

**GLENORCHY PLANNING AUTHORITY MEETING**  
**AGENDA**  
**MONDAY, 7 AUGUST 2023**



**GLENORCHY CITY COUNCIL**

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

**Chairperson:** Alderman Bec Thomas

**Hour:** 3.30 p.m.

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<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*.

<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 10 July 2023 be confirmed.

**5. PROPOSED USE AND DEVELOPMENT - EXTENSION TO POLICE STATION (EMERGENCY SERVICES) - 315-319 MAIN ROAD GLENORCHY**

Author: Planning Officer (Peter Coney)

Qualified Person: Planning Officer (Peter Coney)

Property ID: 3274204

**REPORT SUMMARY**

<b>Application No.:</b>	<b>PLN-23-129</b>
<b>Applicant:</b>	<b>Philp Lighton Architects Pty Ltd</b>
<b>Owner:</b>	<b>The Crown</b>
<b>Zone:</b>	<b>Commercial Zone</b>
<b>Use Class</b>	<b>Emergency Services</b>
<b>Application Status:</b>	<b>Discretionary</b>
<b>Discretions:</b>	<b>C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction</b>  (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>8 August 2023</b>
<b>Existing Land Use:</b>	<b>Police Station (Emergency Services)</b>
<b>Representations:</b>	<b>One</b>
<b>Recommendation:</b>	<b>Approval, subject to conditions</b>

## **REPORT IN DETAIL**

### **PROPOSAL**

The proposal is for the relocation of police operations from the station at Bridgewater, to collocate with existing operations at the Glenorchy station while a new station is constructed at Bridgewater. The relocation requires the internal fit out of an existing void space of approximately 830m<sup>2</sup> within the existing building (Refer Figure 1) thereby extending the existing permitted use to that part of the building.



**Figure 1.** Proposed internal works

The internal works as development are exempt, though the intensification of the use, and subsequent increase to traffic volumes requires a permit. There is no proposed exterior alteration, signage or change to parking and circulation areas.

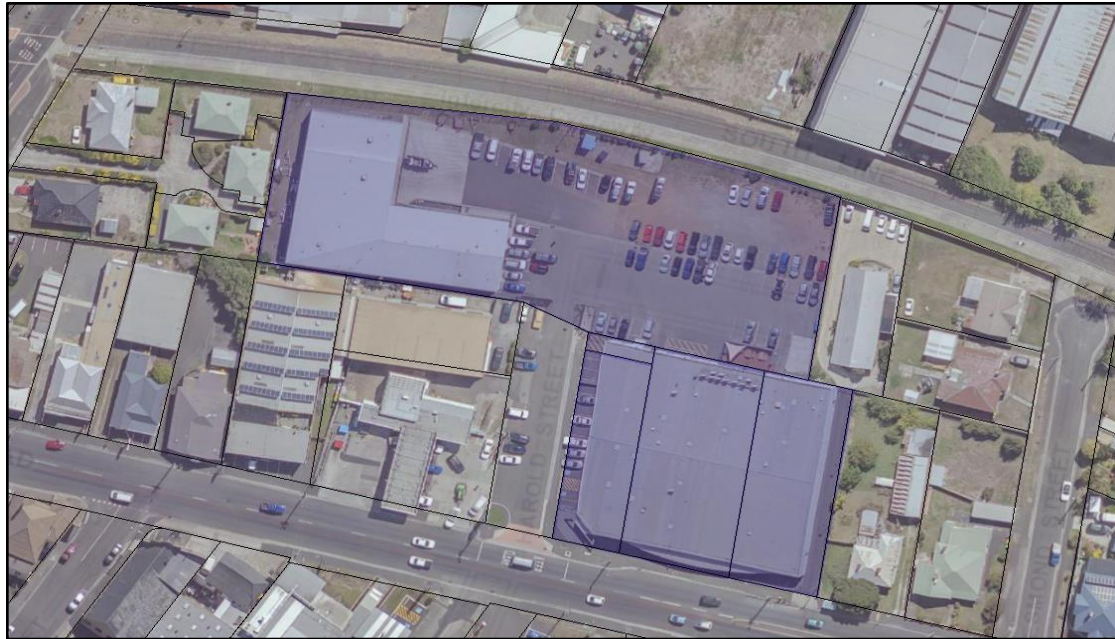
### **SITE and LOCALITY**

The site is an existing police station set across multiple titles totalling 8 633m<sup>2</sup> on the corner of Main Road and Harold Street, Glenorchy (Refer Figure 2). Vehicle access to a secure parking area is provided from Harold Street and a further 11 spaces, including seven spaces available to the public, are provided along the Harold Street frontage.

