

# **GLENORCHY PLANNING AUTHORITY**

## **AGENDA**

**MONDAY, 22 FEBRUARY 2016**



### **GLENORCHY CITY COUNCIL**

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

**Chairperson:** Alderman K. Johnston

**Hour:** 3.00 p.m.

#### **TABLE OF CONTENTS:**

|           |                                                                                                                                                                                                                              |          |
|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| <b>1.</b> | <b>PLANNING AUTHORITY DECLARATION .....</b>                                                                                                                                                                                  | <b>3</b> |
| <b>2.</b> | <b>APOLOGIES/LEAVE OF ABSENCE.....</b>                                                                                                                                                                                       | <b>3</b> |
| <b>3.</b> | <b>PECUNIARY INTERESTS.....</b>                                                                                                                                                                                              | <b>3</b> |
| <b>4.</b> | <b>CONFIRMATION OF MINUTES .....</b>                                                                                                                                                                                         | <b>3</b> |
| <b>5.</b> | <b>PROPOSED USE AND DEVELOPMENT - SINGLE DWELLING (WITH<br/>ACCESS VIA 103A MONTROSE) IN BUSHFIRE PRONE AREA AND<br/>SUBJECT TO THE WATERWAY AND COASTAL PROTECTION CODE<br/>- 103 AND 103A MONTROSE ROAD, MONTROSE.....</b> | <b>4</b> |

|    |                                                                                                                                                                                                                                                                    |           |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| 6. | PROPOSED USE AND DEVELOPMENT - ADDITIONS TO PLEASURE<br>BOAT FACILITY (MARINA) IN THE PRINCE OF WALES MARITIME<br>INDUSTRIAL PRECINCT AND CROWN LAND, RELYING ON<br>PERFORMANCE CRITERIA - BENDER DRIVE, 18 BENDER DRIVE<br>AND 20 BENDER DRIVE, DERWENT PARK..... | 52        |
|    | <b>CLOSED TO MEMBERS OF THE PUBLIC .....</b>                                                                                                                                                                                                                       | <b>92</b> |
| 7. | APPEALS REPORT .....                                                                                                                                                                                                                                               | 92        |

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

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| <b>2. APOLOGIES/LEAVE OF ABSENCE</b> |
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| <b>3. PECUNIARY INTERESTS</b> |
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| <b>4. CONFIRMATION OF MINUTES</b> |
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That the minutes of the Glenorchy Planning Authority Meeting held on 9 February 2016 be confirmed.

**5. PROPOSED USE AND DEVELOPMENT - SINGLE DWELLING (WITH ACCESS VIA 103A MONTROSE) IN BUSHFIRE PRONE AREA AND SUBJECT TO THE WATERWAY AND COASTAL PROTECTION CODE - 103 AND 103A MONTROSE ROAD, MONTROSE**

Author: Planning Officer (Chantelle Griffin)

Qualified Person: Planning Officer (Chantelle Griffin)

Property ID: 5385077

**REPORT SUMMARY:**

|                            |                                                                                                                                                                                      |
|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application No.:</b>    | <b>PLN-16-003</b>                                                                                                                                                                    |
| <b>Applicant:</b>          | <b>Bryden Homes Pty Ltd</b>                                                                                                                                                          |
| <b>Owner:</b>              | <b>B L Oling and J L Bosco</b>                                                                                                                                                       |
| <b>Zone:</b>               | <b>General Residential</b>                                                                                                                                                           |
| <b>Use Class</b>           | <b>Residential</b>                                                                                                                                                                   |
| <b>Application Status:</b> | <b>Discretionary</b>                                                                                                                                                                 |
| <b>Discretions:</b>        | <b>Bushfire prone area and subject to the waterway and coastal protection code</b><br>(The proposal meets all other applicable standards as demonstrated in the attached appendices) |
| <b>Level 2 Activity?</b>   | <b>No</b>                                                                                                                                                                            |
| <b>42 Days Expires:</b>    | <b>04 Mar 2016</b>                                                                                                                                                                   |
| <b>Existing Land Use:</b>  | <b>Vacant Land</b>                                                                                                                                                                   |
| <b>Proposal In Brief:</b>  | <b>Single Dwelling (with access via 103A Montrose) in bushfire prone area and subject to the waterway and coastal protection code</b>                                                |
| <b>Representations:</b>    | <b>1</b>                                                                                                                                                                             |
| <b>Recommendation:</b>     | <b>Approval, subject to conditions</b>                                                                                                                                               |

## REPORT IN DETAIL:

### PROPOSAL

The application is for a single dwelling (with access via 103A Montrose) in a bushfire prone area and subject to the waterway and coastal protection code at 103 and 103A Montrose Road, Montrose.

The proposed single dwelling would be single storey on the south-east side and double storey on the north-west side facing the road.

The proposal would be located 9.956m from the north-west front boundary, 3.7m from the northern side boundary, 2.5m from the south-west side boundary, and 4.83m from the south-east rear boundary. The proposal would have a maximum height 6.5m from natural ground level.

The proposed dwelling would include an open-plan kitchen/dining room, lounge, three bedrooms and amenities on the second story, and a garage, laundry, rumpus, two bedrooms and amenities.

The proposal would gain vehicular access via 103A Montrose Road, Montrose. There is an existing right-of-way on 101 and 103A Montrose Road that does not benefit the property at 103 Montrose Road. The applicant provided written consent from the owner of 103A Montrose Road for the application.

### SITE and LOCALITY

The subject site is located on the south-east side Montrose Road, approximately 415m south-west of the intersection with Pitcairn Street, Montrose. The property has a front boundary of 11.51m, a depth of 30.57m and a total area of 769m<sup>2</sup> (see Figure 1 below).



**FIGURE 1:** Aerial photograph of site with cadastral overlay.

The site has a steep slope and falls toward the north-west with an average gradient of 1 in 2.5. The property contains some vegetation, mainly along the north-west front boundary. The site is located within a residential area with a mix of single dwellings and multiple dwellings. The area has a mix of residential, low density residential and environmental management zones.

## ZONE

The subject property is zoned General Residential under the Glenorchy Interim Planning Scheme 2015.

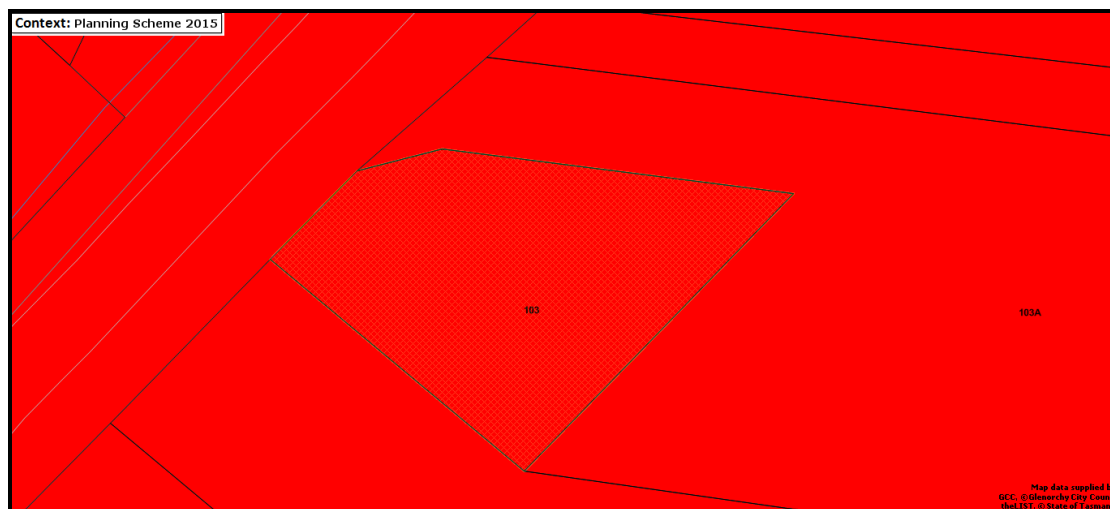


FIGURE 2: Excerpt from Glenorchy Interim Planning Scheme 2015 zoning map.

## BACKGROUND

During assessment of the application the Land Titles Office provided confirmation that the property at 103 Montrose Road had no entitlement to the right-of-way over 103A Montrose Road, Montrose. The applicant provided written consent from the owner of 103A Montrose Road for the lodging of the application and for a vehicular access to be formalised on the title.

## ASSESSMENT

### STATE POLICIES, OBJECTIVES of LUPAA

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

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

### GLENORCHY INTERIM PLANNING SCHEME 2015

#### Part B: Administration

##### General Exemptions

Nil.

##### Limited Exemptions

Nil.

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

Yes. Code E1 Bushfire-Prone Areas, Code E6 Parking and Access, Code E7 Stormwater Management, and Code E11 Waterway and Coastal Protection apply to the site and/or to the proposed development (see later sections of this report).

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

The use “single dwelling” falls within the “Residential” use class of the Glenorchy Interim Planning Scheme 2015.

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

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

*means a dwelling on a lot on which no other dwelling is situated, or a dwelling and an ancillary dwelling on a lot on which no other dwelling is situated.*

**Part C: Special Provisions**

Not Applicable.

**Part D: Zones**

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

**Zone Purpose Statement**

The General Residential zone purpose statements in Clause 10.1.1 of the Glenorchy Interim Planning Scheme 2015 are as follows:

**10.1.1.1**

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

**10.1.1.2**

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

**10.1.1.3**

*To provide for the efficient utilisation of services.*

The proposed single dwelling would provide for residential use and development where full infrastructure services are available. Therefore, the proposal is considered to be in accordance with the zone purpose statement in Clause 10.1.1 of the Glenorchy

**Use Table**

The proposed use of 'single dwelling' is a permitted as of right use without qualifications in accordance with the use table in Clause 10.2 of the Glenorchy Interim Planning Scheme 2015.

**Use Standards**

There are no use standards applicable to residential development within this zone.

**Development Standards for Residential Buildings & Works**

The proposal complies with the development standards set out in Clause 10.4 of the Glenorchy Interim Planning Scheme 2015. Please see Appendix 1 below.

**Part E: Codes**

The following codes of the Scheme apply to this proposal:

**Bushfire-Prone Areas Code***Clause E1.6.3 – Standard A1*

The proposal provides bushfire hazard management plan in accordance with Clause E1.6.3 – standard A1(c) of the Glenorchy Interim Planning Scheme 2015.

The bushfire hazard management plan made several recommendations:

*Access:*

- 1. Vehicular access to the site must comply with the Australian Road Research Board Unsealed Roads Manual – Guidelines to Good Practice (3<sup>rd</sup> Edition, March 2009) as a classification 4C Access Road.*
- 2. A 4m minimum vertical clearance and minimum 2m horizontal clearance either side must be maintained along the length of the access.*

*Water:*

*No recommendations made regarding the provision of water to the development for firefighting purposes.*

*Constructed Responses:*

- 1. The development must comply with the general construction requirements prescribed within Section 3 and the requirements prescribed for a Bushfire Attack Level of BAL19 within Section 6 of the Australian Standard for the Construction of Buildings in Bushfire Prone Areas AS3959:2009.*
- 2. Any plan submitted together with an application for a Building Permit for the Standard for the development must demonstrate likely compliance with the above sections of the Standard. Plans submitted for building approval should be annotated to include the relevant construction requirements prescribed within the Standard.*

*Other:*

1. *The Hazard Management Areas shown on the attached Bushfire Hazard Management Plan must be maintained in a low fuel condition, i. e. in a state in which any vegetation contained within these areas is unlikely to significantly increase the intensity of a bushfire threatening the dwelling.*
2. *The property owner should develop a Bushfire Survival Plan for the site in accordance with the TFS publication Bushfire: Prepare to Survive.*

*Conclusion:*

*The level of bushfire hazard posed to the proposed dwelling is considered to be acceptable provided it proceeds in accordance with the recommendations made in this report.*

The Bushfire Hazard and BAL Assessment by Southern Planning dated 3 December 2015 demonstrates that the proposal complies with the standards in E1.0 Bushfire-Prone Areas Code in the Glenorchy Interim Planning Scheme 2015 (see Appendix 2).

**Parking and Access Code***Clause E6.6.1 – Standard A1*

The proposal provides space for two car parking spaces in accordance with Clause E6.6.1 – standard A1 of the Glenorchy Interim Planning Scheme 2015. Please refer to the report by Council's Development Engineer below and Appendix 3.

**Stormwater Management Code**

The proposal is not exempt under Clause E7.4 of the Glenorchy Interim Planning Scheme 2015. However, the proposal complies with the standards in Section E7.0 of the Scheme. Therefore, the proposal would in accordance with Section E7.0 of the Glenorchy Interim Planning Scheme 2015. Refer Appendix 4.

**Waterway and Coastal Protection Code***Clause E11.7.1 – Standard A1*

The proposed single dwelling would require a location within a building area on a plan of subdivision approved under this planning scheme in accordance with Clause E11.7.1 – Standard A1 Glenorchy Interim Planning Scheme 2015.

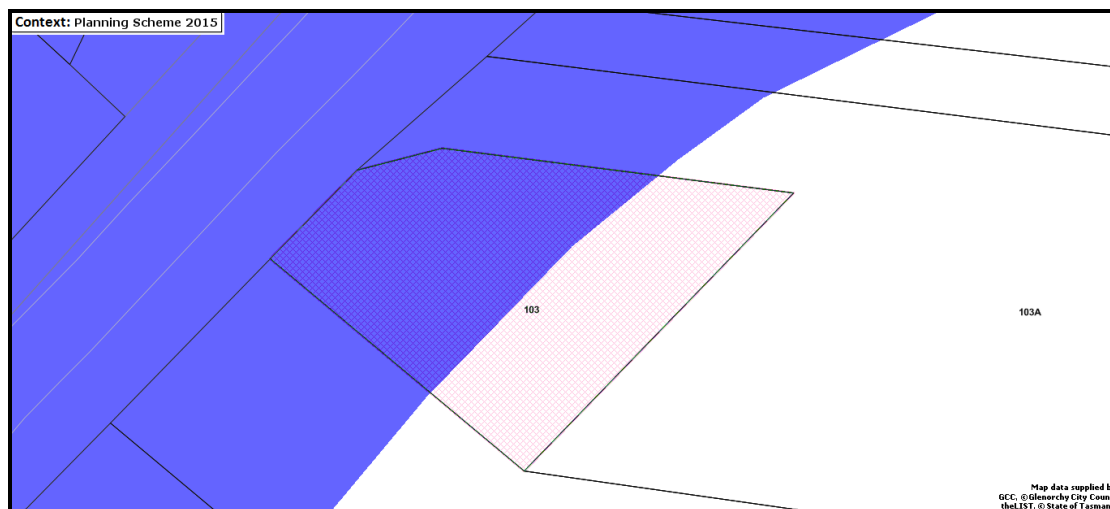
The proposal would be located on a plan of subdivision approved prior to this scheme. A variation may be considered in accordance with the performance criteria in Clause E11.7.1 – P1 as follows:

*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 proposed single dwelling will be located on the opposite side of the road to the Islet Rivulet. The proposal would connect to existing infrastructure and would have minimal impact on the watercourse. Therefore, it is considered that a variation would be acceptable in this instance.

Overall, it is considered that the variation would be acceptable as it would accord with the Performance Criteria set forth in Clause E11.7.1 – P1 in the Glenorchy Interim Planning Scheme 2015. Refer Appendix 5.



**FIGURE 3: Area affected by Waterway and Coastal Protection Code.**

**PART F: Specific Area Plans**

Nil.

