be assessed as a separate application at that time. Therefore, this is not a planning issue that can be considered as part of the subdivision application.

CONCLUSION

The proposal is relying on the performance criteria to comply with the acceptable standards of the Scheme in relation to lot design.

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

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

The application was publicly advertised for the statutory 14-day period and one representation was received raising concerns regarding loss of view and privacy.

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

Recommendation:

That a permit be granted for the proposed use and development of one lot plus balance subdivision at 26 Main Road Claremont subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-20-542 and Drawing submitted on 19 November 2020, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2020/02062-GCC, dated 10 December 2020, form part of this permit.
3. All outbuildings located on the new lot (Lot 1) must be removed, to the approval of Council's Senior Statutory Planner prior to the sealing of the plan of subdivision.

Engineering

4. Prior to the issuing of a Building Approval or the commencement of works on site, including demolition (whichever occurs first), submit a Soil and Water Management Plan detailing proposed sediment and erosion control measures to the satisfaction of Council's Development Engineer. The approved control measures must be installed prior to any disturbance of soil or construction activity such as concrete cutting, demolition and must be regularly inspected and maintained during the construction and demolition period to prevent soil

and other materials entering the local stormwater system, roadways or adjoining properties.

The approved control measures must remain in place until such time as all construction activity likely to generate sediment has been completed or all disturbed areas have been stabilised using vegetation and/or restored or sealed to the satisfaction of the Council. The approved Soil and Water Management Plan (SWMP) forms part of this permit and must be complied with.

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

5. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
6. The developer must, prior to the sealing of the survey diagram, extend Council stormwater infrastructure located at the corner of Main Road and Amber Street so that it services the new lot subject of this approval. This extension must be a 150mm stormwater main. Prior to undertaking these works the developer must submit engineering drawings of the proposed works for the approval of Council's Development Engineer. The engineering drawings submitted for approval must be certified by a qualified and experienced engineer, show in both plan and long-section the proposed extension to the stormwater main, including but not limited to, connections, flows, clearances, cover, gradients, sizing, material, pipe class, easements and inspection openings. Following the installation of the new stormwater infrastructure and prior to backfilling of the trench, the applicant must contact Council's Development Engineer on (03) 6216 6800 to arrange an inspection of the works.
7. The developer must, prior to the sealing of the survey diagram subject of this approval, provide a 150mm stormwater connection to the extended stormwater main in accordance with the approved plans. The stormwater connection must be constructed by a suitably qualified person to the satisfaction of Council. Prior to undertaking these works the developer must complete a Stormwater Connection Request Form.

Advice: A copy of the Stormwater Connection Request Form can be obtained via Council's Customer Service or via Council's website <https://www.gcc.tas.gov.au/planning-anddevelopment/plumbing/plumbing-forms.aspx>, which also outlines the process and conditions for the stormwater connection.

Advice: All works to be undertaken within the road reservation will require an approved Road Opening Permit issued by Council prior to the commencement of any works on the site.

8. The design and construction of the access to the balance lot must generally comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004, to the satisfaction of the Council's Development Engineer. Drawings showing the design of the driveway must be submitted prior to the commencement of works on site for approval by Council's Development Engineer. The proposed driveway and parking area must comply with the following:-
 - a) Be constructed to a sealed finish and the finished gradient must not exceed the maximum gradient of 25%;
 - b) Two (2) car parking spaces are to be provided for the existing dwelling clearly marked and must be provided and kept available for these purposes at all times;
 - c) Vertical alignment shall include transition curves (or straight sections) to the Australian Standard, Parking facilities - Part 1: Off-Street Carparking AS 2890.1 - 2004, Clause 2.5.3 (d) at all grade changes greater than 12.5%;
 - d) All runoff from newly constructed paved and driveway areas must be discharged into Council's stormwater system;
 - e) Minimum carriageway width is to be no less than 3.0 metres.

The new driveway crossing is to be constructed at a width to accommodate the access required to service the parking area and is to be in accordance with Municipal Standard Drawing TSD-R09-v3.

The approved design of the driveway, parking, access and turning areas must be installed prior to the sealing of the survey diagram.

9. A detailed estimate for the works must be provided and payment of the engineering assessment fee must be made prior to the issue of approved engineering drawings. Under Council Resolution Nov 10/03, the engineering assessment fee is 1% of the value of the works or minimum of \$306. This amount is subject to annual adjustment in accordance with the Council Fees and Charges Register. Construction must not commence until the approved engineering plans have been issued.
10. The developer must pay to Council to complete the measure up and record "as constructed" data for all services and connections prior to the works being placed on maintenance or the sealing of a final plan.
11. Prior to sealing of the plan of subdivision, all approved subdivision infrastructure works must be completed in accordance with the approved engineering plans and the requirements of Council's Development Engineer. Financial guarantees

covering the cost of the uncompleted and unsecured works prior to the completion of approved Council infrastructure will not be permitted to be lodged.

12. Private sewer, stormwater and water services/connections are to be entirely separate to each lot in order to ensure that they are contained entirely within the lots served. Power and telephone connections must also be contained within their respective lots. A detailed services plan showing both the existing and the proposed (or as built) private services, Council mains and access to all lots on the site must be prepared by a civil engineer or a qualified designer and submitted to the Council for approval prior to the sealing of the final plans. In particular, the developer must confirm the position of any services that may be affected by the subdivision.
13. In order to satisfy the above condition on the separation of services, the developer must verify compliance by supplying the Council with a services plan clearly indicating the location and details of all relevant services (entirely contained within their respective lots) and also a covering letter, where the Council is advised in writing that all the relevant engineering work required in these planning permit conditions have been satisfactorily completed, prior to the sealing of the final plan. Any final plan submitted for sealing cannot be fully processed unless it is accompanied by documentation by a qualified person that clearly certifies that this condition has been satisfied and that all the work required by this condition has been completed. A “qualified person” must be a professional engineer or professional surveyor or other persons acceptable to Council. Applicants or their agents should take notice that unless this condition is satisfactorily complied with, then documents submitted for sealing of the final plans will not be processed.
14. The property owner is to ensure that Council’s Road Assets and Infrastructure are protected during the demolition and construction process. The owner is to ensure that damage to road assets, footpaths, kerb and channel, drainage pits, nature strips and other services is kept to a minimum and any damaged assets are reinstated. Should damages occur, the repair costs associated with such damages are the responsibility of the property owner.

If reinstatement works are not undertaken promptly or to Councils satisfaction, Council may elect to reinstate or rectify any defects and recover the expenses reasonably incurred in doing so from the property owner.

Advice to Applicant

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

Underground Services

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

Other Permits

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

Attachments/Annexures

- 1 GPA Attachment - 26 Main Road Claremont



APPENDIX 1

11.0 Inner Residential Zone

Standard	Acceptable Solution	Proposed	Complies?
11.3 Use Standards			
11.3.1 Non-Residential Use	A1 Hours of operation must be within 8.00 am to 6.00 pm, except for office and administrative tasks or visitor accommodation.	Not applicable.	N/A
	A2 Noise emissions measured at the boundary of the site must not exceed the following: (a) 55 dB(A) (LAeq) between the hours of 8.00 am to 6.00 pm; 55 dB(A) (LAeq) between the hours of 8.00 am to 6.00 pm; (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 6.00 pm to 8.00 am; 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 6.00 pm to 8.00 am; (c) 65dB(A) (LAm _{ax}) at any time. 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.	Not applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
	Noise levels are to be averaged over a 15 minute time interval.		
	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; be turned off between 6:00 pm and 8:00 am, except for security lighting; (b) be turned off between 6:00 pm and 8:00 am, except for security lighting; security lighting must be baffled to ensure they do not cause emission of light into adjoining private land.	Not applicable.	N/A
	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; 7.00 am to 5.00 pm Mondays to Fridays inclusive; (b) 9.00 am to 12 noon Saturdays; 9.00 am to 12 noon Saturdays; (c) nil on Sundays and Public Holidays. nil on Sundays and Public Holidays.	Not applicable.	N/A
11.3.2 Visitor Accommodation	A1 Visitor accommodation must comply with all of the following: (a) is accommodated in existing buildings is accommodated in existing buildings; (b) provides for any parking and manoeuvring spaces required pursuant to the parking and Access Code on-site;	Not applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
	provides for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site; (c) has a floor area of no more than 160m² has a floor area of no more than 160m².		
11.3.3 Local Shop	A1 A local shop must comply with both of the following: (a) have a gross floor area no more than 200m²; (b) not displace an existing residential use.	Not applicable.	N/A
11.4 Development Standards for Buildings and Works			
11.4.1 Residential density for multiple dwellings	A1 Multiple dwellings must have a site area per dwelling of not less than 200m² and not more than 400m².	Not applicable.	N/A
11.4.2 Setbacks and building envelope	A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is: (a) at least 3m, or, if the setback from the frontage is less than 3m, not less than the setback from the frontage of any existing dwelling on the site; (b) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street.	Not applicable.	N/A
	A2 A garage or carport must have a setback from a frontage of at least: (a) 4m, or alternatively 1m behind the façade of the dwelling; or	Not applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
	(b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.		
	A3 A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must: (a) be contained within a building envelope (refer to diagrams 11.4.2A, 11.4.2B, 11.4.2C and 11.4.2D) determined by: (i) a distance equal to the permitted frontage setback or, for an internal lot, a distance of 3m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 3m from the rear boundary; to a building height of not more than 9.5 m above natural ground level; and (b) only have a setback within 1.5 m of a side boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or (ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).	Complies.	Yes
11.4.3 Site coverage and private open space	A1 Dwellings must have: (a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and	Complies.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(b) for multiple dwellings, a total area of private open space of not less than 50m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and (c) a site area of which at least 25% of the site area is free from impervious surfaces.		
	A2 A dwelling must have an area of private open space that: (a) is in one location and is at least: (i) 24 m²; or (ii) 12 m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (b) has a minimum horizontal dimension of: (i) 3 m; or (ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and (d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and (e) located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of 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.	Complies. Existing.	Yes
11.4.4	A1	Not applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
Sunlight and overshadowing	A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west and 30 degrees east of north (see Diagram 11.4.4A).		
	A2 A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 11.4.4A), must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 11.4.4B): (i) at a distance of 3 m from the window; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.	Not applicable.	N/A
	A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 11.4.3, must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 11.4.4C): (i) at a distance of 3 m from the northern edge of the private open space; and	Complies.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.		
11.4.5 Width of openings for garages and carports	A1 A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).	Not applicable.	N/A
11.4.6 Privacy for all dwellings	A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: (a) side or rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the boundary; and (b) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m: (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.	Not applicable.	N/A

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 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b): (a) the window or glazed door: (i) is to have a setback of at least 3 m from a side or rear boundary; and (ii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iii) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site. (b) the window or glazed door: (i) is to be offset, in the horizontal plane, at least 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.	Not applicable.	N/A
	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:	Not applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
	(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.		
11.4.7 Frontage Fences	A1 A fence (including a free-standing wall) within 3 m of a frontage must have a height above natural ground level of not more than: (a) 1.2 m if the fence is solid; or (b) 1.5 m, if any part of the fence that is within 3m of a primary frontage has openings above a height of 1.2m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).	Not applicable.	N/A
11.4.8 Waste Storage for multiple dwellings	A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 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 3 m from a frontage; and (ii) is at least 5.5 m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2m above the finished surface level of the storage area.	Not applicable.	N/A
11.4.9 Non-dwelling development	A1 Non-dwelling development must comply with all of the following acceptable solutions as if it were a dwelling: (a) 11.4.2 A1 and A3; (b) 11.4.3 A1 (a) and (c); (c) 11.4.7 A1.	Not applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
	A2 Non-residential garages and carports must comply with all of the following acceptable solutions as if they were ancillary to a dwelling: (a) 11.4.2 A2; (b) 11.4.5 A1.	Not applicable.	N/A
	A3 Outdoor storage areas must comply with all of the following: (a) be located behind the building line; (b) all goods and materials stored must be screened from public view; (c) not encroach upon car parking areas, driveways or landscaped area.	Not applicable.	N/A
11.5 Development Standards for Subdivision			
11.5.1 Lot Design	A1 The size of each lot must comply with the minimum and maximum lot sizes specified in Table 11.1, except if for public open space, a riparian or littoral reserve or utilities.	Complies.	Yes
	A2 No Acceptable Solution	There is no acceptable solution; therefore, the proposal relies in the performance criteria.	No Refer to discussion in the report.
	A3 No Acceptable Solution	There is no acceptable solution; therefore, the proposal relies in the performance criteria.	No Refer to discussion in the report.
	A4 No lot is an Internal Lot	Not applicable.	N/A
	A5 No Acceptable Solution.	There is no acceptable solution; therefore, the proposal relies in the performance criteria.	No Refer to discussion in the report.
11.5.2 Roads	A1 The Subdivision includes no new road	Complies.	Yes
11.5.3 Ways and Public Open Space	A1 No Acceptable Solution	Not applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
11.5.4 Services	A1 Each lot must be connected to a reticulated potable water supply.	Complies.	Yes
	A2 Each lot must be connected to a reticulated sewerage system.	Complies.	Yes
	A3 Each lot must be connected to a stormwater system able to service the building area by gravity.	Complies.	Yes
	A4 The subdivision includes no new road.	Complies.	Yes

APPENDIX 2

E5 Road and Railway Assets Code

Standard	Acceptable Solution	Proposed	Complies?
5.5 Use Standards			
E5.5.1 Existing road accesses and junctions	A1 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.	Not applicable.	N/A
	A2 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.	Estimated AADT = 14.80	YES
	A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.	Not applicable.	N/A
E5.5.2 Exiting Level Crossings	A1 Where use has access across part of a rail network, the annual average daily traffic (AADT) at an existing level crossing must not be increased by greater than 10% or 10 vehicle movements per day, whichever is the greater.	Not applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
5.6 Development Standards			
E5.6.1 Development adjacent to roads and railways	A1.1 Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h: (a) new buildings; (b) other road or earth works; and (c) building envelopes on new lots.	Not applicable.	N/A
	A1.2 Buildings, may be: (a) located within a row of existing buildings and setback no closer than the immediately adjacent building; or (b) an extension which extends no closer than: (i) the existing building; or (ii) an immediately adjacent building.	Not applicable.	N/A
E5.6.2 Road accesses and junctions	A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h	Not applicable.	N/A
	A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.	Complies.	Yes