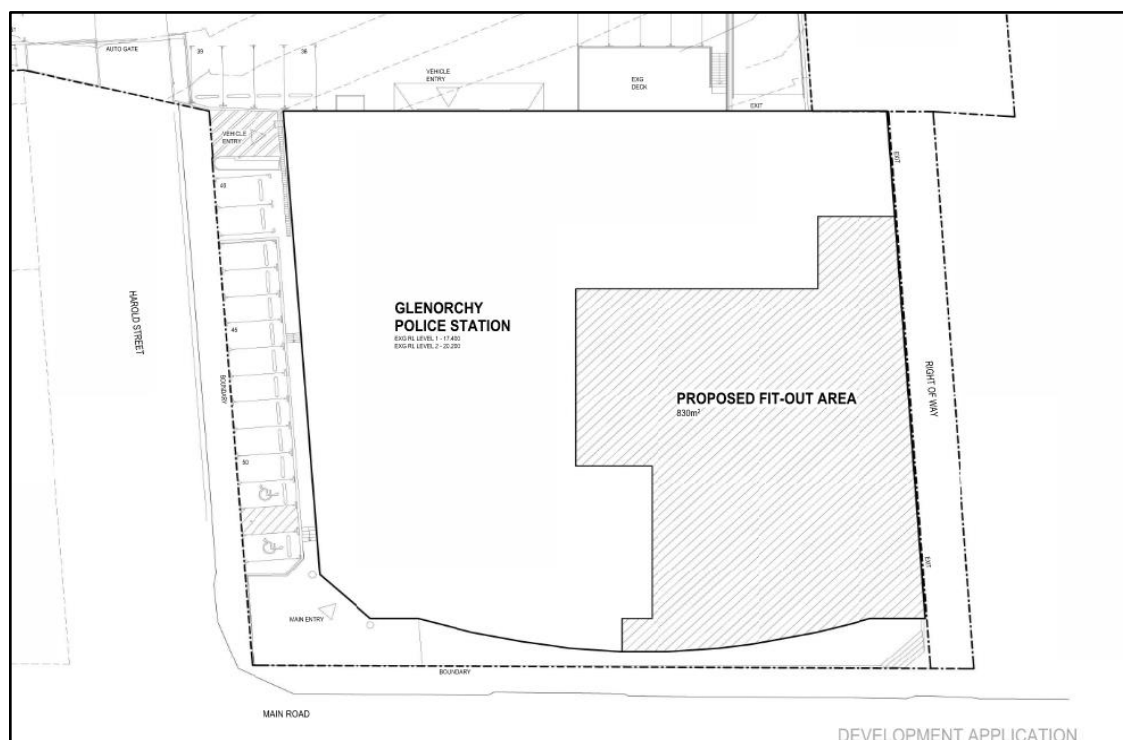
Public access to the police station is located at the south-western corner of the building adjacent to the intersection of Main Road and Harold Street.

The building housing the police station is presently only partially occupied (Refer Figure 3); there is in addition to the main building, storage buildings for marine operations at the rear, and a carpark.

The locality is a mix of commercial, residential and some minor industrial storage type uses at the edge of the Glenorchy Activity Centre.



**Figure 2.** Subject site and locality



**Figure 3.** Plan showing current station area, and void space use will extend into.

## ZONE

The site is located within the Commercial Zone, adjoins the Inner Residential Zone to the east, and is in close proximity to the Light Industrial Zone and Inner Residential Zone to the north. The site adjoins both the intercity cycleway, and Main Road, zoned Utilities.



**Figure 4.** Application of zones within the locality.

## BACKGROUND

**PLN-18-083:** Alterations and car park extension at existing Police Station (Business and Professional Services).

This application was approved for much the same works as is being applied for presently, though was not acted upon at the time and therefore lapsed.

**PLS43A-12/03:** Proposed change of use to existing buildings and erection of a new building for use as a Civic Building – Approved 05/07/2013

This application approved the current arrangement of buildings and use on site, noting a void space.