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

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

***Traffic, Access & Parking***

*Access to the site is available from an existing rural access within an existing right of way off Montrose Road. The applicant, at the time of submitting the application, does not have benefit to use the existing access but has provided a statement from the affected property owner that they agree to legalise this and provide benefiting rights and right of way to the applicant, for the application to be made valid. A condition that this right of way be formalised and extended to the lot to cover the access within private property outside the subject lot, prior to building approval, is recommended as a condition of approval.*

*It is recommended this access be constructed to the requirements of the Bushfire Report submitted with the development application, in addition to Council standard requirements and that a statement be provided by an accredited bush fire practitioner that the access and associated infrastructure has been constructed in accordance with the report, prior to occupancy of the dwelling. There is no other traffic or parking issues associated with this application.*

*A representation has been received with concerns regarding the steepness of the existing access the development proposes to use and the sight distance available with vehicles exiting the site. This is an existing access approved under the under subdivision. However, vegetation is restricting sight lines and with some minor vegetation removal the sight distance can be significantly increased. A works order has been lodged with Councils works department to remove vegetation to improve sight distance. The steepness of the existing access that provides access to another two properties, while not complying with current standard for transiting into a lot, cannot be improved without significant earthworks and cost and not likely to comply with standards once complete. The applicant has demonstrated through engineering drawings the driveway extension from the existing shared access complies with current standards.*

***GCC Services (Stormwater)***

*There are no GCC stormwater mains affected by this application.*

***Other***

*Geoscience issues*

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

*Flooding/Inundation issues*

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

**Environment Coordinator**

The proposal was referred to Council's Environment Coordinator who is supportive of the proposal.

**EXTERNAL REFERRALS**

**TasWater**

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

**REPRESENTATIONS**

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

**1. Existing Access**

The representor states that the existing access via 103A Montrose Road is quite steep, and would have limited visibility especially to vehicles travelling in a westerly direction.

*Planner's Comment:*

The proposal will utilise an existing access which forms a right-of-way for the neighbouring lots. The applicant has applied to use the existing right-of-way because of the steep slope toward the front of the property at 103 Montrose Road. The existing access on the neighbouring site would be a safer and more suitable option than creating a new access. This issue has been previously addressed in the Development Engineer's assessment which stated:

*"...This is an existing access approved under the under subdivision however, vegetation is restricting sight lines and with some minor vegetation removal the sight distance can be significantly increased. A works order has been lodged with Councils works department to remove vegetation to improve sight distance... The applicant has demonstrated through engineering drawings the driveway extension from the existing shared access complies with current standards."*

**CONCLUSION**

The proposal is for a single dwelling (with access via 103A Montrose) in a bushfire prone area and subject to the waterway and coastal protection code at 103 and 103A Montrose Road, Montrose. As stated in the report, the single dwelling is a permitted as of right use (only the variation for waterway and coastal protection code is discretionary), and is considered to accord with the standards of the General Residential Zone of the Glenorchy Interim Planning Scheme 2015.

The buildings and works are not considered to cause unreasonable impact because the location is within close proximity to existing infrastructure. The proposed variation is considered to accord with the standards of Clause E11.7.1 in the Scheme.

The application was notified for the statutory 14-day notification period and one representation was received raising the issue of the location and steepness of the existing vehicular access. As discussed, the applicant has demonstrated through engineering drawings that the driveway extension from the existing shared access complies with current standards.

Council's Development Engineer is supportive of the proposal subject to the recommended conditions.

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 single dwelling (with access via 103A Montrose) in a bushfire prone area and subject to the waterway and coastal protection code at 103 and 103a Montrose Road Montrose subject to the following conditions:

#### ***Planning***

1. Use and development shall be substantially in accordance with planning permit application No. PLN-16-003 and Drawing No. P1 pages 2-5 of 5 submitted on 4 January 2016, and Drawing No. P2 submitted on 6 January 2016, and Drawing No. P3 submitted on 21 January 2016, and the Bushfire Hazard Management Plan submitted on 4 January 2016, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Appendix A, form part of this permit.

#### ***Bushfire Hazard Management Plan:***

3. A 4m minimum vertical clearance and minimum 2m horizontal clearance either side must be maintained along the length of the access.
4. The development must comply with the general construction requirements prescribed within Section 3 and the requirements prescribed for a Bushfire Attack Level of BAL19 within Section 6 of the Australian Standard for the Construction of Buildings in Bushfire Prone Areas AS3959:2009.
5. The Hazard Management Areas shown on the attached Bushfire Hazard Management Plan must be maintained in a low-fuel condition, that is. in a state in which any vegetation contained within these areas is unlikely to significantly increase the intensity of a bushfire threatening the dwelling.

#### ***Engineering***

6. 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.

7. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
8. A suitable reciprocal right of way must be created over the adjoining title for the access as shown on the proposal plan submitted with the development application and to the requirements of Council's Development Engineer, prior to Building Approval, at the developers cost.
9. The entire access must be sealed with an approved impervious surface treatment and constructed in accordance with the Bushfire Report – 103 Montrose Road, Montrose dated 3 December 2015 and submitted with the development application. All runoff from paved and driveway areas must be retained within site boundaries and discharged into Council's stormwater system and construction details must generally be in accordance with Council's standard requirements. A statement from an accredited bushfire practitioner must be provided to Council, that the access and any associated infrastructure has been constructed in accordance with the requirements of this report, prior to occupancy of the dwelling.
10. All internal hydraulic service works required for the development shall be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor.

### ***Advice to Applicant***

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

- All development applications that result in an increase in the impervious area of the site, and therefore the peak stormwater discharge rate may require an On-Site Detention System (OSD) in accordance with Council Policy No 28-4. The proposed OSD must provide a runoff storage volume equivalent to the difference between the allowable site discharge and the anticipated maximum discharge over the period of the design storm. An OSD assessment must be submitted with the Plumbing Permit Application and detailed in a hydraulic design for approval by Council's Plumbing Permit Authority. Water Sensitive Urban Design (WSUD) elements are encouraged. If the developer has any enquiries relating to acceptable methods of providing On-site detention, they should contact Council's Plumbing Surveyor on (03) 6216 6800.

## Appendix 1

### 10.0 General Residential Zone

| STANDARD                                                              | ACCEPTABLE SOLUTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | PROPOSED                                                                           | COMPLIES? |
|-----------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|-----------|
| <b>10.4 Development Standards for Residential Buildings and Works</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                    |           |
| 10.4.1<br>Residential density for multiple dwellings                  | <b>A1</b><br>Multiple dwellings must have a site area per dwelling of not less than:<br>(a) 325m <sup>2</sup> ; or<br>(b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Not applicable.                                                                    | N/A       |
| 10.4.2 Setbacks and building envelopes for all dwellings:             | <b>A1</b><br>Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is:<br>(a) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or<br>(b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or<br>(c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or | Complies. The proposal would be located 9.956m from the north-west front boundary. | YES       |

| STANDARD | ACCEPTABLE SOLUTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | PROPOSED                                                                                                                                                                                                                                                                               | COMPLIES? |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
|          | (d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                        |           |
|          | <b>A2</b><br>A garage or carport must have a setback from a primary frontage of at least: <ul style="list-style-type: none"> <li>(a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or</li> <li>(b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or</li> <li>(c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                        | Complies. The proposed garage would be located 23m from the north-west front boundary.                                                                                                                                                                                                 | YES       |
|          | <b>A3</b><br>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: <ul style="list-style-type: none"> <li>(a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by: <ul style="list-style-type: none"> <li>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and</li> <li>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and</li> </ul> </li> </ul> | Complies. The proposal would be located 9.956m from the north-west front boundary, 3.7m from the northern side boundary, 2.5m from the south-west side boundary, and 4.83m from the south-east rear boundary. The proposal would have a maximum height 6.5m from natural ground level. | YES       |

| STANDARD                                                      | ACCEPTABLE SOLUTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | PROPOSED                                                                                                                                                      | COMPLIES? |
|---------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
|                                                               | (b) only have a setback within 1.5 m of a side boundary if the dwelling: <ul style="list-style-type: none"> <li>(i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or</li> <li>(ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).</li> </ul>                                                                                                                                                                                                                                         |                                                                                                                                                               |           |
| 10.4.3 Site coverage and private open space for all dwellings | <b>A1</b><br>Dwellings must have: <ul style="list-style-type: none"> <li>(a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and</li> <li>(b) for multiple dwellings, a total area of private open space of not less than 60 m<sup>2</sup> associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</li> <li>(c) a site area of which at least 25% of the site area is free from impervious surfaces.</li> </ul>                                     | Complies. The proposal would have a site coverage of approximately 15%. The proposal would have a site area free of impervious surfaces of approximately 70%. | YES       |
|                                                               | <b>A2</b><br>A dwelling must have an area of private open space that: <ul style="list-style-type: none"> <li>(a) is in one location and is at least:               <ul style="list-style-type: none"> <li>(i) 24 m<sup>2</sup>; or</li> <li>(ii) 12 m<sup>2</sup>, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</li> </ul> </li> <li>(b) has a minimum horizontal dimension of:               <ul style="list-style-type: none"> <li>(i) 4 m; or</li> </ul> </li> </ul> | Complies. The proposal would have an area in excess of the minimum requirement.                                                                               | YES       |

| STANDARD                                           | ACCEPTABLE SOLUTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | PROPOSED                                                         | COMPLIES? |
|----------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|-----------|
|                                                    | <ul style="list-style-type: none"> <li>(ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</li> <li>(c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and</li> <li>(d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and</li> <li>(e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and</li> <li>(f) has a gradient not steeper than 1 in 10; and</li> <li>(g) is not used for vehicle access or parking.</li> </ul> |                                                                  |           |
| 10.4.4 Sunlight and overshadowing of all dwellings | <b>A1</b><br>A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Complies. The proposed living areas would face toward the north. | YES       |
|                                                    | <b>A2</b><br>A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c):<br>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B):                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Not applicable.                                                  | N/A       |

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

| STANDARD                                                            | ACCEPTABLE SOLUTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | PROPOSED                                                                                | COMPLIES? |
|---------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|-----------|
|                                                                     | (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 | <b>A1</b><br>A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Complies. The proposed garage would be located 23m from the north-west front boundary.  | YES       |
| 10.4.6 Privacy for all dwellings                                    | <b>A1</b><br>A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:<br>(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<br>(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<br>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m:<br>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or<br>(ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site. | Complies. The proposed deck would be a minimum of 3.7m from the northern side boundary. | YES       |

| STANDARD | ACCEPTABLE SOLUTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | PROPOSED                                                                                                                                               | COMPLIES?  |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
|          | <p><b>A2</b><br/>A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <p>(a) The window or glazed door:</p> <ul style="list-style-type: none"> <li>(i) is to have a setback of at least 3 m from a side boundary; and</li> <li>(ii) is to have a setback of at least 4 m from a rear boundary; and</li> <li>(iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</li> <li>(iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site.</li> </ul> <p>(b) The window or glazed door:</p> <ul style="list-style-type: none"> <li>(i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or</li> <li>(ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or</li> <li>(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%.</li> </ul> | <p>Complies. The windows above 1m would be a minimum 3.1m from the nearest boundary, and the neighbouring dwellings are located at least 24m away.</p> | <p>YES</p> |

| STANDARD                                       | ACCEPTABLE SOLUTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | PROPOSED        | COMPLIES? |
|------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------|
|                                                | <b>A3</b><br>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:<br>(a) 2.5 m; or<br>(b) 1 m if:<br>(i) it is separated by a screen of at least 1.7 m in height; or<br>(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. | N/A       |
| 10.4.7<br>Frontage<br>Fences for all dwellings | <b>A1</b><br>A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than:<br>(a) 1.2 m if the fence is solid; or<br>(b) 1.8 m, if any part of the fence that is within 4.5 m of a primary frontage has openings above a height of 1.2 m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).                                                                                                                                                                     | Not applicable. | N/A       |
| 10.4.8<br>Waste Storage for multiple dwellings | <b>A1</b><br>A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m <sup>2</sup> per dwelling and is within one of the following locations:<br>(a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or                                                                                                                                                                                                                                                                    | Not applicable. | N/A       |

| STANDARD | ACCEPTABLE SOLUTION                                                                                                                                                                                                                                                                                                                                                                           | PROPOSED | COMPLIES? |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
|          | (b) in a communal storage area with an impervious surface that: <ul style="list-style-type: none"> <li>(i) has a setback of at least 4.5 m from a frontage; and</li> <li>(ii) is at least 5.5 m from any dwelling; and</li> <li>(iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2 m above the finished surface level of the storage area.</li> </ul> |          |           |

## Appendix 2

### E1.0 Bushfire-Prone Areas Code

| Standard                                  | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Proposed        | Complies? |
|-------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------|
| <b>1.5 Use Standards.</b>                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                 |           |
| E1.5.1.1<br>Standards for vulnerable uses | <b>A1</b><br>No Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Not applicable. | N/A       |
|                                           | <b>A2</b><br>Vulnerable uses must demonstrate bushfire protection measures, addressing the characteristic, nature and scale of the vulnerable use, the characteristics of its occupants and the bushfire-prone vegetation, which are incorporated into a bushfire hazard management plan, certified by an accredited person or the TFS, that any risks associated with the use are tolerable, and that the plan provides for: <ul style="list-style-type: none"> <li>(a) emergency evacuation plans including designated emergency meeting points, which provide protection to fire fighters and evacuees; and</li> </ul> | Not applicable. | N/A       |

| Standard                                                      | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Proposed        | Complies? |
|---------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------|
|                                                               | (b) information to staff, occupants and visitors on bushfire safety and evacuation procedures.                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                 |           |
| E1.5.2.1<br>Standards for hazardous uses                      | <b>A1</b><br>No Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Not applicable. | N/A       |
|                                                               | <b>A2</b><br>Hazardous uses must demonstrate bushfire protection measures, addressing the characteristics, nature and scale of the hazardous use and the bushfire-prone vegetation, which are incorporated into a bushfire hazard management plan, certified by an accredited person or the TFS, that any risks associated with the use are tolerable, taking into consideration:<br><br>(a) exposure to dangerous substances; and<br><br>(b) ignition potential from the site; and<br><br>(c) flammable material contributing to the intensification of a fire. | Not applicable. | N/A       |
| <b>1.6 Development Standards.</b>                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                 |           |
| E1.6.1.1<br>Subdivision: Provision of hazard management areas | <b>A1</b><br>(a) The TFS or an accredited person certifies, having regard to the objective, that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or<br><br>(b) The proposed plan of subdivision-                                                                                                                                                                                                                                                                           | Not applicable. | N/A       |

| Standard | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Proposed | Complies? |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
|          | <ul style="list-style-type: none"> <li>(i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivisions; and</li> <li>(ii) shows the building area for each lot; and</li> <li>(iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of AS 3959 – 2009 Construction of Buildings in Bushfire Prone Areas. The proposed plan of subdivision must be accompanied by a bushfire hazard management plan certified by the TFS or accredited person demonstrating that hazard management areas can be provided ; and</li> </ul> |          |           |

| Standard                                                  | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Proposed               | Complies?  |
|-----------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|------------|
|                                                           | <p>(iv) applications for subdivision requiring hazard management areas to be located on land that is external to the proposed subdivision must be accompanied by the written consent of the owner of that land to enter into a Part 5 agreement that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.</p>                                                                                                                               |                        |            |
| <p>E1.6.1.2<br/>Subdivision:<br/>Access</p> <p>Public</p> | <p><b>A1</b></p> <p>(a) The TFS or an accredited person certifies, having regard to the objective, that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in subdivision for the purposes of fire fighting; or</p> <p>(b) A proposed plan of subdivision showing the layout of roads and fire trails, and the location of private access to building areas, is included in a bushfire hazard management plan approved by the TFS or accredited person as being consistent with the objective; or</p> | <p>Not applicable.</p> | <p>N/A</p> |