Standard	Acceptable Solution	Proposed	Complies?
E5.6.3 New Level Crossings	A1 No Acceptable Solutions.	Not applicable.	N/A
E5.6.4 Sight distance at accesses, junctions and level crossings	A1 Sight distances at: (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.	Complies.	Yes

APPENDIX 3

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.	Complies. The proposal will include a new crossover and driveway for two car parking spaces. A condition has been recommended for the balance lot.	Yes
E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability	A1 Car parking spaces provided for people with a disability must: (a) satisfy the relevant provisions of the Building Code of Australia; (b) be incorporated into the overall car park design; (c) be located as close as practicable to the building entrance.	Not applicable.	N/A
E6.6.3 Number of Motorcycle Parking Spaces	A1 The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.	Not applicable.	N/A

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

Standard	Acceptable Solution	Proposed	Complies?
	(c) have the first passing area constructed at the kerb; (d) be at intervals of no more than 30 m along the access.		
E6.7.4 On-Site Turning	A1 On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following: (a) it serves no more than two dwelling units; (b) it meets a road carrying less than 6000 vehicles per day.	Not applicable.	N/A
E6.7.5 Layout of Parking Areas	A1 The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same Standard.	Complies.	Yes
E6.7.6 Surface Treatment of Parking Areas	A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following; (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.	Complies. A condition has been recommended for the balance lot.	Yes
E6.7.7 Lighting of Parking Areas	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 “Basis of Design” and clause 3.6 “Car Parks” in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.	Not applicable.	N/A
E6.7.8 Landscaping of Parking Areas	A1 Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.	Not applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
E6.7.9 Design of Motorcycle Parking Areas	A1 The design of motorcycle parking areas must comply with all of the following: (a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) be located within 30 m of the main entrance to the building.	Not applicable.	N/A
E6.7.10 Design of Bicycle Parking Facilities	A1 The design of bicycle parking facilities must comply with all the following; (a) be provided in accordance with the requirements of Table E6.2; (b) be located within 30 m of the main entrance to the building.	Not applicable.	N/A
	A2 The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.	Not applicable.	N/A
E6.7.11 Bicycle End of Trip Facilities	A1 For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.	Not applicable.	N/A
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 applicable.	N/A
E6.7.1.13 Facilities for Commercial Vehicles	A1 Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless:	Not applicable.	N/A

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.	Complies.	Yes

APPENDIX 4

E7.0 Stormwater Management Code

Standard	Acceptable Solution	Proposed	Complies?
E7.7 Development Standards			
E7.7.1 Stormwater Drainage and Disposal	A1 Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.	Complies.	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.	Not applicable.	N/A
	A3 A minor stormwater drainage system must be designed to comply with all of the following: (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed; (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.	Complies.	Yes
	A4 A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.	New connection to be constructed.	Yes

**11. PROPOSED USE AND DEVELOPMENT - CHANGE OF USE TO
SELF-STORAGE FACILITY (STORAGE) AND OFFICES (BUSINESS
AND PROFESSIONAL SERVICES) - 52 ALBERT ROAD MOONAH**

Author: Planning Officer (Angela Dionysopoulos)

Qualified Person: Planning Officer (Angela Dionysopoulos)

Property ID: 5403773

REPORT SUMMARY

Application No.:	PLN-20-519
Applicant:	ERA Planning & Environment
Owner:	BGHO Pty Ltd
Zone:	General Business
Use Class	Business and Professional Services & Storage
Application Status:	Discretionary
Discretions:	21.2 Use Table, E6.6.1 Number of Car Parking Spaces (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	27 January 2021
Existing Land Use:	Bulky goods sales
Representations:	One
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The application proposes a change in use to establish a self-storage facility (Storage) and offices (Business and professional services).

Internal alterations are proposed to accommodate the proposed uses within an existing building.

The proposed, 880m² Storage use includes sixty-seven self-storage units across two levels, with an associated toilet. Three car parking spaces and one internal loading bay are proposed at the northern end of the site, to service the proposed Storage use, with vehicular access via a Council-owned carpark.

The proposed, 202m² Business and professional services use includes nine offices along with an associated meeting room, kitchen and two toilets. Two existing car parking spaces located at the southern end of the site are to service the proposed offices, and will utilise an existing access to Albert Road.

The application includes provision for two, 2m² Wall Signs, to be attached to the north and west elevations of the existing building.

The proposed hours of operation specified in the application are 7am to 7pm, seven days per week. The proposed hours of operation are not differentiated between the two proposed uses.

SITE and LOCALITY

The site is a 716m², rectangular lot with an essentially level gradient of approximately 1 in 31 (Figure 1). The site contains an existing warehouse building with a footprint of approximately 574m².

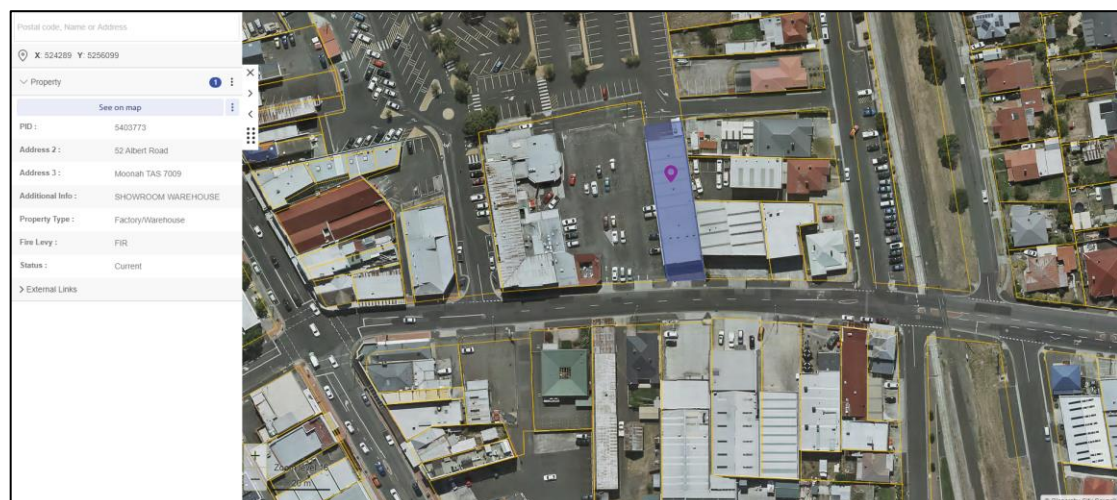


Figure 1 - Aerial photograph of the site (highlighted) and surrounds – Council database 2019

The locality is characterised by established, mixed use development including showrooms, factories, warehouses, offices, dwellings and a restaurant, all in close proximity to the Main Road Moonah retail precinct. The site adjoins a hotel to the west; a rail corridor and intercity cycleway are approximately 58m to the east; and a Council-owned carpark adjoins the site's rear, northern boundary.

ZONE

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

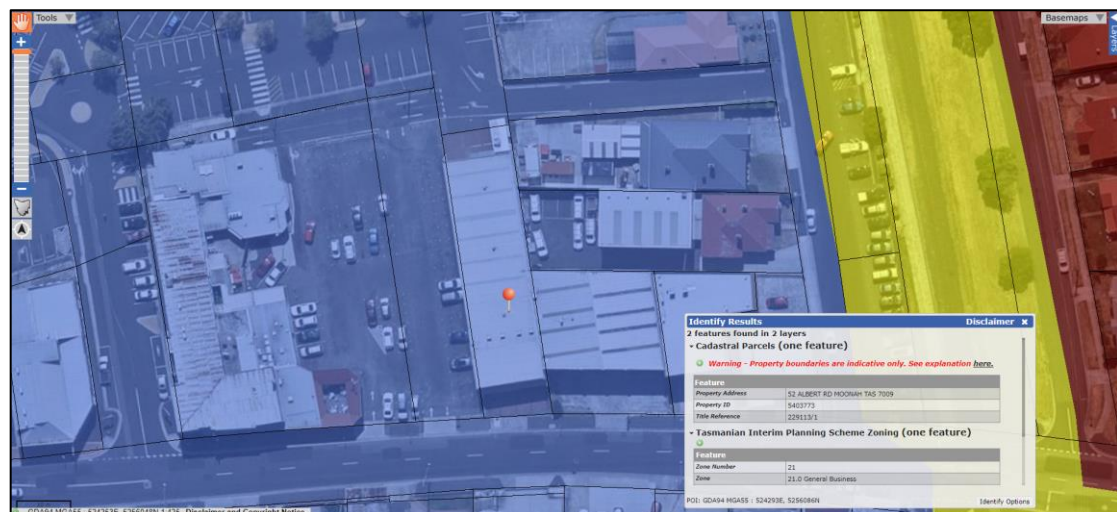


Figure 2 - The site is in the General Business Zone (blue) – Glenorchy Interim Planning Scheme 2015

BACKGROUND

- DA 132/85 Showroom for Retail Warehouse approved 28/01/1986. The permit included a condition requiring provision of five car parking spaces. No signage was approved.
- PLAM-20/01 Planning Scheme amendment for a site-specific qualification to allow for storage approved 13/10/2020.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil.

Limited Exemptions

Nil.

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

No Specific Area Plan applies. The Parking and Access Code applies, and therefore prevails over the Zone provisions, in the case of any conflict.

Use Class Description (Table 8.2):

Business and professional services means use of land for administration, clerical, technical, professional or similar activities. Examples include a bank, call centre, consulting room, funeral parlour, medical centre, office, post office, real estate agency, travel agency and veterinary centre.

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

Other relevant definitions (Clause 4.1):

Act means the *Land Use Planning and Approvals Act 1993*.

Gross floor area means the total floor area of the building measured from the outside of the external walls or the centre of a common wall.

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

Self storage means use of land to store goods in individual enclosed compartments.

For the 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.

For the purposes of the Signs Code:

Wall Sign means a sign painted on or attached parallel to the wall of a building or fence surrounding a building.

Part C: Special Provisions

No special provisions of the Scheme apply to this proposal.

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

The purpose of the General Business Zone is to: provide for business, community, food, professional and retail facilities serving a town or group of suburbs; 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; 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; facilitate residential use above ground floor level; ensure development is highly accessible by public transport, walking and cycling; and provide a safe, comfortable and pleasant environment for workers, residents and visitors through the provision of high quality urban spaces and urban design.

The proposal accords with the Zone purpose as it provides for a business facility that adds to the range of services in the area, provides employment, is highly accessible by alternative transport modes and does not alter the existing urban space and urban design on the site.

Use Table

Any permitted use has No Permit Required status, only if replacing an existing use on the site and there is no associated development requiring a permit.

No development requiring a permit in its own right is proposed, and an existing use for Bulky goods sales was previously approved. Business and professional services use for offices has Permitted status in the Zone, and would therefore have No Permit Required status.

However, Storage use has Discretionary status in the Zone, if for self-storage on the land described as 52 Albert Road, Moonah; otherwise, Storage use in the Zone is prohibited. The application is therefore Discretionary. The application is also discretionary for reliance on performance criteria for compliance with the standard for Number of Car Parking Spaces.

Use Standards

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

Development Standards for Buildings or Works

No external building development is proposed, and none of the Zone development standards apply.

Part E: Codes

The following codes of the Scheme apply to this proposal.

E5.0 Road and Railway Assets Code

The Road and Railway Assets Code applies to use or development that intensifies the use of an existing access; requires a new crossing or junction; or that involves a sensitive use or development within 50m of certain road or railway assets.

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

E6.0 Parking and Access Code

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

E6.6.1 Number of Car Parking Spaces (A1)

Acceptable Solution A1 requires, for Storage use, one car parking space for each 100m² of floor area and one space for each 40m² of ancillary office floor area; and for office use, one space for each 30m² of floor area.

A floor area of approximately 770.5m² (being the gross floor area, excluding the area of stairs, loading bays and hoist machinery) is proposed for Storage use, with no associated ancillary office area specified. The proposed Storage use generates a car parking requirement of eight spaces. Three spaces are proposed, resulting in a shortfall of five spaces for the proposed Storage use.

A floor area of 202m² is proposed for office (Business and professional services) use, generating a car parking requirement of seven spaces. Two spaces are proposed for the use, representing a shortfall of five spaces.

In total, five parking spaces are proposed, representing a shortfall of ten parking spaces.

It is noted that the Traffic Impact Assessment (TIA) for the proposal, and the Development Engineer's referral, calculated the number of parking spaces for the proposed offices on the basis of the offices being ancillary to the proposed storage. However, the planning report provided for the application seeks approval for the

proposed offices as Business and professional services use, rather than as ancillary to the proposed Storage use. However, Council's Traffic Engineer was advised of the correct parking rate based on the correct use class, and did not identify any concerns arising from the assessed additional shortfall of one car parking space.

The proposal relies on Performance Criterion P1 for compliance with the standard. Performance Criterion P1 requires that the number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:

(a) car parking demand;

The TIA states that car parking demand for the proposal is likely to be lower than the eight spaces specified in the Roads and Maritime Services NSW *Guide to Traffic Generating Developments*, 2002 (RMS Guide), as the proposed use is for self-storage rather than a warehouse.

(b) the availability of on-street and public car parking in the locality;

Car parking is available on-street and in the adjacent public carpark at 63 Hopkins street. The TIA notes that the 2018 Council parking survey for the public carpark identified a minimum parking space capacity of 29 spaces during peak trading period.

(c) the availability and frequency of public transport within a 400m walking distance of the site;

The site is approximately 120m from a high-frequency public transport corridor.

(d) the availability and likely use of other modes of transport;

The Intercity Cycleway is located approximately 72m from the site and could facilitate employee transport to and from the site.

(e) the availability and suitability of alternative arrangements for car parking provision;

No alternative car parking arrangements are proposed.

(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;

The TIA states that users of the proposed storage facility may also access cafes and other commercial sites nearby, resulting in multiple trip purposes using a single car parking space.

(g) any car parking deficiency or surplus associated with the existing use of the land;

No reliance on an existing deficiency or surplus is proposed.

- (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;*

No reliance on a carparking credit is proposed.

- (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;*

There is currently no Council policy in place governing financial contribution in lieu of parking. No financial contribution is deemed necessary in the absence of a current policy.