## 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).

## TASMANIAN PLANNING SCHEME - GLENORCHY 2021

### State Planning Provisions (SPP)

#### Administration

##### Exemptions (Tables 4.1 – 4.6)

Pursuant to clause 4.0.1 Internal building and works are exempt, as they are listed within the applicable table at 4.3.2.

The intensification of the use facilitated by this exempt development does however warrant consideration with respect to traffic movements as outlined further in the report.

##### Use Class Description (Table 6.2):

**Emergency Services:** use of land for police, fire, ambulance and other emergency services including storage and deployment of emergency vehicles and equipment. Examples include ambulance station, fire station and police station.

##### Other relevant definitions (Clause 3.0):

**Applicable standard** means as defined in subclause 5.6.2, 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:
  - (i) a zone;
  - (ii) an area to which a specific plan relates, or
  - (iii) an area to which a site-specific qualification applies, or
- (b) the proposed use or development is a use or development to which a relevant code applies; and
- (c) 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.

#### General Provisions

No General Provisions of the Scheme apply to this proposal.

#### Zones

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



### **Zone Purpose Statements**

The purpose of the Commercial Zone is:

17.1.1 To provide for retailing, service industries, storage and warehousing that require:

(a) large floor or outdoor areas for the sale of goods or operational requirements; and

(b) high levels of vehicle access and parking for customers.

17.1.2 To provide for a mix of use and development that supports and does not compromise or distort the role of other activity centres in the activity centre hierarchy.

#### *Comment*

The proposal is for a permitted use which is considered to inherently fulfill the purpose of the Commercial Zone.

### **Use Table**

Emergency services is a use class categorised as permitted within the Commercial Zone.

### **Use Standards**

There are no use standards of the Commercial Zone applicable to the assessment of this application.

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

There are no applicable development standards for the proposal, noting all the works are proposed internally.

### **Codes**

The following codes of the Scheme apply to this proposal:

#### **C2.0 Parking and Sustainable Transport Code**

The proposal has been referred to Council's Development Engineer who has made comment in the referrals section of this report. In short, as there is no parking requirement for an emergency services use other than Fire or Ambulance, the proposal complies with the applicable standard relating to car and bicycle parking numbers, and no other standard is applicable.

### 3.0 Road and Railway Assets Code

The proposal has been referred to Council's Development Engineer who has made comment in the referrals section of this report. The proposal is considered to comply with the acceptable solution of each of the applicable standards, as outlined in the appendices to this report, except where reliant on the performance criteria for C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction. This is owed to the increase in the number of vehicle movements anticipated by the colocation of police operations exceeding 20%.

The relevant performance criteria require:

*Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:*

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

#### *Comment*

The proposal is supported by a Traffic Impact Statement authored by a suitably qualified person. This statement provides an assessment against the relevant criteria, and has been reviewed by Council's Development Engineer. It is determined that the local road network has sufficient capacity to carry the additional traffic anticipated. On balance and with specific regard for (f), it is considered the proposal complies. More detailed comments regarding the Traffic Impact Statement as included in the Internal referrals section of this report.

### **Glenorchy Local Provisions Schedule (GLPS)**

#### **Local Area objectives**

No local area objectives of the Scheme apply to this proposal.

#### **Particular Purpose Zones**

No particular purpose zones of the Scheme apply to this proposal.

## Specific Area Plans

No Specific area plans of the Scheme apply to this proposal.

## GLE-Site Specific Qualifications

No site-specific qualifications of the Scheme apply to this proposal (refer to the Site Specific Qualifications table).

## GLE-Code lists

No code lists of the Scheme apply to this proposal.

## INTERNAL REFERRALS

### Development Engineer

The proposal has been referred to Council's Development Engineer who has made the following comments:

#### *Comments*

The development application seeks an approval for internal alterations and fit out at the existing building of the Police Station (Emergency Services) to cater for relocation of approximately 58 operational and administration staff members from the Bridgewater Police Station. The scope of the works can be seen in the figure below.



**Figure 5.** Scope of works.

The General Manager's consent to interfere with stormwater infrastructure is not required as the works are internal.

## C2.0 Parking and Sustainable Transport Code

The site can be accessed off the existing vehicular access, onto the driveway and parking areas. There is no requirement for car parking spaces under the C2.5.1 for emergency services. However, it is considered that the existing car parking on-site is sufficient and suitable for the use. It is not proposed to alter the parking arrangements with this development application. Therefore, the development complies with the Code requirements and objectives.