| Standard | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Proposed        | Complies? |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------|
|          | <p>(c) A proposed plan of subdivision:</p> <ul style="list-style-type: none"> <li>(i) shows that, at any stage of a staged subdivision, all building areas are within 200m of a road that is a through road; and</li> <li>(ii) shows a perimeter road, private access or fire trail between the lots and bushfire-prone vegetation, which road, access or trail is linked to an internal road system; and</li> <li>(iii) shows all roads as through roads unless: <ul style="list-style-type: none"> <li>a. they are not more than 200m in length and incorporate a minimum 12m outer radius turning area; or</li> <li>b. the road is located within an area of vegetation that is not bushfire-prone vegetation; and</li> </ul> </li> <li>(iv) shows vehicular access to any water supply point identified for fire fighting.</li> </ul> |                 |           |
|          | <p><b>A2</b><br/>Unless the development standards in the zone require a higher standard, construction of roads must meet the requirements of Table E1.3.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Not applicable. | N/A       |

| Standard                                                                            | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Proposed        | Complies? |
|-------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------|
| E1.6.1.3<br>Subdivision:<br>provision of water supply<br>for fire fighting purposes | <b>A1</b><br>In areas serviced with reticulated water by a Regional Corporation: <ul style="list-style-type: none"> <li>(a) the TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to warrant any specific water supply measures; or</li> <li>(b) a proposed plan of subdivision shows that all parts of a building area are within reach of a 120m long hose (measured as a hose lay) connected to a fire hydrant with a minimum flow rate of 600 litres per minute and minimum pressure of 200 kPa in accordance with Table 2.2 and clause 2.3.3 of AS 2419.1 2005 - Fire hydrant installations.</li> </ul> | Not applicable. | N/A       |
|                                                                                     | <b>A2</b><br>In areas that are not serviced by reticulated water by a Regional Corporation or where the requirements of A1 (b) cannot be met: <ul style="list-style-type: none"> <li>(a) the TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to warrant any specific water supply measures being provided; or</li> </ul>                                                                                                                                                                                                                                                                                   | Not applicable. | N/A       |

| Standard | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Proposed | Complies? |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
|          | <p>(b) a bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient, consistent with the objective, to manage the risks to property and lives in the event of a bushfire; or</p> <p>(c) it can be demonstrated that:</p> <p>(i) a static water supply, dedicated to fire fighting, will be provided and that the water supply has a minimum capacity of 10 000 litres per building area and is connected to fire hydrants; and</p> <p>(ii) a proposed plan of subdivision shows all building areas to be within reach of a 120m long hose connected to a fire hydrant, measured as a hose lay, with a minimum flow rate of 600 litres per minute and minimum pressure of 200 kPa;</p> <p>(d) it can be demonstrated that each building area can have, or have access to, a minimum static water supply of 10 000 litres that is:</p> <p>(i) dedicated solely for the purposes of fire fighting; and</p> <p>(ii) accessible by fire fighting vehicles; and</p> |          |           |

| Standard                                                                                         | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Proposed        | Complies? |
|--------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------|
|                                                                                                  | (iii) is within 3m of a hardstand area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                 |           |
| E1.6.2.1<br>Approved Lots:<br>Provision of hazard<br>management areas for<br>habitable buildings | <b>A1</b><br><br>(a) The TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to a habitable building to warrant the provision of hazard management areas; or<br><br>(b) Habitable buildings are within a building area on an approved lot:<br>(i) that is on a plan of subdivision that has been approved by the granting of a permit in accordance with this Code; and<br>(ii) that satisfies the requirements of E1.6.1.1 A1(b); or<br><br>(c) There are hazard management areas, in relation to habitable buildings, that:<br>(i) have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of AS 3959 – 2009 Construction of Buildings in Bushfire Prone Areas ; and | Not applicable. | N/A       |

| Standard                                          | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Proposed               | Complies?  |
|---------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|------------|
|                                                   | <p>(ii) will be managed in accordance with a bushfire hazard management plan that is certified by the TFS or an accredited person and that demonstrates how hazard management areas will be managed consistent with the objective; and</p> <p>(iii) if the hazard management areas are to be located on land external to the lot where the habitable building is located, the application is accompanied by the written consent of the owner of that land to enter into a Part 5 agreement that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.</p> |                        |            |
| <p>E1.6.2.2<br/>Approved lots: Private access</p> | <p><b>A1</b><br/>It must be demonstrated in one of the following ways that private access provides safe access to habitable buildings:</p> <p>(a) the TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to warrant specific measures for private access for the purposes of fire fighting; or</p>                                                                                                                                                                                                                                                                                    | <p>Not applicable.</p> | <p>N/A</p> |

| Standard | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Proposed        | Complies? |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------|
|          | <p>(b) private access is in accordance with a plan of subdivision, showing the layout of roads and fire trails and showing the location of private access to building areas, that is included in a bushfire hazard management plan approved by the TFS or an accredited person as being consistent with the objective in E1.6.1.2; or</p> <p>(c) plans showing private access to habitable buildings are included in a bushfire hazard management plan certified by the TFS or accredited person as being consistent with the objective; or</p> <p>(d) plans demonstrate that private access will be provided to within 30m of the furthest part of a habitable building measured as a hose lay.</p> |                 |           |
|          | <p><b>A2</b><br/>Private access must be provided to all static water supply points:</p> <p>(a) in accordance with private access shown to such points in a bushfire hazard management plan certified by the TFS or an accredited person as being consistent with the objective; or</p> <p>(b) by providing private access to a hardstand area within 3m of the static water supply point.</p> <p>(c)</p>                                                                                                                                                                                                                                                                                             | Not applicable. | N/A       |

| Standard                                                                                       | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Proposed        | Complies? |
|------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------|
|                                                                                                | <p><b>A3</b><br/>Construction of a private access, if required to provide access to habitable buildings and static water supply points, must as appropriate to the circumstances meet the requirements of Table E1.3 as follows:</p> <ul style="list-style-type: none"> <li>(a) single lane private access roads less than 6m carriageway width must have 20m long passing bays of 6m carriageway width, not more than 100m apart;</li> <li>(b) a private access road longer than 100m must be provided with a driveway encircling the building or a hammerhead "T" or "Y" turning head 4m wide and 8m long, or a trafficable circular turning area of 10m radius;</li> <li>(c) culverts and bridges must be designed for a minimum vehicle load of 20 tonnes;</li> <li>(d) vegetation must be cleared for a height of 4m, above the carriageway, and 2m each side of the carriageway.</li> </ul> | Not applicable. | N/A       |
| <p><b>E1.6.2.3</b><br/>Approved lots: Provision of water supply for fire fighting purposes</p> | <p><b>A1</b><br/>It must be demonstrated in one of the following ways that there is adequate access to a water supply for fire fighting purposes in relation to habitable buildings:</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Not applicable. | N/A       |

| Standard                                                                 | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Proposed                                                                                                                     | Complies? |
|--------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|-----------|
|                                                                          | <ul style="list-style-type: none"> <li>(a) the TFS or accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to warrant any specific water supply measures; or</li> <li>(b) a bushfire hazard management plan, certified by the TFS or an accredited person, demonstrates that the provision of the water supply is consistent with the objective; or</li> <li>(c) all external parts, of the habitable buildings, that are at ground level are within reach of a 120m long hose (measured as a hose lay) connected to a fire hydrant with a minimum flow rate of 600 litres per minute and minimum pressure of 200 kPa; or</li> <li>(d) a minimum static water supply of 10 000 litres per habitable building is provided and that connections for fire fighting purposes are included.</li> </ul> |                                                                                                                              |           |
| E1.6.3.1<br>Provision of hazard management areas for habitable buildings | <b>A1</b> <ul style="list-style-type: none"> <li>(a) The TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to habitable buildings to warrant the provision of hazard management areas; or</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Complies with E1.6.3.1(c). A bushfire hazard management plan by a suitably qualified person was submitted on 4 January 2016. | YES       |

| Standard | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Proposed        | Complies? |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------|
|          | <p>(b) Plans for habitable buildings, showing the location of hazard management areas, are accompanied by a bushfire hazard management plan certified by the TFS or an accredited person as being consistent with the objective; or</p> <p>(c) There are, in relation to habitable buildings, hazard management areas that-</p> <p>(i) have widths equal to, or greater than, the separation distances required for BAL 29 in Table 2.4.4 of AS 3959 – <i>2009 Construction of Buildings in Bushfire Prone Areas</i> ; and</p> <p>(ii) will be managed in accordance with a bushfire hazard management plan that is certified by the TFS or an accredited person and that demonstrates how hazard management areas will be managed consistent with the objective.</p> |                 |           |
|          | <p><b>A2</b><br/>If hazard management areas in relation to a habitable building are to be on land external to the lot where the building is located, the application must be accompanied by the written consent of the owner of that land to enter into a Part 5 agreement that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with a bushfire hazard management plan certified by the TFS or an accredited person.</p>                                                                                                                                                                                                                                                                     | Not applicable. | N/A       |

| Standard                   | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Proposed                                                                                                                      | Complies? |
|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|-----------|
| E1.6.3.2<br>Private Access | <b>A1</b><br>It must be demonstrated in one of the following ways that private access provides safe access to habitable buildings: <ul style="list-style-type: none"> <li>(a) the TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to warrant specific measures for private access for the purposes of fire fighting; or</li> <li>(b) plans showing private access to habitable buildings are included in a bushfire hazard management plan certified by the TFS or an accredited person as being consistent with the objective; or</li> <li>(c) plans demonstrate that private access will be provided to within 30m of the furthest part of a habitable building measured as a hose lay.</li> </ul> | Complies with E1.6.3.2 (b). A bushfire hazard management plan by a suitably qualified person was submitted on 4 January 2016. | YES       |
|                            | <b>A2</b><br>Private access to all static water supply points must be provided: <ul style="list-style-type: none"> <li>(a) as included in a bushfire hazard management plan certified by the TFS or an accredited person as being in accordance with the objective of the standard; or</li> <li>(b) to a hardstand area within 3m of the static water supply point.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                           | Not applicable.                                                                                                               | N/A       |

| Standard                                                           | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Proposed        | Complies? |
|--------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------|
|                                                                    | <p><b>A3</b><br/>Construction of private access, if required to provide access to habitable buildings and static water supply points, must as appropriate to the circumstances meet the requirements of Table E1.3 as follows:</p> <ul style="list-style-type: none"> <li>(a) single lane private access roads less than 6m carriageway width must have 20m long passing bays of 6m carriageway width, not more than 100m apart;</li> <li>(b) a private access road longer than 100m must be provided with a driveway encircling the building or a hammerhead "T" or "Y" turning head 4m wide and 8m long, or a trafficable circular turning area of 10m radius;</li> <li>(c) culverts and bridges must be designed for a minimum vehicle load of 20 tonnes;</li> <li>(d) vegetation must be cleared for a height of 4m, above the carriageway, and 2m each side of the carriageway.</li> </ul> | Not applicable. | N/A       |
| <p><b>E1.6.3.3</b><br/>Water supply for fire fighting purposes</p> | <p><b>A1</b><br/>It must be demonstrated in one of the following ways that access to a water supply for fire fighting purposes is provided:</p> <ul style="list-style-type: none"> <li>(a) the TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to warrant any specific water supply measures; or</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Complies.       | YES       |

| Standard                                                                                            | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Proposed        | Complies? |
|-----------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------|
|                                                                                                     | <p>(b) a bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of the water supply is consistent with the objective; or</p> <p>(c) all external parts of habitable buildings that are at ground level, are within reach of a 120m long hose (measured as a hose lay) connected to a fire hydrant with a minimum flow rate of 600 litres per minute and minimum pressure of 200kPa; or</p> <p>(d) a minimum static water supply of 10 000 litres per habitable building is provided and that connections for fire fighting purposes are included.</p> |                 |           |
| <p>E1.6.4.1<br/>Bushfire protection measures for extensions to pre-existing habitable buildings</p> | <p><b>A1</b></p> <p>(a) The TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of any specific bushfire protection measures; or</p> <p>(b) Applications for extensions to habitable buildings are accompanied by a bushfire hazard management plan certified by the TFS or an accredited person as being consistent with the objective; or</p> <p>(c) Extensions to habitable buildings have hazard management areas that-</p> <p style="padding-left: 40px;">(i) are of dimensions equal to, or greater than, the separation</p>  | Not applicable. | N/A       |

| Standard | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Proposed | Complies? |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------|
|          | <p>distances required for BAL 29 prescribed in Table 2.4.4 of AS 3959 – 2009 Construction of Buildings in Bushfire Prone Areas; and</p> <p>(ii) will be managed in accordance with a bushfire hazard management plan, that is certified by the TFS or an accredited person, that demonstrates how hazard management areas will be managed consistent with the objective; and</p> <p>(iii) where hazard management areas in relation to a habitable building are to be on land external to the lot where the building is located, the application must be accompanied by the written consent of the owner of that land to enter into a Part 5 agreement that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan: or</p> <p>(d) Extensions to habitable buildings:</p> <p>(i) are no closer to the bushfire-</p> |          |           |

| Standard                                                                         | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Proposed               | Complies?  |
|----------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|------------|
|                                                                                  | <p>prone vegetation than the existing building footprint; and</p> <p>(ii) do not exceed a 15% increase in the vertical surface area of the building facing and closest to the bushfire-prone vegetation; and</p> <p>(iii) do not restrict any existing vehicular access to any part of the habitable building.</p>                                                                                                                                                                                                                                                                                                                                                                                                              |                        |            |
| <p>E1.6.5.1<br/>Provision of hazard management areas for habitable buildings</p> | <p><b>A1</b></p> <p>(a) The TFS or an accredited person certifies that, having regard to the objective, there is an insufficient increase in risk from bushfire to the habitable building to warrant the provision of hazard management areas; or</p> <p>(b) Plans for habitable buildings, showing the location of hazard management areas, are accompanied by a bushfire hazard management plan certified by the TFS or an accredited person as being consistent with the objective; or</p> <p>(c) Habitable buildings have hazard management areas that:</p> <p>(i) have dimensions equal to, or greater than, the separation distances required for BAL 12.5 in Table 2.4.4 of AS 3959 – 2009 Construction of Buildings</p> | <p>Not applicable.</p> | <p>N/A</p> |

| Standard | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Proposed        | Complies? |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------|
|          | <p>in Bushfire Prone Areas; and</p> <p>(ii) will be managed in accordance with a bushfire hazard management plan, that is certified by the TFS or an accredited person, that demonstrates how hazard management areas will be managed consistent with the objective.</p>                                                                                                                                                                                                                                          |                 |           |
|          | <p><b>A2</b><br/>If hazard management areas in relation to a habitable building are to be located on land that is external to the lot where the building is located, the application must be accompanied by the written consent of the owner of that land to enter into a Part 5 agreement that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with a bushfire hazard management plan certified by the TFS or an accredited person.</p> | Not applicable. | N/A       |