- (j) any verified prior payment of a financial contribution in lieu of parking for the land;*

No financial contribution is required or proposed.

- (k) any relevant parking plan for the area adopted by Council;*

There is no Council parking plan for the area.

- (l) the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;*

The site is not a Heritage Place.

- (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.*

No listed Significant Trees are on the site.

Council's Traffic Engineer and Development Engineer have reviewed the proposal and do not object on this basis, as detailed in the Internal Referrals section of this report. The proposal is assessed as meeting the performance criteria and complies with the standard.

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

E17.0 Signs Code

The Signs Code applies to the construction, putting up for display or erection as development; and the continuous display as use; of all signs. Two Wall Signs are proposed, and the Code applies.

Exemption for Wall Signs in accordance with clause E17.4.1 includes a requirement that, in accordance with Table E17.1 Exempt Signs, there must be no more than one Wall Sign per building. Two Wall Signs are proposed for the building; therefore, the proposed signs are not exempt from the Code.

The application does not specify the graphics, text or colours for the proposed signage, as these have not yet been determined by the proponent. However, the proposed signs have been specified to comply with the acceptable solutions for all the applicable standards of the Code, as detailed at Appendix D.

In accordance with clause E17.4.3, changes to the graphics of a legally existing sign, including text, graphic design and colour is exempt from requiring a permit under the planning scheme. The proponent will therefore have the capacity to install the approved Wall Signs, without requiring additional planning approval for the graphics, text and colours, once determined.

PART F: Specific Area Plans

No Specific Area Plan applies to the site.

INTERNAL REFERRALS

Development Engineer

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

The proposed development involves the conversion of the existing warehouse building into a storage facility. The storage facility will provide a total of 67 storage units. The floor area of the storage facility is 880m², with an office area of 202m². On-site car parking is available for five cars. A loading facility is also provided inside a loading bay within the building.

E5.0 Road and Railway Assets Code

A Traffic Impact Assessment (TIA) was submitted with the application which analysed the impacts that the development proposal is likely to have on the operation of roads and transport networks.

The proposed development will generate approximately 55 trips per day. The existing use of the site is a warehouse and office, which would generate an equivalent amount of traffic at both accesses to the site. The Acceptable Solution A3 of Clause E5.5.1 of the Planning Scheme is met as the proposed traffic generated would be 55 vpd and the existing use would generate more than 15 vpd, meaning that an increase in traffic would be less than 40vpd (or 20% whichever is the greatest).

E6.0 Parking and Access Code

Table E6.1 requires 1 parking space per 100m² and 1 space for each 40m² of ancillary office floor area for 'Storage' use class. This is a requirement for 14

spaces. The provision of 5 spaces plus loading space does not meet the requirements of Acceptable Solution A1 of Clause E6.6.1 of the Planning Scheme.

The performance criteria is met as per the TIA and referral information. The survey referred to in the TIA is undertaken by Council bi-annually and provides accurate figures on the parking demand in the Moonah CBD. The survey showed that there is currently adequate parking available in the Moonah area to cater for the proposed shortfall in parking. However, it is noted that the assessment on the surrounding parking availability is based on the current situation which may change. Any car parking shortfall provided on-street or in other Council car parks, is not guaranteed in perpetuity or for the exclusive use by this development. This parking can be used by any public member and may be removed in the future due to other requirements. Private car parks are also for private use only.

Based on the assessment submitted, the development meets the requirements of Performance Criteria P1 of Clause E6.6.1 of the Planning Scheme. This is particularly due to the fact that the storage component of the development has very low parking demands and the shortfall of 2 spaces (based on the empirical assessment, or 9 spaces under the Planning Scheme Acceptable Solution) can easily be absorbed in the surrounding public car parking supply.

E7.0 Stormwater Management Code

This code applies to development requiring management of stormwater. This code does not apply to use. The stormwater run-off from the existing impervious surfaces is connected by gravity to the available stormwater connection.

E3.0 Landslide Code

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

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

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

E15.0 Inundation Prone Areas Code

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

Traffic Engineer

The application was referred to Council's Traffic Engineer, who reviewed the proposal and referred comments to the Development Engineer for inclusion in the Development Engineering Referral.

Environmental Health Officer

Council's Environmental Health Officer has reviewed the proposal and made the following comments.

The proposed site is zoned in a general business area and located on land which is deemed potentially contaminated. The application is for change of use with alterations to the existing site for a new self-storage facility. The proposed internal alterations and change of use does not trigger the contaminated land code as no excavation of soil is proposed at the site. This business activity is expected to be low noise generating and comply with section 21.3.2 A1 Noise of The Scheme. Environmental Health recommends 21.3.2 A1 Noise of the Scheme be applied to the permit.

EXTERNAL REFERRALS

No external referrals were deemed necessary.

REPRESENTATIONS

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

Site

The representor queries whether the application should have included the Certificate of Title for the Council-owned carpark at 63 Hopkins Street, as land 'involved' in the proposal.

Planner's Comment:

Although use for vehicular access via the public carpark is proposed, no works are proposed outside the boundary of the land at 52 Albert Road. Council's practice is generally not to require Certificates of Title for land which is to be utilised solely for access, and on which no development is proposed.

Nevertheless, copies of the Certificates of Title for the land comprising the relevant parts of the public carpark have now been received.

Council consent

The representor notes that Council consent to the making of the application was required, as the proposal involves Council-owned land.

Planner's Comment:

Council consent to the making of the application was provided on 20/11/2020. In accordance with s52 of the Act, the application was signed by the Glenorchy City

Council General Manager, and accompanied by the written permission of the General Manager to the making of the application.

E5.5.1 Existing road accesses and junctions

The representor asserts that existing traffic generation to and from the site has not been established, and considers that compliance with Acceptable Solution A3 has therefore not been demonstrated. The representor notes that Performance Criterion P3 has also not been addressed.

Planner's Comment:

The site was previously approved as a warehouse, as detailed in the Background section of this report. The Traffic Impact Assessment (TIA) for the application utilises the Roads and Maritime Services NSW *Guide to Traffic Generating Developments*, 2002 (RMS Guide) to determine the traffic generation rates for warehouses. Council's Traffic Engineer and Development Engineer have reviewed the proposal, the TIS and the representation, and have concluded that the acceptable solution for the standard is met, as detailed in the Internal Referrals section of this report. There is therefore no basis for refusal or modification of the proposal in this respect.

E6.6.1 Number of Car Parking Spaces

The representor advises that the onsite carpark of their client, known as 'Valern Hotel,' is currently used by customers and employees of other business in the area, resulting in a loss of hotel customers as they are unable to find parking. The representor considers that current parking in the vicinity is not adequate and will be exacerbated by the proposed parking shortfall. The representor provided an illustration of the layout of the relevant sites as shown in Figure 3.



Figure 3 – Marked-up aerial photograph of the site and surrounds, provided by the representor – PLN-20-419

Planner's Comment:

It is the responsibility of the owners (or lessees) of privately-owned carparks to monitor and control the use of those carparks. The application does not propose the use of the Valern Hotel carpark, and Council's Development Engineer, with input from Council's Traffic Engineer, has determined that the proposed parking shortfall meets the performance criteria for the standard, as detailed in the Part E Codes and Internal Referrals Section of this report. There is therefore no basis for refusal or modification of the proposal in this respect.

Parking arrangements for heavy vehicles during construction

The representor states that heavy vehicles that may attend the site during the construction of the proposed development are not authorised to use their client's carpark.

Planner's Comment:

The application does not propose use of the Valern Hotel carpark, including during the construction phase of the proposed development. In addition, governance of construction activities does not fall within Planning jurisdiction.

E6.7.5 Layout of Parking Areas

The representor questions whether use of the Moonah public carpark access for manoeuvring, to meet Performance Criterion P1 for the standard, forms part of the application and is guaranteed in perpetuity.

Planner's Comment:

Use of the public carpark access forms part of the proposal and Council consent to the making of the application has been provided.

CONCLUSION

The proposal is discretionary in accordance with the Zone use table and relies on performance criteria for compliance with the standard for Number of Car Parking Spaces. The proposal is assessed as satisfying the performance criteria and complies with the standards. The proposal is assessed as complying with all other use and development standards in the General Business Zone, as well as the applicable standards of the Road and Railway Assets Code and the Parking and Access Code. The application was publicly advertised for the statutory 14-day period and one representation was received. The matters raised in the representation do not warrant refusal or modification of the application. It is concluded that the proposal is consistent with the requirements of the Scheme and is satisfactory.

Recommendation:

That a permit be granted for the proposed use and development of Change of use to self-storage facility (storage) and offices (business and professional services) at 52 Albert Road Moonah subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-20-519 and Plans submitted on 6/11/2020 (7 pages), except as otherwise required by this permit.

Engineering

2. The five car parking spaces and loading area proposed are to be clearly marked to accord with the Australian Standard 2890.1:2004 and must be kept available for these purposes at all times.

Environmental Health

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

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

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

Advice to Applicant

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

Other Permits

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

Attachments/Annexures

- 1** GPA Attachment - 52 Albert Road, Moonah



APPENDIX A**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.	Not applicable. The site is not within 50m of a residential zone.	NA
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) (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.	Council's Environmental Health Officer has reviewed the proposal and does not object on this basis.	Yes
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.	Not applicable. The site is not within 50m of a residential zone.	NA
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.	Not applicable. The site is not within 50m of a residential zone.	NA

Standard	Acceptable Solution	Proposed	Complies?
21.4 Development Standards for Buildings and Works			
No external building development is proposed and none of the development standards apply.			

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

Standard	Acceptable Solution	Proposed	Complies?
5.5 Use Standards			
E5.5.1 Existing road accesses and junctions	A1 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h, must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.	Not applicable. The access is not to a category 1 or category 2 road.	NA
	A2 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of more than 60km/h, must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.	Not applicable. The area is not subject to a speed limit of more than 60km/h.	NA
	A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.	Council's Development Engineer has reviewed the proposal and does not object on this basis.	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 applicable. No access across part of the rail network is proposed.	NA
5.6 Development Standards			
No building development and no new or altered access, junction or level crossing is proposed. None of the development standards of the Code apply.			

APPENDIX C

E6.0 Parking and Access Code

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

Standard	Acceptable Solution	Proposed	Complies?
Number of Motorcycle Parking Spaces	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.	The site has fewer than 20 car parking spaces and no motorcycle parking is required or proposed.	NA
E6.6.4 Number of Bicycle Parking Spaces	A1 The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.	No bicycle parking spaces are required for Storage use. Office (Business and professional services) use requires one bicycle parking space for each 250m ² floor area after the first 250m ² floor area, and one for each 1000m ² of floor area if the floor area exceeds 1000m ² . The proposed office (Business and professional services) floor area is 202m ² ; therefore, no bicycle parking spaces are required.	NA
E 6.7 Development Standards			
E6.7.1 Number of Vehicle Accesses	A1 The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.	One, existing access point from Albert Road is proposed to be used. Access to the rear of the site is to be via Council's public car park.	Yes
E6.7.2 Design of Vehicular Accesses	A1 Design of vehicle access points must comply with all of the following: (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – "Access Facilities to Off-street Parking Areas and Queuing Areas" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 "Access Driveways and Circulation Roadways" of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.	Council's Development Engineer has reviewed the proposal and does not object on this basis.	Yes

Standard	Acceptable Solution	Proposed	Complies?
E6.7.3 Vehicular Passing Areas Along an Access	A1 Vehicular passing areas must: (a) be provided if any of the following applies to an access: (i) it serves more than 5 car parking spaces; (ii) is more than 30 m long; (iii) it meets a road serving more than 6000 vehicles per day; (b) be 6 m long, 5.5 m wide, and taper to the width of the driveway; (c) have the first passing area constructed at the kerb; (d) be at intervals of no more than 30 m along the access.	Not applicable. The proposal does not include any of the triggers for requiring vehicular passing areas.	NA
E6.7.4 On-Site Turning	A1 On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following: (a) it serves no more than two dwelling units; (b) it meets a road carrying less than 6000 vehicles per day.	Not applicable. No new or altered access or car parking is proposed adjoining Albert Road; the parking and access at the rear of the site is via Council's public car park, and does not adjoin a road. Council's Development Engineer has reviewed the proposal and advises that the standard is not applicable.	NA
E6.7.5 Layout of Parking Areas	A1 The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 "Design of Parking Modules, Circulation Roadways and Ramps" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 "Headroom" of the same Standard.	Council's Development Engineer has reviewed the proposal and does not object on this basis.	Yes
E6.7.6 Surface Treatment of Parking Areas	A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following; (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.	Council's Development Engineer has reviewed the proposal and does not object on this basis.	Yes
E6.7.7 Lighting of Parking Areas	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 "Basis	Council's Development Engineer has reviewed the proposal and does not object on this basis.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	of Design” and clause 3.6 “Car Parks” in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.		
E6.7.8 Landscaping of Parking Areas	A1 Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.	Not applicable. No more than five car parking spaces are proposed.	NA
E6.7.9 Design of Motorcycle Parking Areas	A1 The design of motorcycle parking areas must comply with all of the following: (a) be located, designed and constructed to comply with section 2.4.7 “Provision for Motorcycles” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) be located within 30 m of the main entrance to the building.	Not applicable. No motorcycle parking is required or proposed.	NA
E6.7.10 Design of Bicycle Parking Facilities	A1 The design of bicycle parking facilities must comply with all the following; (a) be provided in accordance with the requirements of Table E6.2; (b) be located within 30 m of the main entrance to the building.	Not applicable. No bicycle parking is required or proposed.	NA
	A2 The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 “Design of Parking Facilities” and clauses 3.1 “Security” and 3.3 “Ease of Use” of the same Standard.	Not applicable. No bicycle parking is required or proposed.	NA
E6.7.11 Bicycle End of Trip Facilities	A1 For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.	Not applicable. No bicycle parking is required or proposed.	NA
E6.7.12 Siting of Car Parking	A1 Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located	Not applicable. No change is proposed to the existing, approved parking area located forward of the building line.	NA

Standard	Acceptable Solution	Proposed	Complies?
	or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.		
E6.7.1.13 Facilities for Commercial Vehicles	A1 Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless: (a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site; (b) the use is not primarily dependent on outward delivery of goods from the site.	Council's Development Engineer has reviewed the proposal and does not object on this basis.	Yes
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements of the road authority.	Council's Development Engineer has reviewed the proposal and does not object on this basis, nor impose any additional requirements.	Yes