## C3.0 Road and Railway Assets Code

Due to the traffic generation expecting to generate an addition of 100 vehicle movements daily (vpd) which exceeds 40 vehicle trips per day (vpd), the assessment against the performance criteria is therefore triggered. The applicant has provided a Traffic Impact Statement (TIS) addressing the performance criteria for consideration. The TIS by Hubble Traffic dated June 2023 quantifies the traffic impact against the Tasmanian Planning Code C3, Road and Railway Assets Code, and table C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction. The site can be accessed via Harold Street with no new access proposed, see in the extract below.



Figure 6. Location of car park and access.

The TIS studies the Harold Street and Main Road characteristics, crash report history and impacts to the road networks. It is estimated that 29 additional trips will occur during the morning peak hours and 30 additional trips during evening peak hour. The TIS also assessed the road level of service (LOS) and found that during the peaked hours the LOS is considered good operation with acceptable delays during the evening peak hour.

The TIS further stated that the assessment demonstrates that relocating police operations temporarily from Bridgewater Police Station to Glenorchy Police Station will cause only a minor increase in traffic on Harold Street and nearby roads. Additional vehicles from Bridgewater police activities can be easily parked on-site at Glenorchy Police Station, avoiding any overflow onto surrounding roads. As a result, the TIS concluded that there is no reason not to proceed with the temporary relocation.

Based on the TIS, it is considered the development complies with the Code and is considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected.

## **Other**

### **C7.0 Natural Assets Code**

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

### **C12.0 Flood-Prone Areas Hazard Code**

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

### **C15.0 Landslide Code**

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

## **EXTERNAL REFERRALS**

No external referrals were undertaken as part of the assessment of this application.

## **REPRESENTATIONS**

The application was advertised for the statutory 14-day period with one representation being received from TasRail in its capacity as an adjoining landowner. TasRail advised that they had no objection to the proposal, noting further:

TasRail requests that a copy of the attached TasRail Standard Notes be included with any permits issued by Council so as to inform the applicant/builder of matters relevant to developing land adjoining a rail corridor.

It is considered reasonable to provide this document as an appendix to the permit to be issued.

## **CONCLUSION**

The proposal is for the internal fit out of a previously void space at the Glenorchy Police station. This work is necessitated by the colocation of police operations whilst the Bridgewater Police station is redeveloped.

The proposal complies with each of the acceptable solutions of the applicable standards except where reliant on the performance criteria for C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction. The proposal is supported by a Traffic Impact Statement, the findings of which Council's Development Engineer agrees and accepts, and so, the relevant performance criteria are considered to be satisfied.

## **Recommendation:**

That a permit be granted for the Extension to Police Station (Emergency Services), at 315-319 Main Road, Glenorchy subject to the following conditions:

### **Planning**

1. Use and development must be substantially in accordance with planning permit application No. PLN-23-129 and Drawings submitted on 24 May 2023, 3 pages, except as otherwise required by this permit.

### **Engineering**

2. The loading and unloading of goods from vehicles, including building materials and equipment, must only be carried out on the land.
3. The property owner is to ensure that Council's Road Assets and Infrastructure are protected during the demolition and building process. The owner is to ensure that damage to road assets, footpaths, kerb and channel, drainage pits, nature strips and other services is kept to a minimum and any damaged assets are reinstated. Should damages occur, the repair costs associated with such damages are the responsibility of the property owner. If reinstatement works are not undertaken promptly or to Council's satisfaction, Council may elect to reinstate or rectify any defects and recover the expenses reasonably incurred in doing so from the property owner.
4. Any damage to Council's assets, including services, footpaths, driveway crossings and nature strips must be promptly reported to and then repaired to the requirements of Council's Development Engineer, at the developer's cost.

Damage to Council Assets include:

- (a) Any damage to Council's assets, including services, footpaths, driveway crossings and nature strips must be promptly reported to and then repaired to the requirements of Council's Development Engineer, at the developer's cost.
- (b) It is the developer's responsibility to obtain and submit with the Building Application, a comprehensive photographic record of the condition of the footpaths, driveways and nature strips at the road frontage to the site and adjacent to the site, prior to commencing construction. The photographic record shall be relied upon to establish the extent of damage caused to Council's assets throughout construction. In the event that the developer fails to provide a pre-construction photographic record of the site then any damage to Council assets found on completion of the works shall be deemed to be the responsibility of the developer and must be repaired at the developer's cost.