### Appendix 3

#### E6.0 Parking and Access Code

| STANDARD                            | ACCEPTABLE SOLUTION                                                    | PROPOSED                                                                               | COMPLIES |
|-------------------------------------|------------------------------------------------------------------------|----------------------------------------------------------------------------------------|----------|
| <b>Use Standards</b>                |                                                                        |                                                                                        |          |
| E6.6.1 Number of Car Parking Spaces | <p><b>A1</b><br/>The number of on-site car parking spaces must be:</p> | Complies. The proposal has sufficient parking area on site for two car parking spaces. | YES      |

| STANDARD                                                                    | ACCEPTABLE SOLUTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | PROPOSED        | COMPLIES |
|-----------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|----------|
|                                                                             | <p>(a) no less than the number specified in Table E6.1 and no more than 10% greater than that number;</p> <p>except if:</p> <p>(i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;</p> <p>(ii) this provision was not used in this planning scheme.</p>                                                                                                                                                         |                 |          |
| E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability | <p><b>A1</b></p> <p>Car parking spaces provided for people with a disability must:</p> <p>(a) satisfy the relevant provisions of the Building Code of Australia;</p> <p>(b) be incorporated into the overall car park design;</p> <p>(c) be located as close as practicable to the building entrance.</p>                                                                                                                                                                                                                             | Not applicable. |          |
| E6.6.3 Number of Motorcycle Parking Spaces                                  | <p><b>A1</b></p> <p>The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number).</p> <p>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.</p> | Not applicable. |          |

| STANDARD                                | ACCEPTABLE SOLUTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | PROPOSED                                                                                                                                                           | COMPLIES |
|-----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| E6.6.4 Number of Bicycle Parking Spaces | <b>A1</b><br>The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Not applicable.                                                                                                                                                    |          |
| <b>Development Standards</b>            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                    |          |
| E6.7.1 Number of Vehicle Accesses       | <b>A1</b><br>The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Complies. The proposal will utilise an existing Right-of-Way.                                                                                                      | YES      |
| E6.7.2 Design of Vehicular Accesses     | <b>A1</b><br>Design of vehicle access points must comply with all of the following:<br>(a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;<br>(b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities. | Complies. The applicant has demonstrated through engineering drawings that the driveway extension from the existing shared access complies with current standards. | YES      |

| STANDARD                                       | ACCEPTABLE SOLUTION                                                                                                                                                                                                                                                                                                                                                                                                                                              | PROPOSED                                                                                                                                                           | COMPLIES |
|------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| E6.7.3 Vehicular Passing Areas Along an Access | <b>A1</b><br>Vehicular passing areas must:<br>(a) be provided if any of the following applies to an access:<br>(i) it serves more than 5 car parking spaces;<br>(ii) is more than 30 m long;<br>(iii) it meets a road serving more than 6000 vehicles per day;<br>(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway;<br>(c) have the first passing area constructed at the kerb;<br>(d) be at intervals of no more than 30 m along the access. | Not applicable.                                                                                                                                                    |          |
| E6.7.4 On-Site Turning                         | <b>A1</b><br>On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following:<br>(a) it serves no more than two dwelling units;<br>(b) it meets a road carrying less than 6000 vehicles per day.                                                                                                                                                                           | Not applicable.                                                                                                                                                    |          |
| E6.7.5 Layout of Parking Areas                 | <b>A1</b><br>The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 "Design of Parking Modules, Circulation Roadways and Ramps" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 "Headroom" of the same Standard.                                                                          | Complies. The applicant has demonstrated through engineering drawings that the driveway extension from the existing shared access complies with current standards. | YES      |

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

| 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 | <p><b>A1</b><br/>The design of bicycle parking facilities must comply with all the following;</p> <p>(a) be provided in accordance with the requirements of Table E6.2;<br/>(b) be located within 30 m of the main entrance to the building.</p>                                                                                                                                                                | Not applicable. |          |
|                                              | <p><b>A2</b><br/>The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.</p>                                                                                                 | Not applicable. |          |
| E6.7.11 Bicycle End of Trip Facilities       | <p><b>A1</b><br/>For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.</p>                                                                                                                   | Not applicable. |          |
| E6.7.12 Siting of Car Parking                | <p><b>A1</b><br/>Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.</p> | Not applicable. |          |

| STANDARD                                     | ACCEPTABLE SOLUTION                                                                                                                                                                                                                                                                                                                                                                                                                                                            | PROPOSED                                                                         | COMPLIES |
|----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|----------|
| E6.7.1.13 Facilities for Commercial Vehicles | <b>A1</b><br>Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless:<br>(a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site;<br>(b) the use is not primarily dependent on outward delivery of goods from the site. | Not applicable.                                                                  |          |
| E6.7.14 Access to a Road                     | <b>A1</b><br>Access to a road must be in accordance with the requirements of the road authority.                                                                                                                                                                                                                                                                                                                                                                               | Complies. The proposal would have access to a road via an existing Right-of-Way. | YES      |

## Appendix 4

### E7.0 Stormwater Management Code

| Standard                                | Acceptable Solution                                                                                                                                                                                                                                                     | Proposed                                                                                                                          | Complies? |
|-----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|-----------|
| E7.7.1 Stormwater Drainage and Disposal | <b>A1</b><br>Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.                                                                                                                                                | Complies. The proposed Single Dwelling has been designed to dispose of stormwater by gravity to public stormwater infrastructure. | Yes       |
|                                         | <b>A2</b><br>A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply:<br>(a) the size of new impervious area is more than 600 m <sup>2</sup> ; | Not applicable.                                                                                                                   | N/A       |

| Standard | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Proposed                                                                                                                          | Complies? |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|-----------|
|          | (b) new car parking is provided for more than 6 cars;<br>(c) a subdivision is for more than 5 lots.                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                   |           |
|          | <b>A3</b><br>A minor stormwater drainage system must be designed to comply with all of the following:<br>(a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed;<br>(b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure. | Complies. The proposed Single Dwelling has been designed to dispose of stormwater by gravity to public stormwater infrastructure. | Yes       |
|          | <b>A4</b><br>A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.                                                                                                                                                                                                                                                                                                                                                                                         | Complies. The proposed Single Dwelling has been designed to dispose of stormwater by gravity to public stormwater infrastructure. | Yes       |

## Appendix 5

### E15.0 Waterway and Coastal Protection Code

| Standard                           | Acceptable Solution                                                                                                                                                        | Proposed                                                                                    | Complies?                          |
|------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|------------------------------------|
| <b>E11.7 Development Standards</b> |                                                                                                                                                                            |                                                                                             |                                    |
| <b>E11.7.1 Buildings and Works</b> | <b>A1</b><br>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 would be located on a plan of subdivision approved prior this planning scheme. | Refer to discussion in the report. |

| Standard                                                                                        | Acceptable Solution                                                                                                                                                                                        | Proposed                                                                                                                   | Complies? |
|-------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|-----------|
|                                                                                                 |                                                                                                                                                                                                            | Compliance would require the proposal within a building area on a plan of subdivision approved under this planning scheme. |           |
|                                                                                                 | <b>A2</b><br>Building and works within a Future Coastal Refugia Area must be within a building area on a plan of subdivision approved under this planning scheme.                                          | Not applicable.                                                                                                            | N/A       |
|                                                                                                 | <b>A3</b><br>Buildings and works within a Potable Water Supply Area must be within a building area on a plan of subdivision approved under this planning scheme.                                           | Not applicable.                                                                                                            | N/A       |
|                                                                                                 | <b>A4</b><br>Development must involve no new stormwater point discharge into a watercourse, wetland or lake.                                                                                               | Not applicable.                                                                                                            | N/A       |
| <b>E11.7.2</b><br><b>Building and Works</b><br><b>Dependent on a</b><br><b>Coastal Location</b> | <b>A1</b><br>An extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date. | Not applicable.                                                                                                            | N/A       |
|                                                                                                 | <b>A2</b><br>No Acceptable Solution for dredging and reclamation.                                                                                                                                          | Not applicable.                                                                                                            | N/A       |
|                                                                                                 | <b>A3</b><br>No Acceptable Solution for coastal protection works initiated by the private sector.                                                                                                          | Not applicable.                                                                                                            | N/A       |

| <b>E11.8 Subdivision Standards</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                 |     |
|------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----|
| <b>E11.8.1<br/>Subdivision</b>     | <b>A1</b><br>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: <ul style="list-style-type: none"> <li>(a) be for the purpose of separation of existing dwellings;</li> <li>(b) be for the creation of a lot for public open space, public reserve or utility;</li> <li>(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;</li> <li>(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.</li> </ul> | Not applicable. | N/A |
|                                    | <b>A2</b><br>Subdivision is not prohibited by the relevant zone standards.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Not applicable. | N/A |

**Attachments/Annexures**

- 1** Attachment - 103 and 103A Montrose Road, Montrose

**6. PROPOSED USE AND DEVELOPMENT - ADDITIONS TO PLEASURE BOAT FACILITY (MARINA) IN THE PRINCE OF WALES MARITIME INDUSTRIAL PRECINCT AND CROWN LAND, RELYING ON PERFORMANCE CRITERIA - BENDER DRIVE, 18 BENDER DRIVE AND 20 BENDER DRIVE, DERWENT PARK**

Author: Planning Officer (Vanessa Tomlin)

Qualified Person: Planning Officer (Vanessa Tomlin)

Property ID: 2975821

**REPORT SUMMARY:**

|                            |                                                                                                                                                                                                                                                                                                        |
|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application No.:</b>    | <b>PLN-15-264</b>                                                                                                                                                                                                                                                                                      |
| <b>Applicant:</b>          | <b>Prince Of Wales Bay Marina Pty Ltd</b>                                                                                                                                                                                                                                                              |
| <b>Owner:</b>              | <b>Department Of Primary Industries Parks Water And Environment</b>                                                                                                                                                                                                                                    |
| <b>Zone:</b>               | <b>Port and Marine, General Industrial</b>                                                                                                                                                                                                                                                             |
| <b>Use Class</b>           | <b>Port and Shipping</b>                                                                                                                                                                                                                                                                               |
| <b>Application Status:</b> | <b>Discretionary</b>                                                                                                                                                                                                                                                                                   |
| <b>Discretions:</b>        | <b>Relies on performance criteria in the Potentially Contaminated Land Code, Parking and Access Code, Waterway and Coastal Protection Code, Inundation Prone Areas Code and Coastal Erosion Code</b><br>(The proposal meets all other applicable standards as demonstrated in the attached appendices) |
| <b>Level 2 Activity?</b>   | <b>No</b>                                                                                                                                                                                                                                                                                              |
| <b>42 Days Expires:</b>    | <b>6 March 2016</b>                                                                                                                                                                                                                                                                                    |
| <b>Existing Land Use:</b>  | <b>Marine Development, Marine Industry and Take-away Food Shop (GPS 1992)</b>                                                                                                                                                                                                                          |
| <b>Proposal In Brief:</b>  | <b>Additions to Pleasure Boat Facility (Marina) in the Prince of Wales Maritime Industrial Precinct and Crown Land, relying on performance criteria.</b>                                                                                                                                               |

|                         |                                        |
|-------------------------|----------------------------------------|
| <b>Representations:</b> | <b>1</b>                               |
| <b>Recommendation:</b>  | <b>Approval, subject to conditions</b> |

## **REPORT IN DETAIL:**

### **PROPOSAL**

The proposed marina extension involves the construction of an additional 144 berths to the existing 160-berth marina at 18-20 Bender Drive, Derwent Park. More specifically, the northern arm of the existing marina is to be extended by 39 berths, the north-western arm is to be extended by 28 berths and the southern arm extension is to consist of 77 berths. The berth sizes are proposed to range from 10m to 60m+ in length.

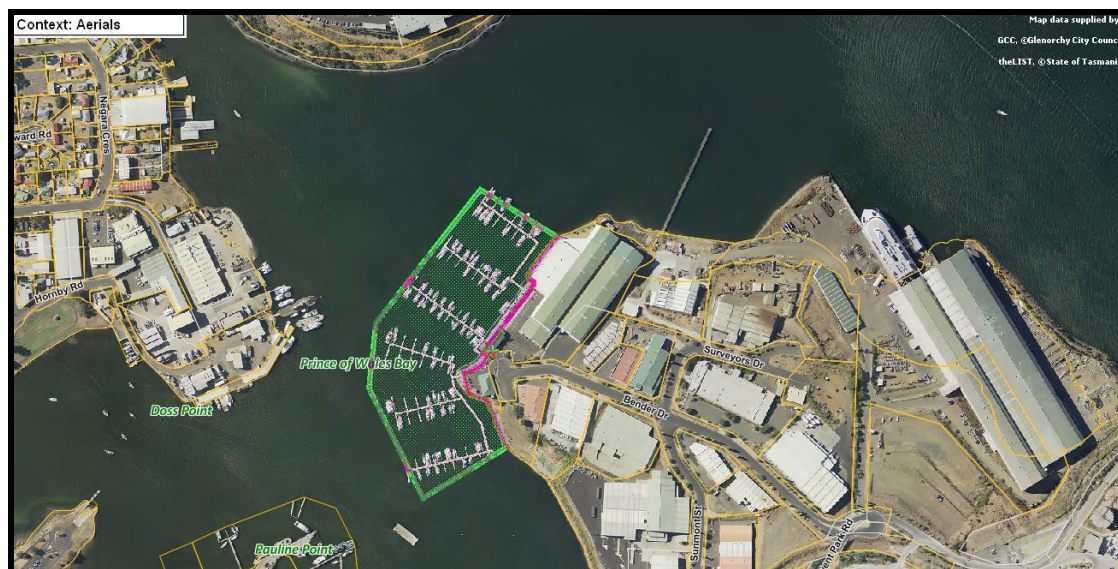
The proposed marina extensions are to consist of steel pipe with a black polyethylene sleeve piles and white caps, designed to support floating pontoon modules. The piles are to be driven into the seabed by a floating barge and the floating pontoon system, manufactured off site, is designed to adjust to the tidal movement. The extension of existing services to cater for the expanded marina, including water, fire-fighting, power and lighting is proposed. A sewer pump-out unit is to be installed on the Incat wharf, 18 Bender Drive, Derwent Park. The proposal includes 159 parking spaces throughout the sites and no on-shore works are proposed.

The proposal is not expected to limit existing navigation within the Prince of Wales Bay area, as a minimum clear navigation between the marina and adjacent foreshores of 80m is to be maintained.

Given the dependence of the proposal on the coastal location, the Potentially Contaminated Land Code, Waterway and Coastal Protection Code, Inundation Prone Areas Code and Coastal Erosion Code apply to the assessment of the proposal. The Parking and Access Code is relevant.

### **SITE and LOCALITY**

The sites, 18 and 20 Bender Drive, are located at the end of a cul-de-sac of Bender Drive, Derwent Park (Fig. 1).



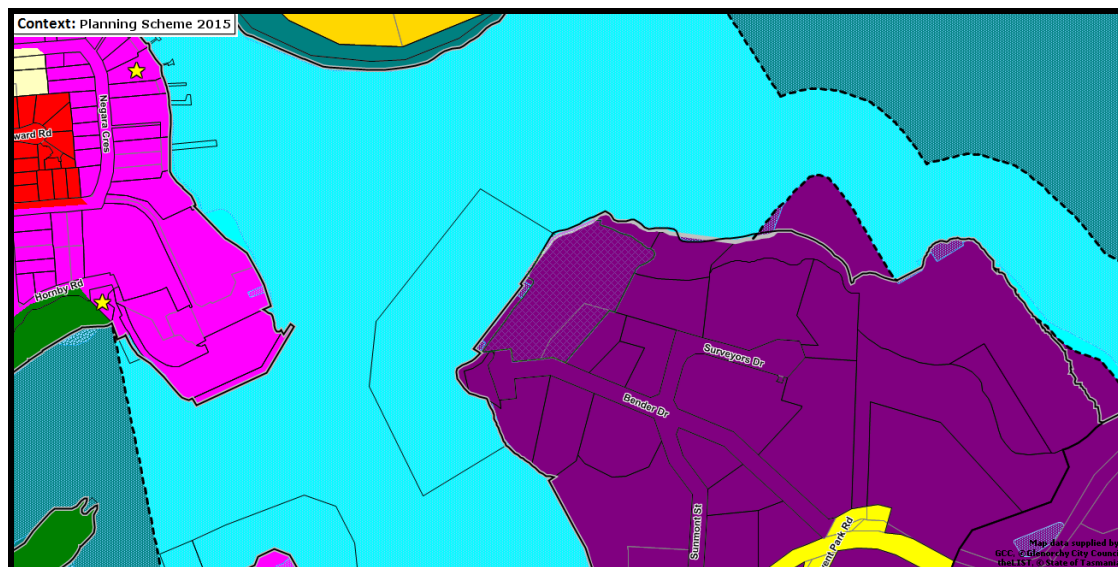
**Figure 1.** An excerpt of the aerial view of the site and surround. Council records, Exponare

The site, 18 Bender Drive, is currently used as a Marine Industry with Intercats operating on the site. This site has an approximate road alignment boundary of 100m, an approximate maximum depth of 200m with a total site area of 14480m<sup>2</sup>. The site, 20 Bender Drive is currently used as a take-away food shop. This site has an approximate road alignment boundary of 60m, an approximate maximum depth of 30m and a total site area of 1338m<sup>2</sup>. Both sites are relatively flat and are bordered by the General Industrial Zone and Port and Marine Zone.