APPENDIX D

E17.0 Signs Code

Standard	Acceptable Solution	Proposed	Complies?
E17.6 Use Standards			
E17.6.1 Use of Signs	A1 A sign must be a permitted sign in Table E17.3	Wall Signs have Permitted status in the General Business Zone.	Yes
	A2 A sign associated with the sale of goods or services must relate directly to the use of the building or site to which it is affixed.	The signs are proposed to relate directly to the goods and services provided at the site.	Yes
	A3 A sign must not contain flashing lights, moving parts or changing messages or graphics, except if a Statutory Sign	No variable sign elements are proposed.	Yes
	A4 An illuminated sign must not be located within 30 metres of a residential use, except if a Statutory Sign.	Not applicable. No sign illumination is proposed.	NA

Standard	Acceptable Solution	Proposed	Complies?
E17.7 Development Standards			
E17.7.1 Standards for Signs	A1 A sign must comply with the standards listed in Table E.17.2 and be a permitted sign in Table E17.3.	Wall Signs have Permitted status in the General Business Zone. The proposed signs are specified to comply with the requirements for Wall Signs in accordance with Table E27.2 Sign Standards. In particular, the proposed Wall Signs: (a) are to have a message on the front face only (b) will project no more than 450mm from the face of the wall (c) will not extend laterally beyond the wall or above the top of the wall to which they are attached (d) will each have an area of sign no more than 2m ² .	Yes
	A2 The number of signs per business per street frontage must comply with all of the following: (a) maximum of 1 of each sign type; (b) maximum of 1 window sign per window; (c) if the street frontage is less than 20 m in length, the maximum number of signs on that frontage is 3; (d) if the street frontage is 20 m in length or greater, the maximum number of signs on that frontage is 6. except for the following sign types, for which there is no limit; (i) Building Site, (ii) Name Plate, (iii) Newspaper Day Bill, (iv) Open/Closed, (v) Real Estate, (vi) Street Number, (vii) Temporary Sign.	One wall sign is proposed facing the frontage.	Yes
	A3 Signs must not obscure or prevent or delay a driver from seeing a Statutory Sign or a Tourist Information Sign.	The proposed signs do not impact on the visibility of any other signage.	Yes
	A4		

Standard	Acceptable Solution	Proposed	Complies?
	Signs must not resemble Statutory Signs because of the same or similar shape, size, design, colour, letter size or lighting.	The proposal signs do not resemble Statutory Signs.	Yes
	A5 For properties that have a common boundary with Brooker Avenue, any advertising sign must be located at least 5m from that boundary.	Not applicable. The site does not have a common boundary with Brooker Highway.	NA
E17.7.2 Standards for signs on Heritage Places subject to the Heritage Code or within Heritage Precinct or Cultural Landscape Precincts	A1 No acceptable solution.	Not applicable. The site is not a Heritage Place.	NA

12. PROPOSED USE AND DEVELOPMENT - SINGLE DWELLING - 10 SHIELDS COURT GLENORCHY

Author: Planning Officer (Angela Dionysopoulos)

Qualified Person: Planning Officer (Angela Dionysopoulos)

Property ID: 9328577

REPORT SUMMARY

Application No.: PLN-20-489

Applicant: Hotondo Hobart

Owner: G Ghimire and U Karki Ghimire

Zone: General Residential

Use Class Residential

Application Status: Discretionary

Discretions: 10.4.6 Privacy for all dwellings, E6.6.1 Number of Car Parking Spaces

(The proposal meets all other applicable standards as demonstrated in the attached appendices)

Level 2 Activity? No

42 Days Expires: 27 January 2021

Existing Land Use: Vacant lot

Representations: 0

Recommendation: Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The application proposes development of a three-bedroom, two-storey single dwelling.

The proposed dwelling has minimum setbacks of 1.506m from the north-west side boundary, 4.836m from the frontage and 4.63m from the rear boundary.

The overall proposed dimensions are 14.42m x 12.75m (including an attached deck), with a maximum building height of 7.859m.

Entry from the street is to the first floor, which includes a single-car garage, two bedrooms and bathrooms, open-plan living, dining and kitchen, and an entry and stairwell connecting to the lower floor. A small, first-floor deck with an external flight of stairs is to be accessed via the open-plan living area and adjoining bedroom.

The lower floor contains a bedroom, rumpus room with a sink, a bathroom and a laundry. The lower floor has a floor area of approximately 45m² and could potentially be classified as an ancillary dwelling; however the laundry is shared, such that the 'dwellings' are not separately self-contained.

One car parking space is provided by the proposed garage.

SITE and LOCALITY

The site is a 408m², vacant lot with an average, north-easterly gradient of approximately 1 in 7, forming part of a recently completed infill subdivision (Figure 1).



Figure 1 - Aerial photograph of the site (highlighted) and surrounds – Council database 2019

The immediate locality is characterised by new development for single dwellings, with some remaining vacant lots in the vicinity. The recent subdivision is centrally located within existing suburban development.

ZONE

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

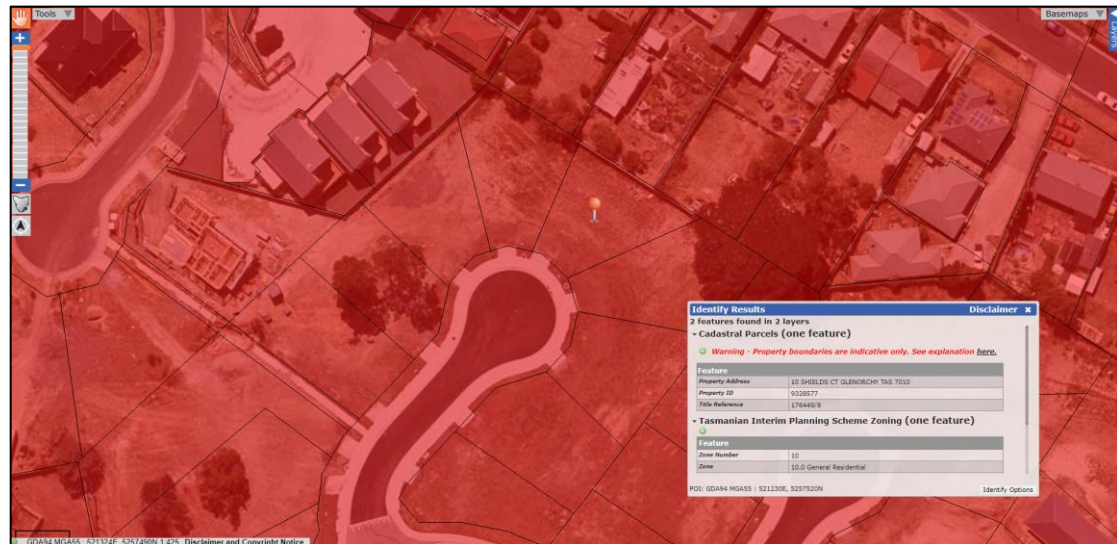


Figure 2 - The site is in the General Residential Zone (red) – Glenorchy Interim Planning Scheme 2015

BACKGROUND

No planning background was identified in a search of Council's electronic records.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil.

Limited Exemptions

Nil.

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

No Specific Area Plan applies. The Parking and Access Code and Stormwater Management Code apply, and therefore prevail over the Zone provisions, where there is any conflict.

Use Class Description (Table 8.2):

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

Other relevant definitions (Clause 4.1):

Ancillary dwelling means an additional dwelling with a floor area not greater than 60m²; that is appurtenant to a single dwelling; and that shares with that single dwelling access and parking, and water, sewerage, gas, electricity and telecommunications connections and meters.

Part C: Special Provisions

No special provisions of the Scheme apply to this proposal.

Part D: Zones

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

Zone Purpose Statements

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

The proposal accords with the zone purpose as it is for suburban residential use and development, utilising existing service infrastructure.

Use Table

Residential use for a single dwelling has 'no permit required' status in the zone. However, the proposal is discretionary owing to reliance on performance criteria for compliance with the standards for Privacy for all dwellings and Layout of Parking Areas.

Use Standards

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

Development Standards for Residential Buildings & Works*10.4.6 Privacy for all dwellings (A1)*

Acceptable Solution A1 requires screening of parking spaces, where the floor level is more than 1m above natural ground level and the side boundary setback is less than 3m. A garage window with a floor level more than 1m above natural ground level and a sill height less than 1.7m above floor level is proposed with a setback of approximately 2.2m from the north-west side boundary. The proposed window is specified to be opaque, which is assessed as meeting the requirement for screening and complies with the acceptable solution. A condition is recommended to require that the window be opaque as indicated in the approved plans.

10.4.6 Privacy for all dwellings (A2)

Acceptable Solution A2 requires specific privacy measures for glazing to habitable rooms, where the floor level is more than 1m above natural ground level and the side boundary setback is less than 3m. An unobscured living room window with a floor level more than 1m above natural ground level and a sill height less than 1.7m above floor level is proposed with a setback of approximately 2.7m from the north-west side boundary. The proposal relies on Performance Criterion P2 for compliance with the standard.

Performance Criterion P2 requires that a window or glazed door, to a habitable room of dwelling, that has a floor level more than 1 m above the natural ground level, must be screened, or otherwise located or designed, to minimise direct views to:

(a) window or glazed door, to a habitable room of another dwelling; and

The dwellings at 62 and 64 Kenbrae Avenue, adjoining the site's rear boundary, are located approximately 35m to the north-east of the proposed dwelling, with intervening outbuildings, which is considered sufficient to minimise direct views.

Existing dwellings are located at 11 and 8 Shields Court, adjoining the site's side boundaries. Additional information received for the proposal advised that:

There is 6.8m in distance between this proposed window and the closest window on the neighbouring property [at 11 Shields Court]. There is a surveyed height difference in the top levels of the windows (both with 2.1m window head) of 0.63m meaning eyelines from the two houses will not be in direct alignment. In addition, the windows are not parallel, with an angle of 46.4 degrees between the two walls, meaning the opportunity for overlooking is significantly minimised and it would be almost impossible to look from one window into the other.

This information is assessed as being accurate. Similarly, the separation distance and orientation of windows on the proposed south-east façade are sufficient to minimise direct views to the windows of the dwelling at 8 Shields Court.

(b) the private open space of another dwelling; and

The dwellings at 62 and 64 Kenbrae Avenue have substantial areas of private open space with a length of more than 30m, while the proposed dwelling has a setback of 5.483m from the shared boundary. The proposed separation from the rear boundary is considered sufficient to minimise direct overlooking, and there is ample opportunity for the adjoining lots to establish screening devices or vegetation if desired.

The dwellings at 8 and 11 Shields Court each have ample private open space that is not overlooked by the proposed dwelling.

(c) an adjoining vacant residential lot.

There is no adjoining vacant residential lot.

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

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

Part E: Codes

The following codes of the Scheme apply to this proposal.

E6.0 Parking and Access Code

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

E6.6.1 Number of Car Parking Spaces (A1)

Acceptable Solution A1 requires two car parking spaces for the proposed development. One car parking space is proposed. The proposal relies on Performance Criterion P1 for compliance with the standard.

Performance Criterion P1 requires that the number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:

(a) car parking demand;

There is limited parking demand in the area as the site is in a residential locality dominated by single dwellings with onsite parking.

(b) the availability of on-street and public car parking in the locality;

There are no nearby parking restrictions.

(c) the availability and frequency of public transport within a 400m walking distance of the site;

A bus stop is located approximately 153m from the site.

(d) the availability and likely use of other modes of transport;

The site is sufficiently central to facilitate walking and bike riding to the local shops located at Chapel Street.

(e) the availability and suitability of alternative arrangements for car parking provision;

Council's Development Engineer advises that the driveway, although not an approved car parking space, may safely be used for parking from time to time (not on a regular basis). Please refer to the Internal Referrals section of this report for further information.

(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;

No sharing of parking is proposed.

(g) any car parking deficiency or surplus associated with the existing use of the land;

There is no existing parking deficiency or surplus for the site.

(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;

There is no existing parking credit for the 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;

There is currently no Council policy in place governing financial contribution in lieu of parking. No financial contribution is deemed necessary in the absence of a current policy.

(j) any verified prior payment of a financial contribution in lieu of parking for the land;

No financial contribution is required or proposed.

(k) any relevant parking plan for the area adopted by Council;

There is no Council parking plan for the area.

(l) the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;

The site is not a Heritage Place.

(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.

No listed Significant Trees are on the site.

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

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

E7.0 Stormwater Management Code

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

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

PART F: Specific Area Plans

No Specific Area Plan applies to the site.

INTERNAL REFERRALS

Development Engineer

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

The development application seeks an approval for a single dwelling on a vacant site. The applicant proposes to provide one car parking space in the garage, hence one parking space shortfall, as seen in the figure below.

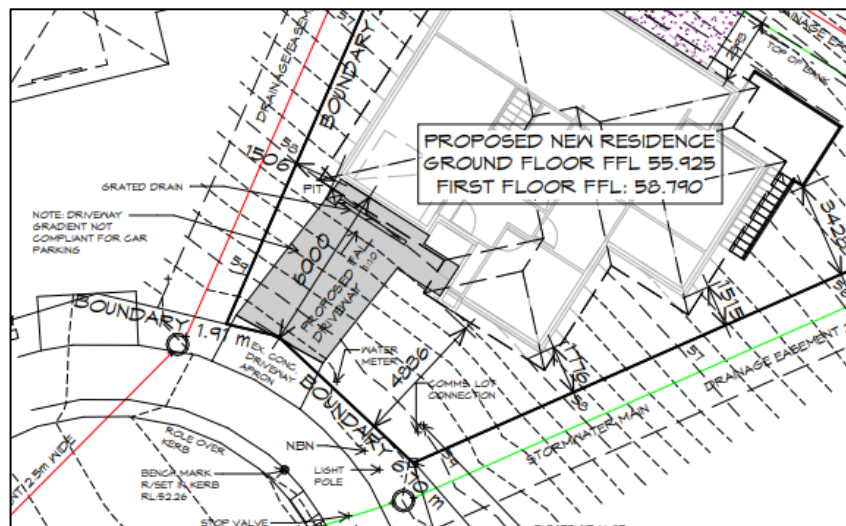


Figure 3 – Snapshot of PLN-20-489 Plans received 26/11/2020

E5.0 Road and Railway Assets Code

The development complies with the Code. The proposed development is not expected to increase vehicle movements, to and from the site, over 40 vehicle movements per day and therefore complies with the Acceptable solution A3 of

E5.5.1. The site can be accessed off the existing vehicle crossing, and no new access is proposed; this complies with A2, E5.6.2. Sight distance also complies with the Acceptable solution, A1 E5.6.4.