### **Advice to Applicant**

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

#### *Other Permits*

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

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

#### *TasRail*

Please see attached notes supplied by TasRail which are recommended to be understood in undertaking works adjacent to a rail corridor.

### **Attachments/Annexures**

- 1 GPA Attachments - 315-319 Main Road, Glenorchy



## APPENDIX 1

## 17.0 Commercial Zone

Standard	Acceptable Solution	Proposed	Complies?
<b>17.3 Use Standards</b>			
<b>17.3.1</b> <b>All uses</b>	<b>A1</b> Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, must be within the hours of: (a) 7.00am to 9.00pm Monday to Saturday; and (b) 8.00am to 9.00pm Sunday and public holidays.	The proposal is for Emergency Services	N.A
	<b>A2</b> External lighting for a use, excluding Natural and Cultural Values Management or Passive Recreation, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, must: (a) not operate within the hours of 11.00pm to 6.00am, excluding any security lighting; and (b) if for security lighting, be baffled so that direct light does not extend into the adjoining property in those zones.	No external lighting proposed	N.A



Standard	Acceptable Solution	Proposed	Complies?
	<b>A3</b> Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, must be within the hours of: (a) 7.00am to 9.00pm Monday to Saturday; and (b) 8.00am to 9.00pm Sunday and public holidays.	The proposal is for Emergency Services	N.A
<b>17.3.2</b> <b>Discretionary uses</b>	<b>A1</b> No Acceptable Solution.	The proposal is for a permitted use	N.A
<b>17.3.3</b> <b>Retail impact</b>	<b>A1</b> The gross floor area for Bulky Goods Sales must be not less than 250m <sup>2</sup> per tenancy, unless the use relies on more than 50% of the site area for outdoor display of goods for sale.	The proposal is for Emergency Services	N.A

**C2.0 Parking and Sustainable Transport Code**

<b>Standard</b>	<b>Acceptable Solution</b>	<b>Proposed</b>	<b>Complies ?</b>
<b>C2.5 Use Standards</b>			
<b>C2.5.1</b> <b>Car parking numbers</b>	<b>A1</b> The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if: <ul style="list-style-type: none"> <li>(a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;</li> <li>(b) the site is contained within a parking precinct plan and subject to Clause C2.7;</li> <li>(c) the site is subject to Clause C2.5.5; or</li> <li>(d) it relates to an intensification of an existing use or development or a change of use where:               <ul style="list-style-type: none"> <li>(i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or</li> </ul> </li> </ul>	No change proposed nor required.	Yes

Standard	Acceptable Solution	Proposed	Complies ?
	<p>(ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:</p> $N = A + (C - B)$ <p>N = Number of on-site car parking spaces required</p> <p>A = Number of existing on site car parking spaces</p> <p>B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1</p> <p>C = Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.</p>		
<b>C2.5.2</b> <b>Bicycle parking numbers</b>	<b>A1</b> Bicycle parking spaces must: <ul style="list-style-type: none"> <li>(a) be provided on the site or within 50m of the site; and</li> <li>(b) be no less than the number specified in Table C2.1.</li> </ul>	Not required	N.A
<b>C2.5.3</b> <b>Motorcycle parking numbers</b> <i>This applies to:</i>	<b>A1</b> The number of on-site motorcycle parking spaces for all uses must:	Not required	N.A

Standard	Acceptable Solution	Proposed	Complies ?
<i>Business and Professional Services;</i> <i>Community Meeting and Entertainment;</i> <i>Custodial Facility;</i> <i>Crematoria and Cemeteries;</i> <i>Educational and Occasional Care;</i> <i>Food Services;</i> <i>General Retail and Hire;</i> <i>Hospital Services;</i> <i>Hotel Industry;</i> <i>Pleasure Boat Facility;</i> <b><i>Residential if for a communal residence, multiple dwellings or hostel use;</i></b> <i>Sports and Recreation; and</i> <i>Tourist Operation.</i>	(a) be no less than the number specified in Table C2.4; and (b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained.		
<b>C2.5.4</b> <b>Loading bays</b> <i>This applies to:</i> <i>Bulky Goods Sales;</i> <i>General Retail and Hire;</i>	<b>A1</b> A loading bay must be provided for uses with a floor area of more than 1000m <sup>2</sup> in a single occupancy.	Not required	N.A