The Prince of Wales Bay (POW) supports recreational, commercial and industrial activities and is a highly modified environment.

## ZONE

General Industrial Zone and Port and Marine Zone



**Figure 2.** An excerpt of the zoning map with the Port and Marine Zone (light blue) and General Industrial Zone (purple). Council records, Exponare

## BACKGROUND

- PLN-10-359 Marine Development (160-berth floating marina) within 30m of a listed watercourse, approved 02/05/11
- PLN-13-104 Provision of amenities for Marine Development, approved 15/07/13
- PLN-13-104.01 Amendment to 'Provision of amenities for Marine Development', approved 05/05/14

## ASSESSMENT

### STATE POLICIES, OBJECTIVES of LUPAA

#### State Coastal Policy

The relevant clauses of the *Tasmanian State Coastal Policy 1996* are as follows:

*1.1.1 The coastal zone will be managed to ensure sustainability of major ecosystems and natural processes.*

Conditions of approval, in accordance with the objectives of the *Environmental Management and Pollution Control Act 1994* (and associated *Regulations*), are recommended to ensure the sustainable management, in perpetuity, of major ecosystems and natural processes within the immediate locality of the proposal.

Refer to Council's Environmental Health Officers referral and recommended conditions later in the report.

*1.1.2 The coastal zone will be managed to conserve the diversity of all native flora and fauna and their habitats, including seagrass and seaweed beds, spawning and breeding areas. Appropriate conservation measures will be adopted for the protection of migratory species and the protection and recovery of rare, vulnerable and endangered species in accordance with this Policy and other relevant Acts and policies.*

The Policy and Conservation Assessment Branch (PCAB) of Department of Primary Industries, Parks, Water and Environment (DPIPWE) concluded that it is highly unlikely that the proposal would impact on any terrestrial, inter-tidal or marine-listed threatened species or natural values of the immediate locality.

*1.1.5 Water quality in the coastal zone will be improved, protected and enhanced to maintain coastal and marine ecosystems, and to support other values and uses, such as contact recreation, fishing and aquaculture in designated areas.*

A sewerage holding tank, oily water tank and skip bins are proposed for the management of wastes. As a result, the proposal is not expected to adversely affect the water quality of the coastal zone.

*2.1.1 The coastal zone shall be used and developed in a sustainable manner subject to the objectives of this policy. It is acknowledged that there are conservation reserves and other areas within the coastal zone which will not be available for development.*

It is considered that the proposal is generally consistent with the objectives of the *State Coastal Policy 1993* and would ensure that the coastal zone would be used and developed in a sustainable manner.

*2.1.2 Development proposals will be subject to environmental impact assessment as and where required by State legislation including the Environmental Management and Pollution Control Act 1994.*

An environmental impact assessment does not form part of the submission. However, an 'Environmental Supplement Form' is part of the submission. The 'Environmental Supplement Form' is a Council document designed for the applicant to provide information about potential environmental effects of the proposal, so that an environmental assessment of the proposal can be made. As previously stated, the proposal was referred to PCAB. PCAB is in support of the proposal.

It is considered that a formal Environmental Impact Assessment, to review the possible positive and negative impacts the proposal may have on the environment, is unnecessary. However, conditions are recommended to clarify legislative obligations, including the *Environmental Management and Pollution Control Act 1994*.

*2.5.4 Marine structures will be designed, sited, constructed and managed in accordance with best practice environmental management and subject to environmental impact assessment having regard to statutory requirements.*

Numerous recommended conditions would ensure the proposal would be constructed and managed in accordance with best practice environmental management.

*2.6.5 Council's will ensure that there will be a coastal safety assessment for any new coastal development likely to attract people to the coast to indicate the level and type of lifesaving facilities and personnel required.*

This has been addressed by a recommended condition of approval, refer to condition 19.

*2.8.1 Recreational use of the coastal zone will be encouraged where activities can be conducted in a safe and environmentally responsible manner.*

It is considered that the proposed use and development would be conducted in a safe and environmentally responsible manner.

*2.8.2 Suitable recreation opportunities will be identified through strategic planning and may be provided in appropriate locations where they do not adversely affect sensitive coastal ecosystems and landforms or in designated areas where such effects can be remedied or mitigated.*

It is considered that the proposed location of the proposal is appropriate and would not adversely affect sensitive areas. Any potentially adverse effects on the ecosystem could be remedied or mitigated.

There is no inconsistency with the *State Policy on the Protection of Agricultural Land 2009* and *State Policy on Water Quality Management 1997* or with the objectives of the *Land Use Planning and Approvals Act 1993*, as the proposal is considered to be orderly and environmentally responsible.

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

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

Nil

**Limited Exemptions**

Nil

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

No

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

The proposed use is Pleasure Boat Facility, which means the use of land to provide facilities for boats operated primarily for pleasure or recreation, including boats operated commercially for pleasure or recreation. An example is a marina.

An existing Manufacturing and Processing (Marine Industry GPS 1992) use operates on the site. Manufacturing and processing means the use of land for manufacturing, assembling or processing products other than Resource Processing. Examples include boat building, brick making, cement works, furniture making, glass manufacturing, metal and wood fabrication, mineral processing and textile manufacturing.

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

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

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

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

**Building** 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;

**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.

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

**Land** means as defined in the Act. The Act defines land to include:

- (a) buildings and other structures permanently fixed to land; and
- (b) land covered with water; and
- (c) water covering land; and
- (d) any estate, interest, easement, servitude, privilege or right in or over land

**Traffic impact assessment** means a study prepared by a suitably qualified person that shows the likely effects of traffic generated by use or development on the local environment and on the road or railway networks or both in terms of safety, efficiency and amenity, having regard to present and assumed future conditions. It includes recommendations on measures to be taken to maintain the safety and efficiency of the road or railway networks.

**Marina** means use of land to moor boats, or store boats above or adjacent to the water. It includes boat recovery facilities, and facilities to repair, fuel, and maintain boats and boat accessories.

## **Part C: Special Provisions**

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

### **9.9 Accretions**

Clause 9.9.1 Unless excluded by s.20 of the Act (concerns what a planning scheme can provide for), use or development of an existing or proposed accretion of land from the sea, whether natural or unnatural, located either partially or wholly outside the planning scheme area and including structures and use and development of the type referred to in s.7 (c) and s.7 (d) of the Act may be approved at the discretion of the planning authority having regard to all of the following:

- (a) the provisions of the Environmental Management Zone;
- (b) the purpose and any relevant standards of all Codes;
- (c) the compliance with the planning scheme standards of any related use or development wholly contained within the planning scheme area.

Section 7 of the Act is as follows:

Municipalities may exercise powers in respect of accretions from sea and (c).

A municipality may exercise its powers under this Act in respect of –

- (a) any accretion from the sea, whether natural or unnatural, adjoining its municipal district; and
- (b) any part of the sea-shore to the low-water mark adjoining its municipal district; and

- (c) all bridges, jetties, wharves, boat-houses and other structures partly within its municipal district and partly in or over the sea adjacent to its municipal district; and
- (d) any area of the sea directly adjoining its municipal district in, on, over or under which any use or development is related to, or affects, the use of any adjacent land, subject to section 20(7)(c) and (d).

#### **Part D: Zones**

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

##### **Zone Purpose Statement**

The purpose of the General Industrial Zone is to provide for manufacturing, processing, repair, storage and distribution of goods and materials, where there may be impacts on neighbouring uses; to provide industrial activity with good access to strategic transport networks; to promote efficient use of existing industrial land stock; to restrict intensification of existing non-conforming uses; and to provide industrial activity with good access to strategic transport networks.

The purpose of the Port and Marine Zone is to provide for port and marine activity related to shipping and other associated transport facilities and supply and storage; and to provide for major ports and associated marine activities of regional strategic importance that are reliant on a waterfront location, and to allow for other uses that support the port and marine purpose.

The proposal is assessed as consistent with the General Industrial and Port and Marine Zone purpose statements, owing to the proposal being for a maritime purpose to provide sheltered anchorage, which is reliant on a waterfront location. Minimal impact to the industrial zoned land is expected.

##### **Desired Future Character Statement**

The Desired Future Character Statement for the Prince of Wales Bay Maritime Industrial Precinct applies to uses within the General Industrial Zone and the Port and Marine Zone, when the use is located in proximity to Prince of Wales Bay, but only insofar as the desired future character statement is relevant to the particular discretion being exercised. It is noted that the proposal relies on the performance criteria of the Potentially Contaminated Land Code, Waterway and Coastal Protection Code, Inundation Prone Areas Code and Coastal Erosion Code.

The Desired Future Character Statement for the Prince of Wales Bay Maritime Industrial Precinct is as follows:

| DD02 Prince of Wales Bay Maritime Industrial Precinct                                                                 |                         |
|-----------------------------------------------------------------------------------------------------------------------|-------------------------|
| Desired Future Character Statements                                                                                   | Implementation Strategy |
| These desired future character statements apply to the area of land designated as "DD02" on the planning scheme maps. |                         |

|                                                                                                                                                                                                                                                                                                                                         |                                                                                       |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| (a) The Prince of Wales Bay Maritime Industrial Precinct's role as a regional multi-user marine and industrial precinct and sheltered anchorage is strengthened by promoting appropriate scale development opportunities and sustainable management of the Precinct's land and waters, including any future land reclamation processes. | Determination of applications under cl. 8.10.2 and performance criteria in standards. |
| (b) All development in the Precinct considers the amenity and safety of residents abutting and near the waterfront area and implement mitigation measures as required.                                                                                                                                                                  | Determination of applications under cl. 8.10.2 and performance criteria in standards. |
| (c) The Precinct is developed using a sustainable approach that supports the integrity of natural and physical resources, ecological processes and genetic diversity.                                                                                                                                                                   | Determination of applications under cl. 8.10.2 and performance criteria in standards. |
| (d) Use and development is assessed for its impact on the Precinct in terms of traffic flow, access and management of car parking.                                                                                                                                                                                                      | Determination of applications under cl. 8.10.2 and performance criteria in standards. |
| (e) Significant landscape and maritime outlooks are protected.                                                                                                                                                                                                                                                                          | Determination of applications under cl. 8.10.2 and performance criteria in standards. |
| (f) Assessment processes consider the implications of climate change, especially sea level rise, storm surge and coastal erosion.                                                                                                                                                                                                       | Determination of applications under cl. 8.10.2 and performance criteria in standards. |
| (g) Public amenity within the Precinct is improved by consideration of:<br>(i) walking and cycling linkages;<br>(ii) consideration of the potential to redevelop Pauline Point as a maintenance and berthing depot;                                                                                                                     | Determination of applications under cl. 8.10.2 and performance criteria in standards. |

|                                                                                                                                                                                                                                  |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <ul style="list-style-type: none"> <li>(iii) establishment of a marina for recreational vessels;</li> <li>(iv) construction of a foreshore boardwalk;</li> <li>(v) potential for new visitor uses at an Incat Museum.</li> </ul> |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|

Clause 8.10 sets out the provisions to determine an application, where, in addition to matters required by ss51(2) of the Act, all applicable standards and requirements in the planning scheme and any representations must be taken into consideration, only insofar as each such matter is relevant to the particular discretion being exercised. Further, Clause 8.10 requires the determination of an application for a discretionary use to have regard to the purpose of the applicable zone; any relevant local area objective or desired future character statement for the applicable zone; the purpose of any applicable code; and the purpose of any applicable specific area plan. However, only insofar as each such purpose, local area objective or desired future character statement is relevant to the particular discretion being exercised.

The proposal is assessed as furthering the Desired Future Character Statements of the Prince of Wales Bay Maritime Industrial Precinct by being of an appropriate scale to provide safe and sheltered anchorage in the multi-user marine and industrial precinct. In addition, the proposal furthers the Desired Future Character Statements by adopting sustainable management of the Precinct's land and waters through best practice construction techniques and by facilitating minimal impact to coastal processors and the marine habitat.

### **Use Table**

A pleasure boat facility is a discretionary use within the General Industrial Zone and a permitted use within the Port and Marine Zone. Considering the proposal relies on performance criteria to comply with standards in the Potentially Contaminated Land Code, Parking and Access Code, Waterway and Coastal Protection Code, Inundation Prone Areas Code and Coastal Erosion Code, the proposal is discretionary. In addition, the proposal is discretionary in accordance with Clause 9.9 Accretions.

### **Use Standards**

There are no use standards in the General Industrial Zone of the Port and Marine Zone.

### **Development Standards for Buildings or Works**

The proposal is assessed as complying with the acceptable solutions of the development standards of the General Industrial Zone and the Port and Marine Zone. See Appendices 1 and 2.

### **Part E: Codes**

The following codes of the Scheme apply to this proposal:

### Potentially Contaminated Land Code

The Potentially Contaminated Land Code applies to development on potentially contaminated land. The Prince of Wales Bay is recognised as a highly modified bay with known environmental pollutants.

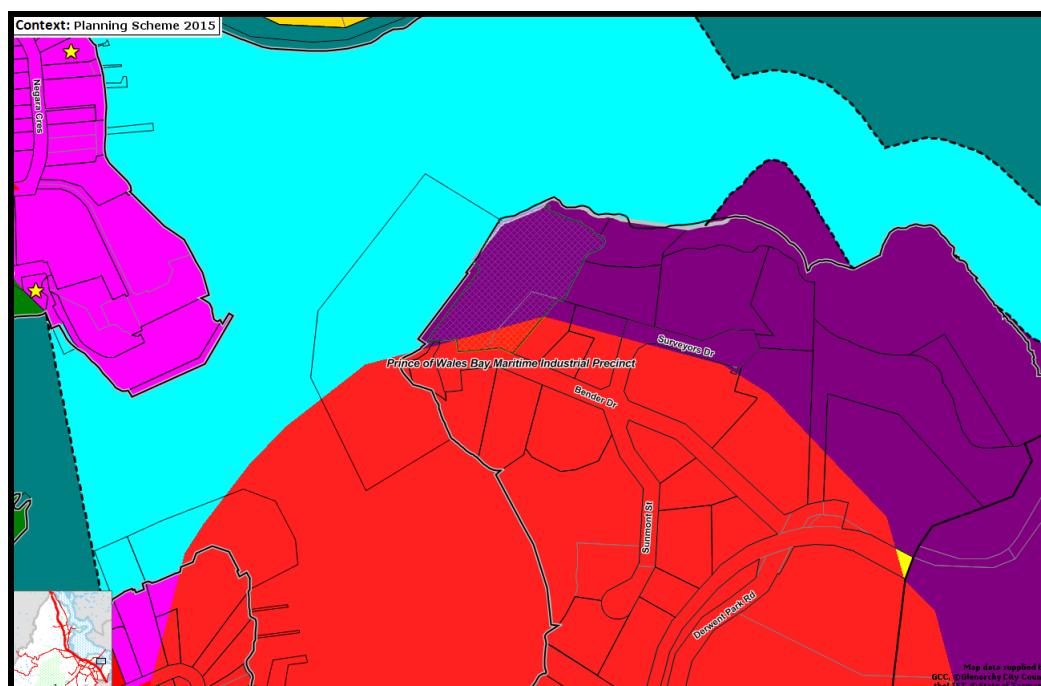
The proposal relies on the performance criteria of Clause E2.5 Use Standard. The proposal is assessed as satisfying the performance criteria, owing to an environmental site assessment conducted by GHD Engineering Consultants (2010) which demonstrates that the level of contamination does not present a risk to human health or the environment.