E6.0 Parking and Access Code

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

The site can be accessed off the existing vehicular access onto the driveway, parking space and garage. The requirement under the E6.6.1, A1 requires the total of two (2) car parking spaces for a residential dwelling. The applicant proposes to provide only 1 car parking space and hence is unable to comply with the acceptable solution. Given the grade of the driveway to the garage is 1 in 10 (10%) with falls toward the garage, though this is not proposed nor approved as a parking area, it is considered that if there is an overflow the driveway can accommodate parking from time to time (not on a regular basis) and that the risk to all road uses would be low. Considering also the parking demand, availability of public transport, on-street parking and distance to the public transport, the proposal satisfies the performance criteria and the local traffic conditions are not expected to be significantly affected by the shortfall.

There are no requirements for accessible car parking, motorcycle parking spaces, bicycle parking spaces and commercial vehicles applicable to the development application.

The layout of the proposed parking area complies with the standard AS2890.1:2004. The surface treatment of the driveway is proposed to be concrete. These comply with the acceptable solutions. There are no requirements for passing bay, on-site turning, landscaping and lighting applicable to the development application.

E7.0 Stormwater Management Code

There are no GCC stormwater mains affected by this application; and the stormwater connection is a 150mm connection to a 225mm Council main, located at the rear of the property at the low point. There is no new connection proposed. Stormwater runoff is proposed to discharge to the connection. Therefore, the stormwater arrangement is considered to comply with the acceptable solution, A1. The development also is considered to comply with the acceptable solution A2 and a stormwater system is not required to incorporate water sensitive urban design for treatment, as the size of the new impervious area is less than 600m², there is no new car parking space proposed and the application is not for a subdivision.

A3 and A4 also satisfactory given the size and scope of the development and recent infrastructure constructed at the subdivision stage. Therefore, the development is considered meet the requirements in Stormwater Management Code.

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 proposal was referred to TasWater, and advice was received that no submission was required.

REPRESENTATIONS

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

CONCLUSION

The proposal relies on performance criteria for compliance with the standards for Privacy for all dwellings and Layout of Parking Areas. The proposal is assessed as satisfying the performance criteria and complies with the standards. The proposal is assessed as complying with all other use and development standards in the General Residential Zone, as well as the applicable standards of the Parking and Access Code and the 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 requirements of the Scheme and is satisfactory.

Recommendation:

That a permit be granted for the proposed use and development of Single Dwelling at 10 Shields Court Glenorchy subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-20-489 and Plans submitted on 26/11/2020 (11 pages), except as otherwise required by this permit.
2. Window W10 as shown on the approved plans must be implemented and maintained with an opaque finish for the duration of the use as approved.

Engineering

3. Prior to the issuing of a Building Approval or the commencement of works on site, including demolition (whichever occurs first), submit a Soil and Water Management Plan detailing proposed sediment and erosion control measures to the satisfaction of Council's Development Engineer. The approved control measures must be installed prior to any disturbance of soil or construction activity such as concrete cutting, demolition and must be regularly inspected and maintained during the construction and demolition period to prevent soil and other materials entering the local stormwater system, roadways or adjoining properties.

The approved control measures must remain in place until such time as all construction activity likely to generate sediment has been completed or all disturbed areas have been stabilised using vegetation and/or restored or sealed to the satisfaction of the Council. The approved Soil and Water Management Plan (SWMP) forms part of this permit and must be complied with.

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

4. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
5. 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.
6. The design and construction of the parking, access and turning areas must 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. The proposed driveway and parking must comply with the following:-

- (a) Be constructed to a sealed finish;
- (b) All runoff from paved and driveway 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 3.0 metres.

All works required by this condition must be installed prior to the occupancy of the dwelling.

Advice to Applicant

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

Other Permits

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

Engineering

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

Attachments/Annexures

- 1 GPA Attachment - 10 Shields Court, Glenorchy



APPENDIX A**10.0 General Residential Zone**

Standard	Acceptable Solution	Proposed	Complies?
10.4 Development Standards for Residential Buildings and Works			
10.4.1 Residential density for multiple dwellings	A1 Multiple dwellings must have a site area per dwelling of not less than: (a) 325m ² ; or (b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.	Not applicable. No multiple dwellings are proposed.	NA
10.4.2 Setbacks and building envelopes for all dwellings	A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or (b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or (c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or (d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.	The proposed minimum frontage setback is approximately 4.87m.	Yes
	A2		

Standard	Acceptable Solution	Proposed	Complies?
	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 internal garage has a setback of more than 1m behind the façade of the proposed dwelling.	Yes
	A3 A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must: (a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by: (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and (b) only have a setback within 1.5 m of a side boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or (ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).	The proposed dwelling is contained wholly within the building envelope.	Yes
10.4.3	A1 Dwellings must have:	The proposed site coverage is approximately 31%.	Yes

Standard	Acceptable Solution	Proposed	Complies?
Site coverage and private open space for all dwellings	(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 m ² 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.	Approximately 183m ² of impervious surface is proposed, with 55% of the site remaining free of impervious surfaces.	
	A2 A dwelling must have an area of private open space that: (a) is in one location and is at least: (i) 24 m ² ; or (ii) 12 m ² , if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (b) has a minimum horizontal dimension of: (i) 4 m; or (ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and (d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and (e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and	Direct access to an adjacent area of compliant private open space from a downstairs rumpus room is proposed.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	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).	The proposed living areas of the dwelling have glazing with an orientation approximately 30 degrees east of north.	Yes
	A2 A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B): (i) at a distance of 3 m from the window; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.	Not applicable. No multiple dwellings are proposed.	NA
	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):	Not applicable. No multiple dwellings are proposed.	NA

Standard	Acceptable Solution	Proposed	Complies?
	(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C): (i) at a distance of 3 m from the northern edge of the private open space; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.		
10.4.5 Width of openings for garages and carports for all dwellings	A1 A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).	The proposed garage has an opening width of 2.8m.	Yes
10.4.6 Privacy for all dwellings	A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: (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	An unobscured garage window with a floor level more than 1m above natural ground level and a sill height less than 1.7m above floor level is proposed with a setback of approximately 2.2m from the north-west side boundary. The window is proposed to be opaque, which is considered equivalent to a permanently fixed screen with no transparency.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m: (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.		
	A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b): (a) The window or glazed door: (i) is to have a setback of at least 3 m from a side boundary; and (ii) is to have a setback of at least 4 m from a rear boundary; and (iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site. (b) The window or glazed door: (i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or (c) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.	An unobscured living room window with a floor level more than 1m above natural ground level and a sill height less than 1.7m above floor level is proposed with a setback of approximately 2.7m from the north-west side boundary.	No

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 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.	Not applicable. No shared driveway is proposed.	NA
10.4.7 Frontage Fences for all dwellings	A1 A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than: (a) 1.2 m if the fence is solid; or (b) 1.8 m, if any part of the fence that is within 4.5 m of a primary frontage has openings above a height of 1.2 m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).	Not applicable. No fencing is proposed.	NA
10.4.8 Waste Storage for multiple dwellings	A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m ² per dwelling and is within one of the following locations: (a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) in a communal storage area with an impervious surface that: (i) has a setback of at least 4.5 m from a frontage; and (ii) is at least 5.5 m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2 m above the finished surface level of the storage area.	Not applicable. No multiple dwellings are proposed.	NA

APPENDIX B**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.	Two car parking spaces are required. On internal space is proposed, and Council's Development Engineer advises that there is sufficient room within the proposed driveway for a second space.	Yes
E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability	A1 Car parking spaces provided for people with a disability must: (a) satisfy the relevant provisions of the Building Code of Australia; (b) be incorporated into the overall car park design; (c) be located as close as practicable to the building entrance.	Not applicable. No accessible car parking spaces are required or proposed.	NA
E6.6.3 Number of Motorcycle Parking Spaces	A1 The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.	Not applicable. No motorcycle parking is required or proposed.	NA
E6.6.4 Number of Bicycle Parking Spaces	A1 The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.	Not applicable. No bicycle parking is required or proposed.	NA

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.	One vehicle access point is proposed.	Yes
E6.7.2 Design of Vehicular Accesses	A1 Design of vehicle access points must comply with all of the following: (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.	Council’s Development Engineer has reviewed the proposal and does not object on this basis.	Yes
E6.7.3 Vehicular Passing Areas Along an Access	A1 Vehicular passing areas must: (a) be provided if any of the following applies to an access: (i) it serves more than 5 car parking spaces; (ii) is more than 30 m long; (iii) it meets a road serving more than 6000 vehicles per day; (b) be 6 m long, 5.5 m wide, and taper to the width of the driveway; (c) have the first passing area constructed at the kerb; (d) be at intervals of no more than 30 m along the access.	Not applicable. The proposal does not include any of the triggers for requiring vehicular passing areas.	NA
E6.7.4 On-Site Turning	A1 On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following:	Not applicable. The proposal does not include any of the triggers for requiring on-site turning.	NA

Standard	Acceptable Solution	Proposed	Complies?
	(a) it serves no more than two dwelling units; (b) it meets a road carrying less than 6000 vehicles per day.		
E6.7.5 Layout of Parking Areas	A1 The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same Standard.	Council’s Development Engineer has reviewed the proposal and does not object on this basis.	Yes
E6.7.6 Surface Treatment of Parking Areas	A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following; (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.	Council’s Development Engineer has reviewed the proposal and does not object on this basis.	Yes
E6.7.7 Lighting of Parking Areas	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 “Basis of Design” and clause 3.6 “Car Parks” in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.	Not applicable. Fewer than 5 car parking spaces are proposed.	NA
E6.7.8 Landscaping of Parking Areas	A1 Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.	Not applicable. Fewer than 5 car parking spaces are proposed.	NA
E6.7.9 Design of Motorcycle Parking Areas	A1 The design of motorcycle parking areas must comply with all of the following: (a) be located, designed and constructed to comply with section 2.4.7 “Provision for Motorcycles” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;	Not applicable. No motorcycle parking is required or proposed.	NA

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

Standard	Acceptable Solution	Proposed	Complies?
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements of the road authority.	Council's Development Engineer has reviewed the proposal and does not object on this basis.	Yes

APPENDIX C

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.	Gravity-fed disposal of stormwater to mains infrastructure is proposed.	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.	Not applicable. The proposal does not include any of the triggers for requiring WSUD.	NA
	A3 A minor stormwater drainage system must be designed to comply with all of the following: (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed; (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.	Council's Development Engineer has reviewed the proposal and does not object on this basis.	Yes
	A4 A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.	Council's Development Engineer has reviewed the proposal and does not object on this basis.	Yes

13. PROPOSED USE AND DEVELOPMENT - FOOD VAN AND ASSOCIATED AMENITIES (FOOD SERVICES) - 79 CHARLES STREET MOONAH, 1/79 CHARLES STREET MOONAH, 2/79 CHARLES STREET MOONAH, 3/79 CHARLES STREET MOONAH, 4/79 CHARLES STREET MOONAH,

Author: Senior Statutory Planner (Vanessa Tomlin)

Qualified Person: Senior Statutory Planner (Vanessa Tomlin)

Property ID: 7383796

REPORT SUMMARY

Application No.:	PLN-20-460
Applicant:	Sam Foods And Beverages Pty Ltd
Owner:	M Doherty
Zone:	Light Industrial zone
Use Class	Food Services
Application Status:	Discretionary
Discretions:	24.2 Use Table, 24.3.1 Hours of Operation P1; 24.4.3 Design P1; & 24.4.4 Passive Surveillance P1 (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	22 January 2021
Existing Land Use:	Vacant land
Representations:	2
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The application proposes a change of use to a Food van (Food Services) and associated amenities. The proposed food van is to be a moveable, trailer type vehicle that is to be setback 1.2m from the southern side boundary and 7.2m from the frontage of the site. A toilet block is also proposed and is to be located toward the rear of the site. This building is to be 1.8m by 1.95m and is to be 2.4m in height. The building is to be clad in painted cement sheeting, with a colorbond roof, and a metal door and window on the southern elevation. Landscaping is proposed along the frontage of the site, in the form of a Japanese maple and a low growing hedge. Flood lighting is to be erected adjacent to the toilet block and the light is to be directed onto the site.

The proposed use is to connect to existing service connections and no parking is proposed or required on the site.

SITE and LOCALITY

The site is located approximately 210m south of Springfield Avenue and 298m north of Amy Street, Moonah. The site forms part of a stratum title with four dwellings, with a total land area of 1276m². The subject site is 302m², with a 14.2m frontage to Charles Street.

The site was formerly occupied by a two-storey dwelling, that has since been demolished. The site is currently vacant, and the surface of the site is largely covered by impervious surfacing (Fig. 1).



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

The site is located within the Light Industrial zone and is surrounded by a mix of uses, those being light industrial, commercial and residential in character. It is noted that the residential uses located within the Light Industrial zone have existing use rights (non-conforming uses within the zone).

ZONE

The site is wholly located within the Light Industrial zone (Fig. 2).



Figure 2. A view of the zoning pattern in proximity to the site, showing the Light Industrial zone (pink), the Commercial zone (purple) and the Inner Residential zone (maroon).

BACKGROUND

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

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil

Limited Exemptions

6.1 Minor Structures and Outbuildings

The proposed toilet block is taken to be a building (as defined in clause 4.1). The building is not an outbuilding and is to have a floor area less than 9m², with no side longer than 3m, with a maximum height of 2.4m, but is within 1m of an underground service. As such, the exemption does not apply.

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

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

Use Class Description (Table 8.2):

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

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.

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

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

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

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

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.

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

Part C: Special Provisions

No special provisions of the Scheme apply to this proposal.

Part D: Zones

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

Zone Purpose Statements

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

The proposed Food Services use is not an industrial use in its own right but is a use that complements or serves the industrial uses within the zone. For that reason, the proposed Food Services use is taken to be a compatible use within the zone and would not preclude the future use of the site for industrial uses. The proposed change of use is assessed as being adequately separated from sensitive uses in adjacent zones, so as to not cause unreasonable amenity impacts to those uses within the adjacent zones.

Use Table

Food Services is a discretionary use in the Light Industrial zone.

Use Standards

24.3.1 Hours of Operation P1

This standard is applicable because the site is within 100m of a residential zone. The proposed hours of operation are 12pm to 12am (midnight) Mondays to Fridays inclusive; 12pm to 12am (midnight) Saturdays; 12pm to 12am (midnight) Sundays and Public Holidays. These hours do not comply with the acceptable solution and the performance criteria is relied on to comply with the standard.

The performance criteria requires the hours of operation of a use within 100 m of a residential zone to not have an unreasonable impact upon the residential amenity of land in a residential zone through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent.

The operation of the proposed food van does not include any noise generating equipment, such as generators or amplified music, and the site is separated from the nearest residential zone, an Inner Residential zone, by at least 51m. Council's Environmental Health Officers have assessed the proposal against the noise standard, Clause 24.3.2 and are satisfied that the use will operate within the parameters of the acceptable solution of this standard and would not cause unreasonable impact on residential amenity on land within a residential zone. For those reasons, the proposal is assessed as meeting the preference criteria and complies with the standard.

Development Standards for Buildings or Works

24.4.3 Design P1

The design of the building (toilet block) is unable to comply with the acceptable solution and the performance is relied on as a result. The performance criteria require the building design to enhance the streetscape by satisfying all of the following:

- a) provide the main access to the building in a way that is visible from the street or other public space boundary;
- b) provide windows in the front façade in a way that enhances the streetscape and provides for passive surveillance of public spaces;
- c) treat very large expanses of blank wall in the front façade and facing other public space boundaries with architectural detail or public art so as to contribute positively to the streetscape and public space;
- d) ensure the visual impact of mechanical plant and miscellaneous equipment, such as heat pumps, air conditioning units, switchboards, hot water units or similar, is limited when viewed from the street;
- e) ensure roof-top service infrastructure, including service plants and lift structures, is screened so as to have limited visual impact;
- f) only provide shutters where essential for the security of the premises and other alternatives for ensuring security are not feasible;
- g) be consistent with any Desired Future Character Statements provided for the area.

The design of the proposed toilet block is limited by its functionality. However, the main access to the building is to be visible from other public spaces within the site and from the frontage of the site. A window is provided, albeit for ventilation purposes and this window could be used for passive surveillance. Although, the clear views lines

to, from and around the building would provide more effective opportunities for passive surveillance. The building is proposed to have blank walls that can be seen from the street. However, the expanse of the blank walls is small and are taken to not adversely impact the streetscape as a result. The building has been designed with no mechanical or miscellaneous equipment visible from the street.

Accordingly, the proposal is taken to satisfy the performance criteria and complies with the standard.

24.4.4 Passive Surveillance P1

The proposed building design is unable to comply with the acceptable solution and relies on the performance criteria. The performance criteria require the building design to provide for passive surveillance of public spaces by satisfying all of the following:

- a) provide the main entrance or entrances to a building so that they are clearly visible from nearby buildings and public spaces;
- b) locate windows to adequately overlook the street and adjoining public spaces;
- c) incorporate windows and doors for ground floor offices to look upon public access to the building;
- d) locate external lighting to illuminate any entrapment spaces around the building site;
- e) design and locate public access to provide high visibility for users and provide clear sight lines between the entrance and adjacent properties and public spaces;
- f) provide for sight lines to other buildings and public spaces.

The proposed toilet block is a building that by its function and design does not facilitate ideal opportunities for passive surveillance. However, the building is to be sited in a location that enables clear view lines to, from and around the building that would effectively provide opportunities for passive surveillance. Therefore, the building is taken to be designed to be clearly visible from nearby buildings and public spaces, and given there is to be no permanent obstructions between the building and the frontage, it would adequately afford overlooking opportunities of the street and adjoining public spaces. The proposal includes flood lighting to illuminate the site and existing street lighting ensures other public spaces and well lit.

Accordingly, the application is assessed as satisfying the performance criteria and complies with this standard.

A condition of approval is recommended to ensure the flood lighting is appropriately designed and baffled to ensure minimal light overspill onto adjoining sites.

Part E: Codes

The following codes of the Scheme apply to this proposal:

Parking and Access Code

The number of parking spaces for Food Services is calculated on the floor area of a building or the number of seats, whichever is greater. The proposed food van is not considered to be a building, because it is a vehicle and the proposal does not include seating. Therefore, the proposed food van does not generate a parking requirement that can be assessed against the code.

The proposed toilet block (which is not for public use), associated to the food services use is to have a floor area of 3.5m². The parking requirement for the Food Services use (food van) is 15 spaces for each 100m² of floor area or 1 space for each 3 seats, whichever is the greater. Given that the toilet block is not 100m², 15 spaces are not required to be provided on the site. If the parking number generated by the floor area of 3.5m² was taken as a fraction of the number required (15 spaces for each 100m² of floor area), this would be less than half, which in accordance with the operation of Table 6.1, causes no parking to be required on the site.

As such, E6.6.1 Number of Car Parking Spaces is not an applicable standard.

Stormwater Management Code

This code applies to development requiring management of stormwater and does not apply to use. Accordingly, the proposed change of use does not necessitate assessment under this code. Council's Development Engineer has determined that the proposed building (toilet block), which is development would not require stormwater management due to the size of the building. However, if this was to become an issue in the future, stormwater could be directed by gravity to the public stormwater infrastructure at that time, which would satisfy the acceptable solution of the applicable standard.

PART F: Specific Area Plans

No Specific Area Plan applies.

INTERNAL REFERRALS**Development Engineer**

Council's Development Engineer has completed an assessment of the proposal decided that an internal referral was not necessary. This is because the proposal is utilising existing access arrangements, does not generate a parking requirement and there is no requirement to manage stormwater.

Environmental Health Officer

Proposed new food van located a little over 50m from residential zone. Further Information was requested for details about any noise generating equipment to meet acceptable solution in the Glenorchy Interim Planning Scheme 2015.

The proposed food van located in the fringes of a Light Industrial zone is unlikely to cause environmental harm through noise generation or amplified music. However, it is located approximately 50m from a residential zone, therefore specific information was required from the applicant about how they will meet this acceptable solution.

It is not anticipated that the activity will create excess noise emissions, although given the location nearing residential zoning it is recommended to condition the permit with the acceptable solution from the Scheme, 24.3.2 Noise.

EXTERNAL REFERRALS

TasWater

TasWater are in support of the proposal and have recommended conditions and advice to be included in the planning permit, if issued.

REPRESENTATIONS

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

1. Proximity of the food van to dwellings

The representor is concerned that the operation of the business in such proximity to dwellings will cause disturbances and nuisance from some patrons. It is believed that this increases the risk of burglary or break ins, from having members of the general public visiting the property and seeing items inside and outside of the dwelling(s).

Planner's Comment:

The proposed use is an allowable and compatible use within the Light Industrial zone. The existing dwellings have non-conforming use rights in this zone. At the discretion of the landowners/occupiers, privacy and security measures could be put into place. However, these are not specific matters that can be effectively dealt with through the planning assessment, particularly when measures such as fencing for example are not proposed in the application.

It is noted that the objective of the fencing standard is to ensure that fencing does not detract from the appearance of the site or the locality and provides for passive surveillance. The fencing standard applies only to fences within 10m of the frontage and those fences that adjoin a residential zone. Fencing is otherwise a civil matter that is regulated under the *Boundary Fences Act 1908*.

2. Hours of operation

The representor states that operating the business until midnight is likely to result in noise from patrons quite late at night, as well as traffic noise from patrons, which could be disruptive to sleep.

Planner's Comment:

The applicable standard which regulates the hours of operation is aimed at ensuring residential amenity is protected in residential zones. The adjoining dwellings are situated in the Light Industrial zone with non-confirming use rights, which enables these uses to exist in this location. That aside, Council's Environmental Health Officers have assessed the noise emissions expected from the operation of the Food Services use and have determined that the noise emitted would not be unreasonable (as per 24.3.2 A1). A further step is taken to ensure that the actual noise emissions caused by the operation of the use do not cause environmental harm to surrounding uses, by the recommendation of a condition to ensure noise levels remain at a reasonable level into the future. In addition, noise more generally is regulated through the *Environmental Management and Pollution Control Act 1993* and action could be taken under that Act if required.

3. Power and Water charges

The representor is concerned that the power and water connection and usage charges would be charged to the adjoining properties in the stratum.

Planner's Comment:

This is not a planning matter that can be dealt with under this assessment. However, TasWater and Aurora Energy/TasNetworks would provide the service connections and the usage charges to the site of the proposed food van and this would be separate to any charges to the adjoining dwellings in the stratum.

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 Light Industrial zone, as well as the applicable standards of the Road and Railway Assets code, Parking and Access code and Stormwater Management code. The application was publicly advertised for the statutory 14-day period and two representations were received. The matters raised in the representations have been considered through the assessment of the application.

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 Food van and associated amenities (Food Services) at 79 Charles Street Moonah 1/79 Charles Street Moonah 2/79 Charles Street Moonah 3/79 Charles Street Moonah 4/79 Charles Street Moonah subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-20-460 and Drawing submitted on 11 November 2020, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2020/01723-GCC, dated 23/11/2020, form part of this permit.
3. Lighting must be designed, baffled and located so that light overspill does not become an environmental nuisance to the occupiers of surrounding properties.

Environmental Health

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

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

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

Advice to Applicant

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

Other Permits

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

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

Attachments/Annexures

- 1 GPA Attachment - 79, 1/79, 2/79, 3/79, 4/79 Charles Street, Moonah



APPENDIX

24.0 Light Industrial Zone

Standard	Acceptable Solution	Proposed	Complies?
24.3 Use of Standards			
24.3.1 Hours of Operation	A1 Hours of operation of a use within 100 m of a residential zone must be within: (a) 7.00 am to 7.00 pm Mondays to Fridays inclusive; (b) 9.00 am to 5.00 pm Saturdays; (c) nil Sundays and Public Holidays. except for office and administrative tasks.	The site is within 100m of the Inner Residential. (a) 12pm to 12am (midnight) Mondays to Fridays inclusive; (b) 12pm to 12am (midnight) Saturdays; (c) 12pm to 12am (midnight) Sundays and Public Holidays.	No
24.3.2 Noise	A1 Noise emissions measured at the boundary of a residential zone must not exceed the following: (a) 55dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm; (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm 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 Management, including adjustment of noise levels for tonality and impulsiveness. Noise levels are to be averaged over a 15 minute time interval.	The Environmental Health assessment has determined that the noise emitted from the proposal would comply with the acceptable solution of this standard.	Yes
	A2 External amplified loud speakers or music must not be used within 50 m of a residential zone.	The site is 51m away from the Inner Residential zone.	NA
24.3.3 External Lighting	A1 External lighting within 50 m of a residential zone must comply with all of the following: (a) be turned off between 10:00 pm and 6:00 am, except for security lighting;	The site is 51m away from the Inner Residential zone.	NA

Standard	Acceptable Solution	Proposed	Complies?
	(b) security lighting must be baffled to ensure they do not cause emission of light outside the zone.		
24.3.4 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) 7.00 am to 7.00 pm Mondays to Saturdays inclusive; (b) 9 am to 5.00 pm Sundays and public holidays.	No commercial vehicle movements are proposed.	NA
24.3.5 Outdoor Work Areas	A1 Outdoor work areas and noise-emitting services such as air conditioning equipment, pumps and ventilations fans must not be located within 50 m of a residential zone.	The site is 51m away from the Inner Residential zone.	NA
24.4 Development Standards for Buildings and Works			
24.4.1 Building Height	A1 Building height must be no more than: 9m.	The height of the toilet block (building) is to be 2.40m	Yes
	A2 Building height within 10 m of a residential zone must be no more than 8.5 m.	Not within 10 m of a residential zone.	NA
24.4.2 Setback	A1 Building setback from frontage must be parallel to the frontage and must be no more than: (a) 10 m; or (b) the alignment of the adjoining buildings whichever is the lesser.	The building (toilet block) is more than 10m from the frontage.	Yes
	A2 Building setback from a residential zone must be no less than: (a) 10m; or (b) half the height of the wall, whichever is the greater.	No shared boundary with a residential zone.	NA
24.4.3 Design	A1 Building design must comply with all of the following:	a) The toilet entry is to be clearly visible form public spaces; b) The door opening takes up at least 50% of the front façade;	No

Standard	Acceptable Solution	Proposed	Complies?
	(a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site; (b) for new building or alterations to an existing facade provide windows and door openings at ground floor level in the front façade no less than 40% of the surface area of the ground floor level 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 50% of the length of the facade; (d) screen mechanical plant and miscellaneous equipment such as heat pumps, air conditioning units, switchboards, hot water units or similar from view from the street and other public spaces; (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.	c) The toilet has blank walls facing public spaces; d) No screen mechanical plant and miscellaneous equipment such as heat pumps, air conditioning units, switchboards, hot water units or similar are proposed; e) no roof-top service infrastructure, including service plants and lift structures, are proposed; f) no awnings over the public footpath if existing on the site or on adjoining lots are required; g) no security shutters over windows or doors with a frontage to a street or public place are proposed.	
	A2 Walls of a building facing a residential zone must comply with all of the following: (a) be coloured using colours with a light reflectance value not greater than 40 percent; (b) if within 50m of a residential zone, must not have openings in walls facing the residential zone, unless the line of sight to the building is blocked by another building.	Not in proximity to a residential zone.	NA
24.4.4 Passive Surveillance	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 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	a) Main entrance clearly visible to public spaces; b) At least 50% of openings in the front façade; c) Blank walls facing public spaces and car parking areas proposed; d) entrapment spaces are avoided;	No

Standard	Acceptable Solution	Proposed	Complies?
	20 % 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 10% 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.	e) external lighting to illuminate car parking areas and pathways is provided by flood lighting; f) well-lit public access at the ground floor level from any external car park is proposed.	
24.4.5 Landscaping	A1 Landscaping must be provided along the frontage of a site (except where access is provided) unless the building has a nil setback to frontage.	Landscaping is to be provided along the frontage.	Yes
	A2 Along a boundary with a residential zone landscaping must be provided for a depth no less than: 10m.	No such shared boundary.	Na
24.4.6 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 proposed.	NA
24.4.7 Fencing	A1 Fencing must comply with all of the following: (a) fences, walls and gates of greater height than 2.1 m must not be erected within 10 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.	No fencing proposed.	NA

14. PROPOSED USE AND DEVELOPMENT - TWO MULTIPLE DWELLINGS (1 NEW AND 1 EXISTING) 25 TILYARD STREET MONTROSE

Author: Senior Statutory Planner (Vanessa Tomlin)

Qualified Person: Senior Statutory Planner (Vanessa Tomlin)

Property ID: 5396331

REPORT SUMMARY

Application No.:	PLN-20-450
Applicant:	L J O'Brien
Owner:	L J O'Brien
Zone:	General Residential
Use Class	Residential
Application Status:	Discretionary
Discretions:	10.4.3 P2 Site coverage and private open space for all dwellings 10.4.4 P1 Sunlight and overshadowing for all dwellings E7.7.1 Stormwater Drainage and Disposal P1 (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	21 January 2021
Existing Land Use:	Single dwelling
Representations:	3
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

An application was received on the 8th October 2010 for staged Multiple Dwellings (one existing and one proposed) at 25 Tilyard Street, Montrose. The proposed dwelling would be located behind the existing dwelling on the site, over a single storey and would have a total floor area of 154.28 m². The proposed dwelling contains three bedrooms, two bathrooms, a laundry and an open plan living/kitchen/dining area. A deck off the living space is also proposed. The proposed dwelling has a maximum height above natural ground level (NGL) of approximately 4.8 m, with horizontal cement sheet weatherboards to the exterior and a Colorbond roof.