### Parking and Access Code

The proposal relies on performance criteria A1 of the Number of Parking Spaces standard, Clause E6.6.1, owing to a parking shortfall of 87 spaces. The existing marina provides for 159 spaces and no new spaces are proposed with the proposal. Council's Traffic Engineer has reviewed the Traffic Impact Assessment and supports the parking shortfall, by concluding that the proposal is not expected to have any significant detrimental impacts on the surrounding road network, in terms of traffic efficiency or road safety. Council's Development Engineer has recommended conditions of approval to ensure the proposal complies with the applicable standards. The proposal satisfies the provisions of the Parking and Access Code. See Appendix 3.

### Attenuation Code

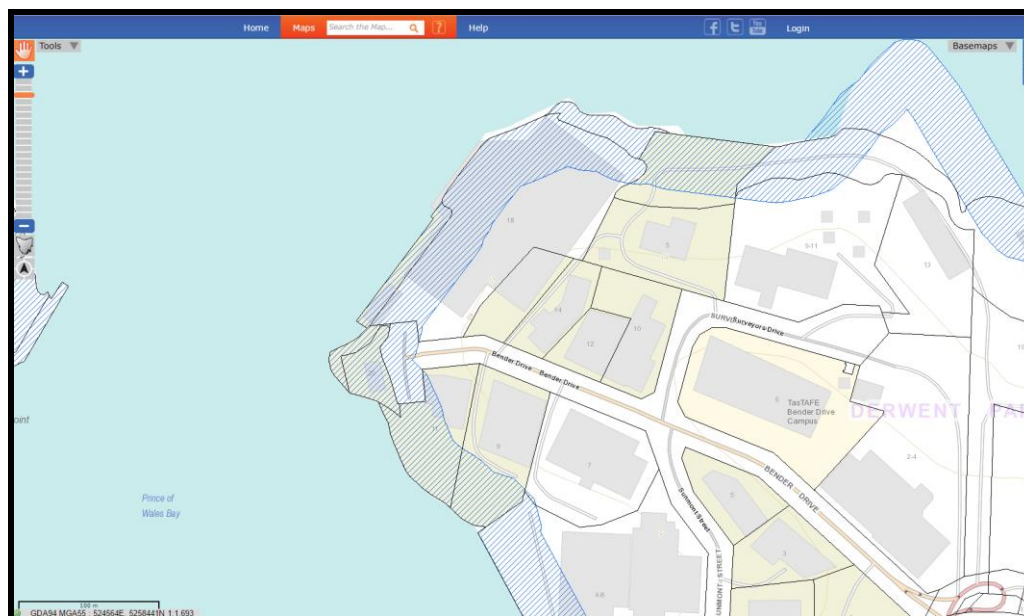
The proposal site is identified as being on land within the Attenuation Code. However, the Code does not apply to use and development within the Light Industrial, General Industrial or Port and Marine Zone (Fig.3).



**Figure 3.** An excerpt of the reference layer mapping (Council records) for the Attenuation Code (red), Port and Marine Zone (light blue) and General Industrial Zone (purple).

## Waterway and Coastal Protection Code

The proposal is located within an area identified in the Waterway and Coastal Protection Code. The Waterway and Coastal Protection Code applies to the proposal because the development is within the Waterway and Coastal Protection Area and in the case of watercourses, the protection area includes the waterway itself, being between the top of the banks on either side (table E11.1(b)) (Fig. 4. ).



**Figure 4.** Excerpt from TheList maps of the Waterway and Coastal Protection Code area.

### *Buildings and Works Standard*

The proposal relies on the performance criteria P1 of Clause E11.7.1. The objective of this standard is to ensure that buildings and works in proximity to a waterway, the coast, identified climate change refugia and potable water supply areas will not have an unnecessary or unacceptable impact on natural values. The performance criteria requires the proposed buildings and works to avoid or mitigate impact on natural values; mitigate and manage adverse erosion, sedimentation and runoff impacts on natural values; avoid or mitigate impacts on riparian or littoral vegetation; maintain natural streambank and streambed condition, (where it exists); maintain in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation; avoid significantly impeding natural flow and drainage; maintain fish passage (where applicable); avoid landfilling of wetlands; and works are undertaken generally in accordance with 'Wetlands and Waterways Works Manual' (DPIWE, 2003) and "Tasmanian Coastal Works Manual" (DPIWE, Page and Thorp, 2010), and the unnecessary use of machinery within watercourses or wetlands is avoided

The proposal is to adopt best practice construction techniques to minimise potential impacts to the natural values of the waterway. In addition, the proposal is designed to cause minimal disturbance to the condition of the streambed and is not expected to impede the natural flow of the watercourse. The proposal complies with the standard.

### *Building and Works Dependent on a Coastal Location Standard*

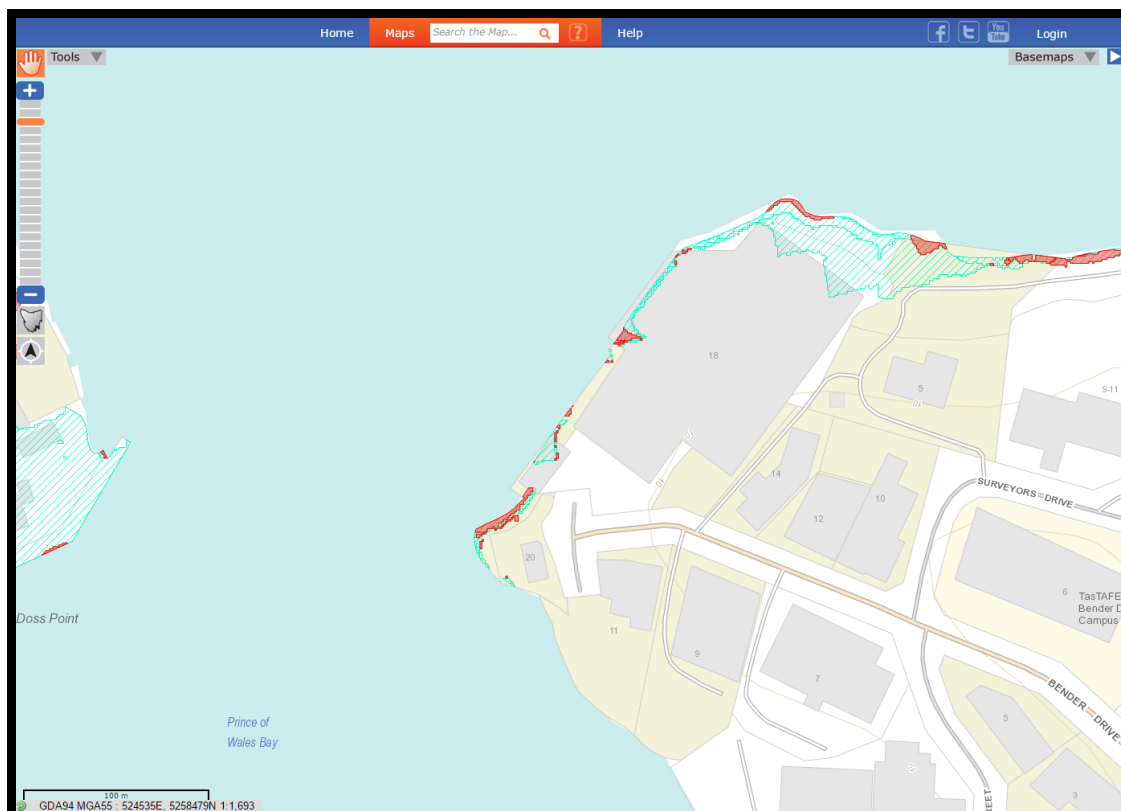
The proposed marina extension is more than 20% of the size of the existing marina. Accordingly, the proposal relies on performance criteria P1 of the Buildings and Works Dependant on a Coastal Location Standard, Clause E11.7.2.

The performance criteria requires buildings and works to demonstrate the need for a coastal location; new facilities are grouped with existing facilities, where reasonably practical; native vegetation is retained, replaced or re-established so that overall impact on native vegetation is negligible; building design responds to the particular size, shape, contours or slope of the land and minimises the extent of cut and fill; impacts to coastal processes, including sand movement and wave action, are minimised and any potential impacts are mitigated so that there are no significant long-term impacts; and waste, including waste from cleaning and repairs of vessels and other maritime equipment and facilities, is managed in accordance with current best practice so that significant impact on natural values is avoided.

The proposal is assessed as satisfying the performance criteria owing to the marina being dependant on a coastal location, grouped with existing facilities, designed and constructed to minimise impacts on coastal processors and wastes are to be managed through existing and upgraded infrastructure. See Appendix 4.

### **Inundation Prone Areas Code**

The Inundation Prone Areas Code applies to development of buildings and works dependent on a coastal location, Clause E15.2.1 (d) (Fig. 5).



**Figure 5.** Excerpt from TheList maps of the Inundation Prone Areas Code area.

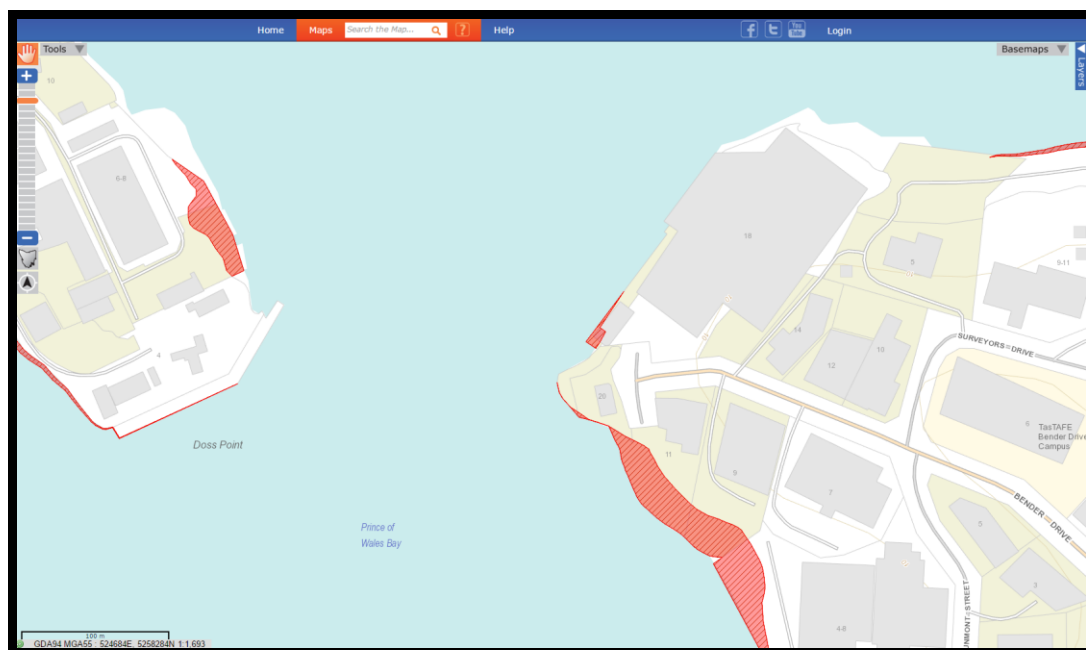
The development standard for Development Dependent on a Coastal Location, Clause E15.7.6, requires an extension to an existing marina to be no more than 20% of the size of the existing facility. The proposed marina extension equates to a 90% increase in size of the existing facility.

Performance criteria A1 requires buildings and works to demonstrate the need for a coastal location; new facilities are grouped with existing facilities, where reasonably practical; building design responds to the particular size, shape, contours or slope of the land and minimises the extent of cut and fill; waste, including from cleaning and repairs of vessels and other maritime equipment and facilities, solid waste, is managed to ensure waste is safe from inundation events; and risk from inundation is acceptable, taking into account the nature of the development and its users.

Considering the nature of the development and the connection to existing structures and waste management facilities on hard-stand surfaces above the high water mark, the potential inundation risk is assessed as acceptable. The proposal satisfies the requirements of the standard. See Appendix 5.

### Coastal Erosion Hazard Code

The Coastal Erosion Hazard Code applies to development of buildings and works dependent on a coastal location, on land in the Coastal Erosion Hazard Area (see Appendix 6). The land recognised as 18 and 20 Bender Drive is on land in the Coastal Erosion Hazard Area (Fig. 6).



**Figure 6.** Excerpt from TheList maps of the Coastal Erosion Hazard Code area.

### Building and Works

The objective of the Building and Works standard, Clause E16.7.1 is to ensure that development in Coastal Erosion Hazard Areas is fit for purpose and appropriately managed based on the level of exposure to the hazard. There is no acceptable solution and the performance criteria are relied on to comply with the standard.

The performance criteria requires buildings and works to not increase the level of risk to the life of the users of the site or of hazard for adjoining or nearby properties or public infrastructure; erosion risk arising from wave run-up, including impact and material suitability, may be mitigated to an acceptable level through structural or design methods used to avoid damage to, or loss of, buildings or works; erosion risk is mitigated to an acceptable level through measures to modify the hazard where these measures are designed and certified by an engineer with suitable experience in coastal, civil and/or hydraulic engineering; need for future remediation works is minimised; health and safety of people is not placed at risk; important natural features are adequately protected; public foreshore access is not obstructed where the managing public authority requires it to continue to exist; access to the site will not be lost or substantially compromised by expected future erosion whether on the proposed site or off-site; provision of a developer contribution for required mitigation works consistent with any adopted Council Policy, prior to commencement of works; and not be located on an actively mobile landform.

Given that no on-shore works is proposed, the level of erosion risk to the coast line is assessed as negligible. The proposal satisfies the standard.

#### *Development Dependent on a Coastal Location*

The development standard for Development Dependent on a Coastal Location, Clause E16.7.2 requires an extension to an existing marina, to be no more than 20% of the size of the existing facility. The proposed marina extension more than a 20% increase in size of the existing facility.

Performance criteria A1 requires buildings and works to demonstrate the need for a coastal location; new facilities are grouped with existing facilities, where reasonably practical; native vegetation is retained, replaced or re-established so that overall impact on erosion potential resulting from removal of native vegetation is negligible; potential for erosion is minimised generally; building design responds to the particular size, shape, contours or slope of the land and minimises the extent of cut and fill; impacts on coastal processes, including sand movement and wave action, are minimised and any potential impacts on erosion potential are mitigated so that there are no unreasonable adverse long-term effects; and not be located on an actively mobile landform.

Potential erosion impacts caused by the design of the proposal or removal of native vegetation, is not expected to produce unreasonable long-term adverse effects on the locality. This is primarily because of the adoption of best practice design and construction techniques, with no removal of native vegetation proposed. The proposal satisfies the standard.

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

No specific area plan prevails.

## INTERNAL REFERRALS

### Traffic Engineer

Council's Traffic Engineer has made the following assessment.

I have reviewed the proposed additions to Pleasure Boat Facility (Marina) in the Prince of Wales Maritime Industrial Precinct and Crown Land, relying on performance criteria at 18 & 20 Bender Drive, Derwent Park. The application documentation included a Traffic Impact Assessment (TIA) prepared by Midson Traffic (dated August 2015).

#### Proposed Development

The subject site is located in Prince of Wales Bay at the end of Bender Drive, Glenorchy. The site is currently operating as a marina, with associated car parking that is shared by Incat. A café is currently operating at the end of Bender Drive which is incorporated into the existing marina development, along with an office building. The existing site has 160 berths and parking for 159 cars. The site includes offices and a café.

The proposed development consists of an additional 144 marina berths. Formalisation of the parking areas is also proposed, providing a total parking provision of 159 spaces. The marina expansion is proposed in three defined stages:

- North: 39 additional wet berths to the south
- North West: 28 additional wet berths to the west
- South: 77 additional wet berths to the north
- TOTAL: 144 additional wet berths

#### Traffic Generation

The TIA states that based on the recommendation of the *RTA Guide to Traffic Generating Developments*, daily trip generation of 1.1 trips per day, per berth was adopted for wet berth facilities as the primary use of the marina is recreational use, not racing, and that large portion of yachts berthed at the Marina are owned by mainland owners who visit the marina infrequently. As a result, the daily traffic generation associated with the proposed 144 additional wet berths would be in the order of 158 vehicles per day. The report also indicates that based on findings from other marina investigations, this level of traffic activity is expected to occur mostly on weekends, with significantly less traffic activity on weekdays.

The TIA, finally, concludes that the relatively low daily traffic generation of the proposed development will not have any significant adverse impacts on traffic efficiency on the surrounding road network and peak traffic flows generated by the proposed marina will occur on the weekend, meaning there will be little conflict with existing traffic volumes.

I concur that this traffic generation estimation is appropriate for the case of the proposed development and the traffic generated by the proposed development will not have any significant adverse impacts on the surrounding road network in terms of traffic efficiency or road safety.

### Parking

The TIS states that the proposed development provides a total of 159 parking spaces. Based on the requirements of the *Glenorchy Interim Planning Scheme 2015 – Parking and Access Code*, the proposed development is classified as use class 'Pleasure Boat Facility - Marina' which requires a total provision of 0.6 spaces for each wet berth and 0.2 spaces for each dry storage berth and 0.5 spaces to each marina employee. As a result, based on the assessment undertaken by the TIA, there is a requirement for 87 additional parking spaces associated with the proposed marina expansion (i.e. the additional 144 wet berths). It should be noted that the provided 159 car parking spaces are related to the existing marina and the associated café and offices. As a result, the proposed marina expansion would have a shortfall of 87 car parking spaces.

The TIS, then, argues that the marina is largely used for recreational purposes, and as such, boating activity typically generates one car per boat when utilised. The report also indicates that there are a relatively high proportion of mainland boat owners, who utilise the marina infrequently. The report, then, concludes that the parking requirement is considered to be an over-estimate of the actual parking requirements for the site and proposed development.

The TIS also undertook a car parking survey at the existing parking areas on Friday 6<sup>th</sup> March and Saturday 7<sup>th</sup> March 2015 (long weekend) to determine the actual level of parking generation per berth. The TIS notes that Prince of Wales Bay Marina Pty Ltd were consulted to identify staff cars within the car park (a list of vehicle descriptions and registration numbers was provided). The report also indicates that:

*“Note that the car park located on the eastern side of Bender Drive (south-eastern car park) was not surveyed in detail. In general terms, this car park was predominantly fully occupied during normal working hours on weekdays. On weekends, the car park is almost completely empty. The current operation of the car park results in Incat staff utilising it almost exclusively. This car parking area is the most remote to the marina site, and therefore is the least likely to be utilised for marina patrons.*

*The survey results were discussed with Incat management to determine whether they were a typical representation of the car park utilisation throughout the week, and seasonally. It was confirmed that activity at the marina remained relatively consistent throughout the week, with only a slightly higher utilisation during summer months. The surveys in March were considered to be representative of typical activity.”*

The results from the survey show that the car parking occupancy peaked at 29% of capacity of the two main car parking areas (located closest to the marina) during the surveys. The parking survey also indicates that a provision of 0.16 spaces per berth is currently being experienced.

With the assumption of peak parking demand of 0.25 spaces per berth, the TIS states that the parking requirement for the proposed development is 36 spaces. The report also indicates when considering the existing components of the site, the total parking requirement becomes:

- Existing marina parking 40 spaces
- Offices 50 spaces
- Café 23 spaces
- Proposed marina extension 36 spaces
- TOTAL 149 spaces

The report, finally, concludes that there is a surplus of 10 parking spaces, which is more than adequate for the staff parking demand associated with Incat.

Based on the above points, I agree with the conclusion that the parking supply of 159 car parking spaces for marina users will be sufficient to meet the expected demand.

#### Conclusion

As 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, I have no objection to the development on traffic engineering or road safety grounds.

#### **Development Engineer**

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

##### *Traffic, Access & Parking*

Access to the site is available from Bender Drive. The site has a previous permit for 160 berth marina (PLN 10-359). This application is for an extension of 144 berths, as indicated on the submitted plans and resulting in a total of 304 berth marina.

A detailed Traffic Impact Assessment (TIA) was submitted with the application as required by E6.0 Parking and Access Code of the Glenorchy Interim Planning Scheme (GIPS) 2015. For a detailed discussion on the merit of the TIA, please refer to Council's Traffic Engineer referral. However, in summary, Council's Traffic Engineer indicates that the findings of this TIA are supported and the application requires some of the existing parking spaces on site to be re-marked and formalised as indicated on the submitted plans. This work will provide the required 159 parking spaces.

##### *GCC Services (Stormwater)*

There are no GCC stormwater mains affected by this application.

##### *Other*

##### *Geoscience issues*

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

*Flooding/Inundation issues*

The site is located on the River Derwent and areas directly adjacent to the river may be subject to future sea level rise. As a result, the parts of the site are identified as Low, Medium and High hazard under the Inundation Prone Area Code E15 of the GIPS 2015.

**Environmental Health Officer**

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

The development will require disturbance of the riverbed for the installation of the new steel piles. To minimise any impact on the river bed, it is recommended that a condition requiring a construction management plan to be created, approved and implemented be included in the planning permit.

The construction management plan will need to include an underwater survey of the aquatic ecosystem, a maintenance program for the control of bio-fouling on the installed infrastructure and detailed processes for the installation of the new infrastructure.

To prevent damage to the aquatic environment from hydrocarbon spills, the application must provide a detailed process for managing these spill events. This is recommended as a condition.

To prevent any unnecessary waste being directed to landfill, it is recommended that compliance to the hierarchy of waste management be conditioned. This condition will also include a provision that no waste be left on the riverbed at the completion of works.

The applicant will need to include the marina additions to the existing coastal safety assessment for the site.

A condition is recommended requiring the marina additions to be serviced by an adequate number of receptacles for rubbish. This will help to prevent rubbish entering the aquatic environment while also preventing an overflow of the existing receptacles.

Additionally, signage for the marina additions will be required and is recommended as a condition.

**EXTERNAL REFERRALS****TasWater**

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

**Marine and Safety Tasmania**

Mast has made no comment on the proposal.

**Crown Land Services – Department of Primary Industries, Parks, Water and Environment**

Crown Land Services has made the following comments.

Although Marine and Safety Tasmania supplied conditional approval for the marina plans, the Department has not assessed the proposal. Assessment will not begin to vary the existing lease agreement until a Planning Permit is obtained for the proposed development.

Preliminary issues that may warrant further consideration include the proposed marina extension's scale, its dominance of the available water space in Prince of Wales Bay, and what impacts/limitation this will place on recreational and commercial users of the water space.

Although the navigation spaces may be within the guidelines, the extension may make boat movement in the bay more complicated for other users.

The Department requires that marinas be designed and built in accordance with the Australian Standards for the design of Maritime Structures AS 3962-2001.

### **Development and Conservation Assessing Branch – Department of Primary Industries, Parks, Water and Environment**

The Policy and Conservation Advice Branch (PCAB) has the following comments:

It is considered unlikely that the proposal will directly impact on terrestrial or aquatic threatened flora or fauna. Therefore PCAB has no further recommendations in relation to these issues.

It is relatively well understood that this section of the Derwent estuary is likely to be highly contaminated with a range of environmental toxicants (particularly a suite of metals including zinc, copper, mercury, lead, cadmium and arsenic). PCAB recommends that the sediments in the area be treated as contaminated, and that measures be implemented to manage the risk of significant re-suspension of sediments as a result of construction activities.

The area is mapped as having a 'high' probability of containing Potential Acid Sulfate Soils (PASS). Large-scale sediment disturbance could result in oxidation of such soils. In this case it appears that PASS should not be an issue. It is recommended that should the proposal change to include additional disturbance of the river sediment the proponent be required to consider the management of PASS.

To mitigate potential acoustic disturbance to marine fauna (particularly cetaceans), PCAB would recommend the following:

Prior to each day of pylon installation activities, the immediate area should be scanned for the presence of cetaceans, pinnipeds, turtles, and/or penguins. Construction activities must not occur or must cease if any listed cetacean and pinniped/turtle/penguin species are known to be present within 500 m of construction activities. A 'soft start' technique should also be used at the beginning of each pile installation day to allow any cetaceans, pinniped, turtle, and/or penguin that may be in the immediate area to avoid the area prior to before impact piling reaching full capacity. Employing a 'soft start' technique would also benefit other mobile animals (e.g. birds, fish, sharks) which have the ability to move away before impact piling reaches full strength. Occurrences of cetaceans, pinnipeds, turtles, and/or penguins must be reported to DPIWE within 90 days of completion of works. Reference data should include species name, location-GPS (grid reference GDA94), observer name, date, number of individuals and area occupied.

## REPRESENTATIONS

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

### 1. In principle agreement

The representor states that their company has a limited “in principal agreement” to this application.

#### *Planner’s Comment:*

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

## CONCLUSION

The proposed extension to an existing pleasure boat facility relies on performance criteria to comply with the standards of the Potentially Contaminated Land Code, Parking and Access Code, Waterway and Coastal Protection Code, Inundation Prone Areas Code and Coastal Erosion Code. The proposal is assessed as complying with all the applicable development standards of the Glenorchy Interim Planning Scheme 2015. The application was publicly advertised for the statutory 14-day period and one representation was received.

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

## Recommendation:

That a permit be granted for the proposed use and development of Additions to Pleasure Boat Facility (Marina) in the Prince of Wales Maritime Industrial Precinct and Crown Land, relying on performance criteria. at Bender Drive, Derwent Park, 18 Bender Drive, Derwent Park and 20 Bender Drive, Derwent Park, subject to the following conditions:

### ***Planning***

1. Use and development shall be substantially in accordance with planning permit application No. PLN-15-264 and Drawing No. P1 submitted on 3 December 2015, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Appendix A, form part of this permit.
3. The development and works must be 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 to be avoided.
4. A suitably located and adequately designed sewage pump-out facility must be installed prior to completion of the marina extension. The sewage pump-out facility must be maintained to the satisfaction of Council’s Senior Environmental Health Officer.

***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. A minimum of 159 clearly marked car parking spaces must be provided as shown on the Site Plan submitted with the development application and kept available for these purposes at all times. Car parking spaces, manoeuvring areas and aisles must be provided in accordance with the Australian Standard AS 2890.1 – 2004 Off-Street Parking and completed prior to the commencement of use as approved.
8. In addition to the above, two (2) of the 159 clearly marked car parking spaces must be provided for the exclusive use of persons with a disability and kept available for these purposes at all times. These car spaces must be provided in accordance with Australian Standard AS 2890.6 – 2009 Off-Street Parking for persons with a disability and completed prior to the commencement of use as approved.
9. In areas set aside for car parking and turning bays, securely fixed wheel stops or kerbing must be provided to the satisfaction of Council to prevent damage to fences or landscaped areas and completed prior to the commencement of use as approved.
10. Lighting must be provided for the proposed carpark in accordance with Australian Standard AS 1158.3.1 – Lighting for roads and public spaces and completed prior to the commencement of use as approved.
11. Driveways, car parking and turning areas must be constructed and sealed with an approved impervious surface treatment. All runoff from paved and driveway areas must be retained within site boundaries, collected into a grated drain and silt pit and discharged into Council's stormwater system. Construction details must generally be in accordance with Council's standard requirements.
12. 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.
13. A comprehensive soil and water management plan is to be submitted for approval to the satisfaction of Council's Development Engineer prior to commencement of construction.

This plan is to cover all aspects of construction for all of the proposed works.

14. All works for the jetty pylon construction are to be undertaken with a crane mounted on a marine barge and with the use of river bed disturbance prevention skirts.
15. Detailed engineering drawings showing all proposed works including carpark and manoeuvring areas, internal service lines and connections to service mains, surface drainage collection including grated drains and silt collection pits, pavement composition and levels must be submitted for approval by Council's Development Engineer prior to the commencement of construction.

### ***Environmental Health***

16. The applicant must prepare a Construction Management Plan for the marina additions that meets the objectives and requirements of the *Environmental Management and Pollution Control Act 1994* in respect of "best practice environmental management. The plan is to address all aspects of the construction of the marina additions including, but not limited to, the extent and management of:
  - i. soil/sediment disturbance above and below the high water mark
  - ii. water turbidity; and
  - iii. sediment dispersion of heavy metals in the riverbed.
  - a) The Plan must be developed prior to the commencement of the development and submitted to Council, to the satisfaction of Council's Senior Environmental Health Officer.
  - b) Prior to the commencement of any works on site, the proponent must engage a suitably qualified person to conduct an underwater survey of the aquatic ecosystems in the vicinity of the proposed development. The proponent must submit the survey to Council, prior to the commencement of any works on site and comply with any recommendations of the survey.
  - c) Prior to construction, a cleaning and maintenance program to control the accumulation of bio-fouling on installed marine infrastructure, must be developed and submitted to Council to the satisfaction of Council's Senior Environmental Health Officer.
  - d) All works for the new steel piles must be undertaken with a crane mounted on a marine barge. Construction machinery will not be permitted to stand or operate on the foreshore or below the high water mark under any circumstances.
17. The proponent must demonstrate how the aquatic environment will be protected with respect to hydrocarbon spill prevention, preparedness and response during construction. This must be submitted to Council, for approval by Council's Senior Environmental Health Officer, prior to commencement of construction.

18. All solid wastes must be managed in accordance with the hierarchy of waste management summarised below, unless otherwise approved in writing by the Senior Environmental Health officer:
  - a) waste must be minimised, that is, the generation of waste must be reduced to the maximum extent that is reasonable and practicable, having regard to best practice environmental management;
  - b) waste must be re-used or recycled to the maximum extent that is reasonable and practicable; and
  - c) any residual waste must be disposed of only at a site and in a manner approved by the Senior Environmental Health Officer.
  - d) No excess construction materials or other wastes must be left on the riverbed following completion.
19. Prior to commencing the development a coastal safety assessment, in accordance with the State Coastal Policy, must be undertaken by a suitably qualified person and submitted to Council. The safety assessment must include consideration of lifesaving devices, security and fire fighting equipment to the satisfaction of Council's Senior Environmental Health Officer. The site shall be managed in accordance with the recommendations of the approved assessment report.
20. The developer must provide and manage suitably located receptacles for rubbish (no fish waste) to the satisfaction of Council's Senior Environmental Health Officer.
21. The developer must install signage advising of:
  - (a) No public access
  - (b) No cleaning of fish or dumping of fish waste on or around the jetty
  - (c) No sleeping overnight
  - (d) No re-fuelling of any vessels permitted
  - (e) No maintenance or repair of any vessels is permittedto the satisfaction of Council's Senior Environmental Health Officer.

**Advice to Applicant**

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

The Development and Conservation Assessing Branch – Department of Primary Industries, Parks, Water and Environment advise that prior to each day of pylon installation activities, the immediate area should be scanned for the presence of cetaceans, pinnipeds, turtles, and/or penguins. Construction activities must not occur or must cease if any listed cetacean and pinniped/turtle/penguin species are known to be present within 500 m of construction activities.

A 'soft start' technique should also be used at the beginning of each pile installation day to allow any cetaceans, pinniped, turtle, and/or penguin that may be in the immediate area to avoid the area prior to before impact piling reaching full capacity. Employing a 'soft start' technique would also benefit other mobile animals (e.g. birds, fish, sharks) which have the ability to move away before impact piling reaches full strength. Occurrences of cetaceans, pinnipeds, turtles, and/or penguins must be reported to DPIPWE within 90 days of completion of works. Reference data should include species name, location-GPS (grid reference GDA94), observer name, date, number of individuals and area occupied.