The proposed dwelling has a minimum setback of 1.5m to the south western side boundary and a minimum setback of 3 m to the north eastern side boundary with a 4m setback to the south eastern rear boundary.

Both the proposed and existing dwellings are provided with two car parking spaces each. The existing crossover from Tilyard Street is proposed to be widened and the driveway extended towards the rear of the site, providing access to the new dwelling. The stormwater is to be manage via a pump system.

SITE and LOCALITY

The subject site is located on the south-eastern side of Tilyard Street, diagonally opposite Huntley Street (Figure 1). The site is regular in shape, has an area of approximately 861m² and is predominantly flat. The site contains an existing single storey dwelling with a driveway located along the northern boundary. The site is fully serviced with reticulated sewer and water. The land surrounding the site is similarly zoned General Residential (Fig. 1).



Figure 1: Aerial photograph of the site (highlighted) and surrounds. Listmap 2020.

ZONE

The subject site zoned General Residential Zone (Figure 2).

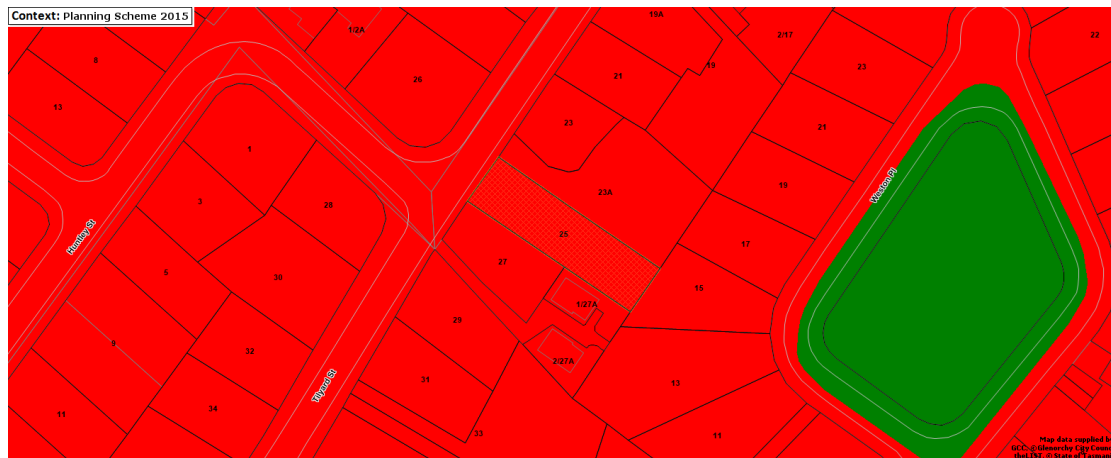


Figure 2: The site is in the General Residential zone – Glenorchy Interim Planning Scheme 2015. Listmap 2020.

BACKGROUND

There is no background information on file that is relevant to this assessment.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil.

Limited Exemptions

Nil.

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

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

Use Class Description (Table 8.2):

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

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

Other relevant definitions (Clause 4.1):

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

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

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

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 accords with the zone purpose statement as it provides for a variety of residential use and dwelling types close to services and facilities.

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

The proposed development does not meet the requirements of Clauses 10.4.3 A2 and 10.4.4 A1. As such, the proposed development has been assessed against the corresponding performance criteria.

10.4.3 Site coverage and private open space for all dwellings P2

The Private Open Space (POS) of the existing and proposed dwellings are not directly accessible from, and adjacent to, a habitable room and therefore must be assessed against P2. The existing POS is also located to the south-east of the dwelling and therefore must be assessed against P2.

A dwelling must have private open space that:

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

Both areas of POS are conveniently located in proximity to a habitable room and would therefore be conveniently located and capable of serving as an extension of the dwelling units for outdoor relaxation, dining, entertaining and children's play. The POS of the existing dwelling, whilst located to the south-east of the dwelling, would still receive sunlight from the north-east, thereby receiving sun until at least early afternoon.

The proposal meets the requirements of P2 and complies with the standard.

10.4.4 Sunlight and overshadowing for all dwellings P1

The existing and proposed dwelling would not have habitable room windows that face between 30 degrees west of north and 30 degrees east of north and therefore the proposal must be assessed against P1.

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

The living room windows of both the existing dwelling and proposed dwelling would be orientated towards the north-east and would therefore receive direct sunlight during the morning and midday period.

The proposal meets the requirements of P1 and comply with the standard.

Part E: Codes

The following codes of the Scheme apply to this proposal:

Road and Rail Asset Code

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

Parking and Access Code

The Parking and Access Code applies to all use and development. The proposed development provides a minimum of 2 spaces per dwelling and complies with all development standards applicable under the Code. For further comments please refer to the Engineering Assessment under the Referrals section later in this report.

Stormwater Management Code

E7.7.1 Stormwater Drainage and Disposal P1

The proposal accords with all the relevant Acceptable Solutions as demonstrated in the attached Appendix, except for E7.7.1 A1. This is because a pump system is proposed to manage the disposal of stormwater. The performance criteria require stormwater from new impervious surfaces to be managed by any of the following:

- (a) disposed of on-site with soakage devices having regard to the suitability of the site, the system design and water sensitive urban design principles
- (b) collected for re-use on the site;
- (c) disposed of to public stormwater infrastructure via a pump system which is designed, maintained and managed to minimise the risk of failure to the satisfaction of the Council.

Council's Development Engineer has assessed the proposed pump system designed to dispose of the stormwater on the site into public stormwater infrastructure. Further comments are available in the Engineering Assessment under the Referrals section later in this report. However, Council's Development Engineer is satisfied that the proposed system would be able to manage the stormwater effectively, with appropriate maintenance regime.

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

PART F: Specific Area Plans

No Specific Area Plan applies.

INTERNAL REFERRALS

Development Engineer

The application is for two multiple dwellings.

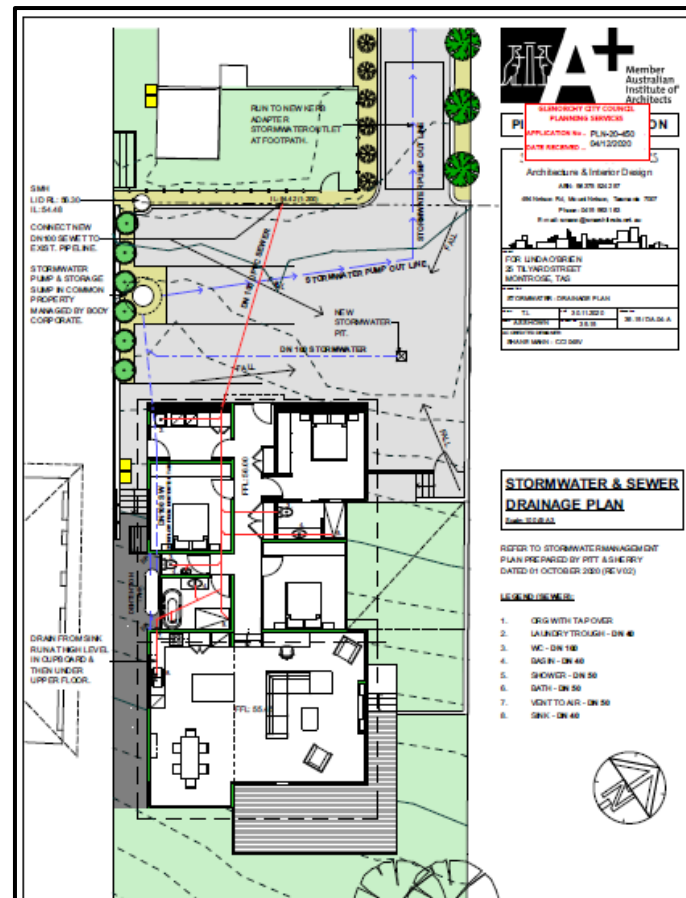


Figure 3. The concept servicing plan

E5.0 Road and Railway Assets Code

This Code applies to use or development of land:

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

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

Adequate sight for the access is available to satisfy the acceptable solution of clause E5.6.4 Sight distance at accesses.

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

Two representations were received raising concerns that the proposed development will generate a significant increase in vehicular traffic and safety concerns.

The proposed development meets the Acceptable Solution of E5.5.1 A3 Existing road accesses and junctions (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) and therefore any measures to address this under the associated Performance Criteria is not able to be considered.

A representation also raised concerns that there are currently not enough parking spaces for builders and their contractors. A condition is recommended that loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land to address this. In addition, there are controls under relevant legislation if there are parking breaches during construction.

E6.0 Parking and Access Code

This code applies to all use and development.

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

Four (4) car parking spaces are proposed to be provided. This satisfies the parking provision of the Acceptable Solution A1 of Clause E6.6.1 of the Glenorchy Interim Planning Scheme 2015. Two carparking spaces are required to be provided prior to completion of stage one and this is recommended to be a condition of approval.

Passing bay/s are required to be provided to satisfy the Acceptable Solution of clause E6.7.3 Vehicular Passing Areas Along an Access. A passing bay is proposed at the road frontage and within the carparking manoeuvring area within 30 meters of the passing bay at the road frontage. This is considered to satisfy the Acceptable Solution of this clause.

The proposed development satisfies the Acceptable Solution of clause E6.7.4 On-Site Turning in that Tilyard Street carries far less than 6,000 vehicles/day and is no more than two dwellings; however the applicant is proposing an area so that all vehicles are able to manoeuvre on-site and exit in a forward direction.

The carparking satisfies the Acceptable Solution of clause E6.7.5 Layout of Parking Areas. A condition is recommended to ensure compliance with this clause.

A condition of the Planning Permit is recommended to satisfy E6.7.6 Surface Treatment of Parking Areas and that this be provided prior on completion of each stage.

Sight distance for the accesses has been assessed and considered to meet the acceptable solution of Clause E6.7.2 Design of Vehicular Accesses.

Access to the development is from an existing access to Tilyard Street. This existing access is considered to satisfy the Acceptable Solution of E6.7.14 Access to a Road and E6.7.1 Number of Vehicle Accesses. A condition is recommended to regulate the construction of the access within the road reserve and to ensure compliance that the access is constructed in accordance with standards.

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 application is not proposing to satisfy the Acceptable Solution of E7.7.1 A1 where stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure. The applicant is proposing a pumped system addressing the Performance Criteria of E7.7.1 P1 (c) where stormwater from new impervious surfaces is disposed of via public stormwater infrastructure using a pump system which is designed, maintained and managed to minimise the risk of failure to the satisfaction of the Council.

The applicant provided a stormwater management report prepared by Pitt & Sherry engineering consultants to address the stormwater issues. The assessment and findings of the report can be summarised as follows:

- The Acceptable solutions for A2, A3, A4 are met for E7.1 the proposed stormwater drainage system to ensure appropriate conveyance of stormwater through the property; and
- Performance Criteria P1 (c) has been addressed. A sump pump is proposed which will involve collecting stormwater from new driveway, building and hardstand areas and pumping this to the existing street kerb adaptor on Tilyard Street for discharge. This solution was adopted since stormwater from new impervious surfaces cannot be suitably gravity-fed to public stormwater infrastructure. To increase the resilience of the system and enlarged pump sump is recommended in conjunction with a rainwater tank.

A condition is recommended about the new stormwater connection and to make the applicant aware how the stormwater connection application can be made as widening of the driveway will impact on the existing connection.

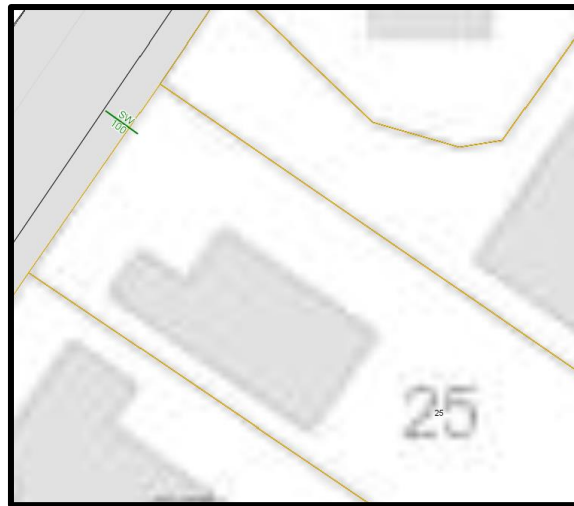


Figure 4. A snapshot of the lot connection point for Stormwater.

Two representations were received raising concerns about the proposed pump station. The pump station and associated internal stormwater infrastructure will require a future plumbing permit and must comply with the requirements of Australian Standard AS/NZS 3500 Plumbing and Drainage Code and in accordance with the requirements of Council's Plumbing Surveyor. A condition is recommended to bring this to the applicants/developers' attention and to address the representors concerns that the internal stormwater is regulated under a separate approval process.

Other

E3.0 Landslide Code

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

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

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

E15.0 Inundation Prone Areas Code

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

EXTERNAL REFERRALS

TasWater

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

REPRESENTATIONS

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

Sewerage

The representor raises concern that there will not be sufficient fall for the sewer lines to cater for the plumbing requirements of the proposal. Back flows and blockages could occur due to insufficient fall and cause a public health risk.

Another concern is connecting into the existing sewer line. The line is of considerable age and has a history of problems. There is concern that the infrastructure would be unable to handle any additional connections. If another connection was installed it could break and create problems to surrounding properties. It is suggested to connect to a sewer line below the property (e.g. towards Weston Place).

Planner's Comment:

TasWater is the responsible authority for the sewerage network. TasWater have assessed the application against the applicable requirements and have included conditions and advice on the permit, should it be issued.

Stormwater – pump system

The representor raises concern about the stormwater disposal. There will be a lot more water catchment due to concrete driveways and paths which could cause run off to neighbouring properties, if the fall of the driveway and the like are not correct and the stormwater pits may not cope. Also, the pump system that is relied on to keep the stormwater drains clear would cause problems if the pump fails and the pit overflows. This would cause flooding of neighbouring properties. What measures are to be put into place if there is system fails?

Planner's Comment:

Council's Development Engineer has assessed the suitability of the pump system for this application and is satisfied that the system proposed, together with an approved maintenance regime would minimise the risk of failure to the satisfaction of Council. In addition, Council's Development Engineer is satisfied that appropriate grades (fall) can be achieved on the site and this is supported by the recommended condition for the Australian Standard involving car parking spaces, manoeuvring areas and aisles. As such, the stormwater management proposed for the site is taken to be satisfactory.

Stormwater – general stormwater management

The representor states that the plans do not provide enough detail about the position or discharge point of sub soil drains on the elevated side of retaining walls and is concerned about how stormwater will be managed during construction.

Planner's Comment:

The detailed design for the management of stormwater in this regard is assessed as part of the plumbing approvals process. In addition, the management of stormwater during construction is dealt within under the Building Code of Australia.

Traffic safety

The representor states that Tilyard Street has numerous units and houses, plus an extremely busy business at the Main Road intersection. The street currently has a high traffic flow, as well as customers parking from the local business. Most properties have more than two cars per house/unit and therefore the street regularly has cars parked on it, limiting road use due to its narrowness. The subject property sits almost at the top of the street on a blind hill which intersects with Huntley St. There is concern that when building works commence there will be safety issues surrounding the brow of hill and intersection. There is currently not enough parking space for builders and their contractors either, which will impact current residents in the area. Building materials would have to be loaded and unloaded within the property.

Planner's Comment:

For the management of construction activities, Council's Development Engineer has concluded that a construction management plan is not required as part of this permit is issued. This is because of the scale of the development proposed and because construction activities, including parking of construction vehicles can be more effectively dealt with under other Acts. However, within the scope of this assessment, a condition has been recommended to ensure that all materials are unloaded and load within the site.

Overshadowing

The representor is concerned about the extent of overshadowing on the private outdoor space of the adjoining dwelling to the south of the subject site. The representor is concerned that the height of the proposed dwelling and its proximity to the shared boundary fence will greatly impact the amount of sun received by the small area available to the occupants for gardening activities. The representor says that gardening is a solace and detrimental impacts to the success of these activities would potentially affect the mental health of the occupants of the dwelling.

Planner's Comment:

The proposed dwelling is assessed as fitting within the building envelope described in diagram 10.4.2A. Accordingly, the potential extent of overshadowing is taken to be reasonable, with no discretion for further assessment.

Boundary fences

The representor is concerned about the shared boundary fence, with regard to its potential removal during construction of the development and ongoing security and privacy issues once the development is complete.

Planner's comments

The application does not propose a replacement frontage, side or rear boundary fence. Boundary fences, particularly side and rear boundary fences are regulated under the *Boundary Fences Act 1908*, provided these fences are no more than 2.1m in height. For that reason, the shared side and rear boundary fences are a civil matter between the neighbours. During construction, if the existing boundary fence was to be removed, temporary fencing is expected to be erected and this scenario would be regulated under the *Building Act 2016*.

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 three representations 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 Two Multiple Dwellings (1 new and 1 existing) at 25 Tilyard Street Montrose subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-20-450 and Drawing submitted on 04/12/2020, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2020/01684-GCC, dated 15/12/2020, form part of this permit.
3. The staging of the development must be constructed in the order as shown on the approved plan and as follows:

Stage 1 – The existing dwelling and two parking spaces;
Stage 2 – The additional dwelling and associated driveway and parking spaces for both dwellings.

Engineering

4. Soil and water management is to comply with best practice to prevent any transfer of soil material outside of the area specifically and necessarily disturbed for construction. Particular attention is to be paid to ensure no soil material is tracked onto roads and footpaths or to enter the Council's stormwater system. All aspects and protection measures in connection with soil and water management are to comply with the requirements of Council's Development Engineer and be installed prior to the removal of and/or disturbance of any soil or vegetation.
5. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
6. Four (4) clearly marked car parking spaces (two dedicated to each dwelling) must be provided and kept available for these purposes at all times prior to occupancy of the second dwelling. Car parking spaces, manoeuvring areas and aisles must be provided in accordance with the Australian Standard AS 2890.1 – 2004 Off-Street Parking. All works for the shared driveway area and two (2) parking spaces for the existing dwelling must be completed at stage 1. The driveway works including the two (2) parking space for unit 2 must be completed at stage 2 and prior to the occupancy of the additional dwelling (unit 2).
7. Driveways, car parking and turning areas must be constructed and sealed with an approved impervious surface treatment prior to occupancy. The driveway, parking and manoeuvring areas must be kept clear of obstructions, such as service authority infrastructure, letterboxes or bin enclosures, so that vehicle paths are not restricted.
8. A new stormwater kerb connection via Tilyard Street onto the property boundary must be provided. The developer must apply for a Stormwater Connection Request Form which can be obtained by contacting Council's Customer Service or via Council's website. The Request Form outlines the process and conditions for stormwater connections.
9. The vehicle crossing must be constructed in accordance with standard drawing TSD-R09-v2 between the kerb and the property boundary. The driveway/crossover work within Council's road reservation must be carried out by a Council approved contractor and all work must be reinstated to match the existing adjacent footpath/nature strip profile. An inspection must be undertaken by a Council Inspector, prior to the placement of any concrete. Please phone 62 166 800 to arrange a suitable time for the inspection to occur with adequate prior notice. A reinspection fee may apply to work that is not to Council standards. Appropriate traffic control and safety fencing must be provided to ensure public safety is not compromised during the works and must

not take longer than 48 hours to complete and be made available for safe pedestrian use.

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. The applicant is required to construct a stormwater pump station to service the development. The stormwater pump and associated infrastructure must comply with the requirements of Australian Standard AS/NZS 3500 Plumbing and Drainage Code and Council's Plumbing Surveyor. The operation and maintenance of the stormwater pumping station must be managed by the body corporate and the location of the pump system must be within common ground.

Advice to Applicant

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

Other Permits

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

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

Attachments/Annexures

- 1 GPA Attachment - 25 Tilyard Street, Montrose



APPENDIX A

10.0 General Residential Zone

Standard	Acceptable Solution	Proposed	Complies?
10.4 Development Standards for Residential Buildings and Works			
10.4.1 Residential density for multiple dwellings	A1 Multiple dwellings must have a site area per dwelling of not less than: (a) 325m ² ; or (b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.	The site has a total area of 861 m ² , which is 430.5 m ² per dwelling, therefore complies with A1.	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	The proposed dwelling would be located behind the existing dwelling and is therefore well in excess of 4.5 m.	Yes

	(c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or (d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.		
	A2 A garage or carport must have a setback from a primary frontage of at least: (a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or (b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.	No garage or carport proposed.	N/A
	A3 A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must: (a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:	The proposed dwelling would be contained within the required building envelope and would not have a setback within 1.5m of a side boundary. The highest part of the dwelling on the south-western elevation is 4.36m. For a 1.5m setback, the dwelling can be up to 4.5m above natural ground level before a discretion is introduced.	Yes

	(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and (b) only have a setback within 1.5 m of a side boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or (ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).	The maximum height of the dwelling is 4.8m and this point is 4.3m from the side boundary (and more than 6m from the rear boundary), where a height of 7.3m would meet the acceptable solution. The proposal fits within the maximum height of 8.5m, as described in diagram 10.4.2A	
10.4.3 Site coverage and private open space for all dwellings	A1 Dwellings must have: (a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and (b) for multiple dwellings, a total area of private open space of not less than 60 m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and	(a) Site coverage would be 29.5%. (b) Existing and proposed units have more than 60m² POS each. (c) 34% free from impervious surfaces.	Yes

	(c) a site area of which at least 25% of the site area is free from impervious surfaces.		
	A2 A dwelling must have an area of private open space that: (a) is in one location and is at least: (i) 24 m²; or (ii) 12 m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (b) has a minimum horizontal dimension of: (i) 4 m; or (ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and (d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and (e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30	(a) Is in one location and is 24m². (b) Has a minimum horizontal measurement of 4m. (c) POS of existing unit is not directly accessible from a living room. (d) Existing POS located to the south east of dwelling, assess against P2. (e) Neither POS areas are located between dwelling and frontage. (f) Gradient not steeper than 10%. (g) Neither POS areas are used for car parking.	No

	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).	The existing and proposed dwelling would not have habitable room window that meets A1.	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 (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	No dwelling is located to the north of another dwelling.	N/A

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

	width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).		
10.4.6 Privacy for all dwellings	A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary; and (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4 m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m: (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.	Deck of proposed dwelling has a minimum setback of 3 m to the northeast side boundary (a), 4 m to rear boundary (b) and more than 6 m from a habitable room window or POS of another dwelling on the same site (c).	Yes
	A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m	The south west elevation would have a floor level of more than 1m above NGL with a	Yes

	above the natural ground level, must be in accordance with (a), unless it is in accordance with (b): (a) The window or glazed door: (i) is to have a setback of at least 3 m from a side boundary; and (ii) is to have a setback of at least 4 m from a rear boundary; and (iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site. (b) The window or glazed door: (i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or (c) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.	minimum setback of 1.5 m. However, the windows on this elevation are proposed to either be screened by a timber slat privacy screen to a height of 1.7 m, be constructed of frosted glazing, be 1.7 m sill height above finished floor level or be offset by at least 1.5 m from the edge of a window or glazed door to a habitable room of another dwelling, in accordance with Clause (b) and (c).	
	A3		

	A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least: (a) 2.5 m; or (b) 1 m if: (i) it is separated by a screen of at least 1.7 m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.	The windows of the existing dwelling that would be located along the shared driveway are proposed to either be constructed of obscure glazing or have a sill height of 1.7 m above NGL.	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 fencing is proposed withing 4.5m of a frontage.	N/A
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:	Bins located in area for private use of each dwelling and located behind the front building line.	Yes

	(a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) in a communal storage area with an impervious surface that: (i) has a setback of at least 4.5 m from a frontage; and (ii) is at least 5.5 m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2 m above the finished surface level of the storage area.		
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APPENDIX

E5 Road and Railway Assets Code

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

Standard	Acceptable Solution	Proposed	Complies?
E5.6.2 Road accesses and junctions	A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h	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.	
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:		Yes

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

Standard	Acceptable Solution	Proposed	Complies?
	provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.		
E6.6.4 Number of Bicycle Parking Spaces	A1 The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.	Not an applicable standard.	
E 6.7 Development Standards			
E6.7.1 Number of Vehicle Accesses	A1 The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.		Yes
E6.7.2 Design of Vehicular Accesses	A1 Design of vehicle access points must comply with all of the following: (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of 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		Yes - existing

Standard	Acceptable Solution	Proposed	Complies?
	driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.		
E6.7.3 Vehicular Passing Areas Along an Access	A1 Vehicular passing areas must: (a) be provided if any of the following applies to an access: (i) it serves more than 5 car parking spaces; (ii) is more than 30 m long; (iii) it meets a road serving more than 6000 vehicles per day; (b) be 6 m long, 5.5 m wide, and taper to the width of the driveway; (c) have the first passing area constructed at the kerb; (d) be at intervals of no more than 30 m along the access.		Yes
E6.7.4 On-Site Turning	A1 On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following: (a) it serves no more than two dwelling units; (b) it meets a road carrying less than 6000 vehicles per day.	Not an applicable standard.	
E6.7.5	A1		

Standard	Acceptable Solution	Proposed	Complies?
Layout of Parking Areas	The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same Standard.		Yes - conditioned
E6.7.6 Surface Treatment of Parking Areas	A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following; (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.		Yes - conditioned
E6.7.7 Lighting of Parking Areas	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 “Basis of Design” and clause 3.6 “Car Parks” in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.	Not an applicable standard.	
E6.7.8	A1		

Standard	Acceptable Solution	Proposed	Complies?
Landscaping of Parking Areas	Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.	Not an applicable standard.	
E6.7.9 Design of Motorcycle Parking Areas	A1 The design of motorcycle parking areas must comply with all of the following: (a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) be located within 30 m of the main entrance to the building.	Not an applicable standard.	
E6.7.10 Design of Bicycle Parking Facilities	A1 The design of bicycle parking facilities must comply with all the following; (a) be provided in accordance with the requirements of Table E6.2; (b) be located within 30 m of the main entrance to the building.	Not an applicable standard.	
	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		

Standard	Acceptable Solution	Proposed	Complies?
	Facilities” and clauses 3.1 “Security” and 3.3 “Ease of Use” of the same Standard.		
E6.7.11 Bicycle End of Trip Facilities	A1 For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.	Not an applicable standard.	
E6.7.12 Siting of Car Parking	A1 Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.	Not an applicable standard.	
E6.7.1.13 Facilities for Commercial Vehicles	A1 Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless: (a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site;	Not an applicable standard.	

Standard	Acceptable Solution	Proposed	Complies?
	(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.		No
	A2 A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply: (a) the size of new impervious area is more than 600 m ² ; (b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots.	Not an applicable standard.	
	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		Yes - conditioned

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