## Appendix 1

### 25.0 General Industrial Zone

| Standard                                                  | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                        | Proposed                               | Complies |
|-----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|----------|
| <b>25.4 Development Standards for Buildings and Works</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                        |          |
| <b>25.4.1<br/>Building Height</b>                         | <b>A1</b><br>Building height must be no more than:<br>20m.                                                                                                                                                                                                                                                                                                                                                                                                 | No new buildings proposed in this zone | NA       |
| <b>25.4.2<br/>Setback</b>                                 | <b>A1</b><br>Building setback from frontage must be no less than:<br>10m.                                                                                                                                                                                                                                                                                                                                                                                  | No new buildings proposed in this zone | NA       |
| <b>25.4.3<br/>Design</b>                                  | <b>A1</b><br>Building design must address the street by complying with all of the following:<br><ul style="list-style-type: none"> <li>(a) provide the main pedestrian entrance to the building at the frontage;</li> <li>(b) screen mechanical plant from view from the street and other public spaces;</li> <li>(c) incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof.</li> </ul> | No new buildings proposed in this zone | NA       |
| <b>24.4.4<br/>Fencing</b>                                 | <b>A1</b><br>Fencing must comply with all of the following:<br><ul style="list-style-type: none"> <li>(a) fences, walls and gates of greater height than 2.4 m must not be erected within 10 m of the frontage;</li> <li>(b) fences along a frontage must be at least 50% transparent above a height of 1.2 m.</li> </ul>                                                                                                                                  | No new frontage fence proposed         | NA       |

## Appendix 2

### 31.0 Port and Marine Zone

| Standard                                                  | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                           | Proposed                                                                        | Complies? |
|-----------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|-----------|
| <b>31.4 Development Standards for Buildings and Works</b> |                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                 |           |
| <b>31.4.1<br/>Building Height</b>                         | <b>A1</b><br>Building height must be no more than:<br>20 m.                                                                                                                                                                                                                                                                                                                                   | The proposed marina extension structure is less than 20m in height.             | Yes       |
| <b>30.4.2<br/>Setback</b>                                 | <b>A1</b><br>Building setback from frontage must be no less than:<br>10m.                                                                                                                                                                                                                                                                                                                     | The land within this zone does not have a frontage. Not an applicable standard. | NA        |
| <b>31.4.3<br/>Design</b>                                  | <b>A1</b><br>Building design must address the street by complying with all of the following:<br>(a) provide the main pedestrian entrance to the building at the frontage;<br>(b) screen mechanical plant from view from the street and other public spaces;<br>(c) (incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof. | No an applicable standard                                                       | NA        |
| <b>31.4.4<br/>Fencing</b>                                 | <b>A1</b><br>Fencing must comply with all of the following:<br><br>(a) fences, walls and gates of greater height than 2.4 m must not be erected within 10 m of the frontage;<br>(b) fences along a frontage must be at least 50% transparent above a height of 1.2 m.                                                                                                                         | No new frontage fence proposed                                                  | NA        |

## Appendix 3

### E6.0 Parking and Access Code

| STANDARD                                                                    | ACCEPTABLE SOLUTION                                                                                                                                                                                                                                                                                                                                                                                                          | PROPOSED                                                                                                                                                       | COMPLIES |
|-----------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| <b>Use Standards</b>                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                |          |
| E6.6.1 Number of Car Parking Spaces                                         | <b>A1</b><br>The number of on-site car parking spaces must be:<br>(c) no less than the number specified in Table E6.1 and no more than 10% greater than that number;<br>except if:<br>(i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;<br>(ii) this provision was not used in this planning scheme. | 159 parking spaces required for 304 berth marina in accordance with GIPS. . Submission of detailed TIA is accepted as satisfied required Performance Criteria. | Yes      |
| E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability | <b>A1</b><br>Car parking spaces provided for people with a disability must:<br>(a) satisfy the relevant provisions of the Building Code of Australia;<br>(b) be incorporated into the overall car park design;<br>(c) be located as close as practicable to the building entrance.                                                                                                                                           | Two (2) spaces as indicated on submitted plans.                                                                                                                | Yes.     |
| E6.6.3 Number of Motorcycle Parking Spaces                                  | <b>A1</b><br>The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number).                                                                                                                                                                                   | None.                                                                                                                                                          | Yes.     |

| STANDARD                                | ACCEPTABLE SOLUTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | PROPOSED                            | COMPLIES |
|-----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|----------|
|                                         | 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 | <b>A1</b><br>The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | None                                | Yes      |
| <b>Development Standards</b>            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                     |          |
| E6.7.1 Number of Vehicle Accesses       | <b>A1</b><br>The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Existing access not changed.        | Yes      |
| E6.7.2 Design of Vehicular Accesses     | <b>A1</b><br>Design of vehicle access points must comply with all of the following:<br>(a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;<br>(d) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation | Existing access points not changed. | Yes.     |

| STANDARD                                       | ACCEPTABLE SOLUTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | PROPOSED                              | COMPLIES |
|------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|----------|
|                                                | Roadways” of AS2890.2 - 2002 Parking facilities<br>Part 2: Off-street commercial vehicle facilities.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                       |          |
| E6.7.3 Vehicular Passing Areas Along an Access | <b>A1</b><br>Vehicular passing areas must: <ul style="list-style-type: none"> <li>(a) be provided if any of the following applies to an access:               <ul style="list-style-type: none"> <li>(i) it serves more than 5 car parking spaces;</li> <li>(ii) is more than 30 m long;</li> <li>(iii) it meets a road serving more than 6000 vehicles per day;</li> </ul> </li> <li>(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway;</li> <li>(c) have the first passing area constructed at the kerb;</li> <li>(d) be at intervals of no more than 30 m along the access.</li> </ul> | Access road allows vehicular passing. | Yes      |
| E6.7.4 On-Site Turning                         | <b>A1</b><br>On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following: <ul style="list-style-type: none"> <li>(a) it serves no more than two dwelling units;</li> <li>(b) it meets a road carrying less than 6000 vehicles per day.</li> </ul>                                                                                                                                                                                                                                                                 | On-site turning included in design.   | Yes      |
| E6.7.5 Layout of Parking Areas                 | <b>A1</b><br>The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same Standard.                                                                                                                                                                                                                     | Layout complies with AS/NZS 2890.1    | Yes      |

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

| 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 | <b>A1</b><br>The design of bicycle parking facilities must comply with all the following;<br>(a) be provided in accordance with the requirements of Table E6.2;<br>(b) be located within 30 m of the main entrance to the building.                                                                                                                                                                     | Not applicable. |          |
|                                              | <b>A2</b><br>The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.                                                                                                 |                 |          |
| E6.7.11 Bicycle End of Trip Facilities       | <b>A1</b><br>For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.                                                                                                                   | Not applicable. |          |
| E6.7.12 Siting of Car Parking                | <b>A1</b><br>Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre. | Not applicable. |          |

| STANDARD                                     | ACCEPTABLE SOLUTION                                                                                                                                                                                                                                                                                                                                                                                                                                                            | PROPOSED                        | COMPLIES |
|----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|----------|
| E6.7.1.13 Facilities for Commercial Vehicles | <b>A1</b><br>Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless:<br>(a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site;<br>(b) the use is not primarily dependent on outward delivery of goods from the site. | Not applicable.                 |          |
| E6.7.14 Access to a Road                     | <b>A1</b><br>Access to a road must be in accordance with the requirements of the road authority.                                                                                                                                                                                                                                                                                                                                                                               | Existing vehicle access points. | Yes      |

## Appendix 4

### E11.0 Waterway and Coastal Protection Code

| Standard                           | Acceptable Solution                                                                                                                                                        | Proposed                                                                                                                                           | Complies? |
|------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| <b>E11.7 Development Standards</b> |                                                                                                                                                                            |                                                                                                                                                    |           |
| <b>E11.7.1 Buildings and Works</b> | <b>A1</b><br>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 is not located within a building area on a plan of subdivision approved under this planning scheme and relies on performance criteria | No        |
|                                    | <b>A2</b><br>Building and works within a Future Coastal Refugia Area must be within a building area on a plan of subdivision approved under this planning scheme.          | Not applicable standard                                                                                                                            | NA        |
|                                    | <b>A3</b><br>Buildings and works within a Potable Water Supply Area must be within a building area on a plan of subdivision approved under this planning scheme.           | Not applicable standard                                                                                                                            | NA        |

| Standard                                                                                        | Acceptable Solution                                                                                                                                                                                        | Proposed                | Complies? |
|-------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|-----------|
|                                                                                                 | <b>A4</b><br>Development must involve no new stormwater point discharge into a watercourse, wetland or lake.                                                                                               | Not applicable standard | NA        |
| <b>E11.7.2</b><br><b>Building and Works</b><br><b>Dependent on a Coastal</b><br><b>Location</b> | <b>A1</b><br>An extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date. | 90% increase in size    | NO        |
|                                                                                                 | <b>A2</b><br>No Acceptable Solution for dredging and reclamation.                                                                                                                                          | Not applicable standard | NA        |
|                                                                                                 | <b>A3</b><br>No Acceptable Solution for coastal protection works initiated by the private sector.                                                                                                          | Not applicable standard | NA        |

**Appendix 5****E15.0 Inundation Prone Areas Code**

| Standard                                                   | Acceptable Solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Proposed       | Complies? |
|------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-----------|
| <b>E15.6 Use Standards</b>                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                |           |
| <b>E15.6<br/>Use Standards</b>                             | <b>A1</b><br>Change of use of a non-habitable building to a habitable building or a use involving habitable rooms must comply with all of the following: <ul style="list-style-type: none"> <li>(a) floor level of habitable rooms is no less than the AHD level for the Coastal Inundation Low Hazard Area in Table E15.1;</li> <li>(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.</li> </ul> | Not applicable | NA        |
| <b>E15.7 Development standards for Buildings and Works</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                |           |
| <b>E15.7.1<br/>Coastal Inundation High Hazard Areas</b>    | <b>A1</b><br>For a habitable building, including extensions to existing habitable buildings, there is no Acceptable Solution.                                                                                                                                                                                                                                                                                                                                                          | Not applicable | NA        |
|                                                            | <b>A2</b><br>For a non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, there is no Acceptable Solution.                                                                                                                                                                                                                                                                                                                               | Not applicable | NA        |

|                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                |    |
|---------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----|
| <b>E15.7.2<br/>Coastal Inundation Medium<br/>Hazard Areas</b> | <b>A1</b><br>For a new habitable building there is no acceptable solution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Not applicable | NA |
|                                                               | <b>A2</b><br>An extension to an existing habitable building must comply with one of the following:<br><br><ul style="list-style-type: none"> <li>(a) new habitable rooms must comply with both of the following: <ul style="list-style-type: none"> <li>(i) floor level no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1,</li> <li>(ii) floor area of the extension no more than 40 m<sup>2</sup> from the date of commencement of this planning scheme;</li> </ul> </li> <li>(b) new habitable rooms must be above ground floor</li> </ul> | Not applicable | NA |
|                                                               | <b>A3</b><br>A non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, must have a floor area no more than 40 m <sup>2</sup> .                                                                                                                                                                                                                                                                                                                                                                                                          | Not applicable | NA |
| <b>E15.7.3<br/>Coastal Inundation Low<br/>Hazard Areas</b>    | <b>A1</b><br>A new habitable building must comply with the following:<br><br><ul style="list-style-type: none"> <li>(a) floor level no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1;</li> </ul>                                                                                                                                                                                                                                                                                                                                            | Not applicable | NA |

|                                                     |                                                                                                                                                                                                                                                                                                                                                                                          |                |    |
|-----------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----|
|                                                     | <b>A2</b><br>An extension to a habitable building must comply with either of the following: <ul style="list-style-type: none"> <li>(a) floor level of habitable rooms is no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1;</li> <li>(b) floor area is no more than 60 m<sup>2</sup>.</li> </ul>                                                 | Not applicable | NA |
|                                                     | <b>A3</b><br>A non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, must have a floor area no more than 60 m <sup>2</sup> .                                                                                                                                                                                                              | Not applicable | NA |
| <b>E15.7.4<br/>Riverine Inundation Hazard Areas</b> | <b>A1</b><br>A new habitable building must have a floor level no lower than the 1% AEP (100 yr ARI) storm event plus 300 mm.                                                                                                                                                                                                                                                             | Not applicable | NA |
|                                                     | <b>A2</b><br>An extension to an existing habitable building must comply with one of the following: <ul style="list-style-type: none"> <li>(a) floor level of habitable rooms is no lower than the 1% AEP (100 yr ARI) storm event plus 300 mm;</li> <li>(b) floor area of the extension no more than 60 m<sup>2</sup> as at the date of commencement of this planning scheme.</li> </ul> | Not applicable | NA |

|                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                |                |    |
|---------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----|
|                                                                                                                                       | <b>A3</b><br>The total floor area of all non-habitable buildings, outbuildings and Class 10b buildings under the Building Code of Australia, on a site must be no more than 60 m <sup>2</sup> .                                                                                                                                                                                                | Not applicable | NA |
| <b>15.7.5</b><br><b>Riverine, Coastal</b><br><b>Investigation Area, Low,</b><br><b>Medium, High Inundation</b><br><b>Hazard Areas</b> | <b>A1</b><br>For landfill, or solid walls greater than 5 m in length and 0.5 m in height, there is no acceptable solution.                                                                                                                                                                                                                                                                     | Not applicable | NA |
|                                                                                                                                       | <b>A2</b><br>No acceptable solution.                                                                                                                                                                                                                                                                                                                                                           | Not applicable | NA |
|                                                                                                                                       | <b>A3</b><br>A land application area for onsite wastewater management must comply with all of the following: <ul style="list-style-type: none"> <li>(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;</li> <li>(b) vertical separation distance from the water table must be no less than 1.5 m.</li> </ul> | Not applicable | NA |
| <b>E15.7.6</b><br><b>Development Dependent on</b><br><b>a Coastal Location</b>                                                        | <b>A1</b><br>An extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date.                                                                                                                                                                                     | 90% increase   | No |
|                                                                                                                                       | <b>A2</b><br>No acceptable solution                                                                                                                                                                                                                                                                                                                                                            | Not applicable | NA |

|  |                                                                                                   |                |    |
|--|---------------------------------------------------------------------------------------------------|----------------|----|
|  | <b>A3</b><br>No Acceptable Solution for coastal protection works initiated by the private sector. | Not applicable | NA |
|--|---------------------------------------------------------------------------------------------------|----------------|----|

## Appendix 6

### E16.0 Coastal Erosion Hazard Code

| Standard                                                   | Acceptable Solution                                                                                                                                                                                        | Proposed                                         | Complies? |
|------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|-----------|
| <b>E16.6 Use Standards</b>                                 |                                                                                                                                                                                                            |                                                  |           |
| <b>E16.6 Use Standards</b>                                 | <b>A1</b><br>No Acceptable Solution.                                                                                                                                                                       | Not Applicable as relates to Habitable dwellings | NA        |
| <b>E16.7 Development Standards</b>                         |                                                                                                                                                                                                            |                                                  |           |
| <b>E16.7.1 Buildings and works</b>                         | <b>A1</b><br>No Acceptable Solution                                                                                                                                                                        | Proposal relies on Performance Criteria          | No        |
| <b>E16.7.2 Development Dependent on a Coastal Location</b> | <b>A1</b><br>An extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date. | 90% extension                                    | No        |
|                                                            | <b>A2</b><br>No Acceptable Solution.                                                                                                                                                                       | Not applicable                                   | NA        |

| Standard | Acceptable Solution                                                                               | Proposed       | Complies? |
|----------|---------------------------------------------------------------------------------------------------|----------------|-----------|
|          | <b>A3</b><br>No Acceptable Solution for coastal protection works initiated by the private sector. | Not applicable | NA        |

**Attachments/Annexures**

- 1 Attachment - Pleasure Boat Facility (Marina) - Bender Drive

## **CLOSED TO MEMBERS OF THE PUBLIC**

|                          |
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| <b>7. APPEALS REPORT</b> |
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*This item is to be considered at a closed meeting of the Glenorchy Planning Authority by authority of the Local Government (Meeting Procedures) Regulations 2015 Section 15(4).*