Standard	Acceptable Solution	Proposed	Complies ?
<i>Manufacturing and Processing; and Storage.</i>			
<p><b>C2.5.5</b></p> <p><b>Number of car parking spaces within the General Residential Zone and Inner Residential Zone</b></p> <p><i>This applies to:</i></p> <p><i>Business and Professional Services;</i></p> <p><i>Community Meeting and Entertainment;</i></p> <p><i>Educational and Occasional Care;</i></p> <p><i>Emergency Services;</i></p> <p><i>Food Services;</i></p> <p><i>General Retail and Hire;</i></p> <p><i>Sports and Recreation; and</i></p> <p><i>Utilities, if not for minor utilities.</i></p>	<p><b>A1</b></p> <p>Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for:</p> <p>(a) Food Services uses up to 100m<sup>2</sup> floor area or 30 seats, whichever is the greater; and</p> <p>(b) General Retail and Hire uses up to 100m<sup>2</sup> floor area, provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone.</p>	Not required	N.A

**C3 Road and Railway Assets Code**

Standard	Acceptable Solution	Proposed	Complies?
<b>C3.5 Use Standards</b>			
<b>C3.5.1</b>  <b>Traffic generation at a vehicle crossing, level crossing or new junction</b>	<b>A1.1</b>  For a category 1 road or a limited access road, vehicular traffic to and from the site will not require:  (a) a new junction;  (b) a new vehicle crossing; or  (c) a new level crossing.  <b>A1.2</b>  For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority.  <b>A1.3</b>  For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.	Vehicular traffic increased by over 40 vpd.  TIS provided and satisfied the performance criteria.	See report

Standard	Acceptable Solution	Proposed	Complies?
	<p><b>A1.4</b></p> <p>Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:</p> <p>(a) the amounts in Table C3.1; or</p> <p>(b) allowed by a licence issued under Part IVA of the <i>Roads and Jetties Act 1935</i> in respect to a limited access road.</p> <p><b>A1.5</b></p> <p>Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>		

**6. PROPOSED USE AND DEVELOPMENT – PARTIAL DEMOLITION AND MULTIPLE DWELLINGS (ONE EXISTING, TWO NEW) - 2-4 ASHBOURNE GROVE WEST MOONAH**

Author: Planning Officer (Sylvia Jeffreys)

Qualified Person: Planning Officer (Sylvia Jeffreys)

Property ID: 3271694

**REPORT SUMMARY**

**Application No.:** PLN-22-412

**Applicant:** West Elevation Design

**Owner:** J J H Koh

**Zone:** General Residential

**Use Class** Residential

**Application Status:** Discretionary

**Discretions:** 8.4.2 P3 Setbacks and building envelopes for all dwellings

8.4.6 P2 Privacy for all dwellings

8.4.8 P1 Waste Storage for multiple dwellings

C2.5.1 P1 Car parking numbers

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



<b>Level 2 Activity?</b>	<b>No</b>
<b>42 Days Expires:</b>	<b>Extension of time granted until 7 Aug 2023</b>
<b>Existing Land Use:</b>	<b>Single Dwelling</b>
<b>Representations:</b>	<b>1</b>
<b>Recommendation:</b>	<b>Approval, subject to conditions</b>

## **REPORT IN DETAIL**

### **PROPOSAL**

The application is for two conjoined double storey dwellings in the backyard of an existing dwelling with a parking area for five cars. There would be an additional parking space within a garage that is part of the existing dwelling. Both units would have open plan living and two bedrooms on the ground floor. There would be a further two bedrooms and a rumpus on the first floor. Private outdoor space would be on the side of each dwelling with access from the living room. The dwellings would have a maximum height of 6.79m. Part of the dwellings would be double storey and would have side wings on either side that would be only 3m in height. The side setback on the northwest would be 3m, on the southwest between 1.986m and 5.872m and on the rear 1.5m. The proposal includes demolition of a small outbuilding. The application is discretionary for the building envelope, window separation, waste storage and one visitor parking space. The proposal is shown in Figure 1.



*Figure 1: Proposal - West Elevation Design*

## SITE and LOCALITY

The property is near the corner of Second Avenue and Ashbourne Grove in West Moonah. The land approximates a rectangular shape of 986.53m<sup>2</sup> and contains a double storey dwelling. The land has a gentle slope and there is a hedge growing into the nature strip. There are single dwellings in either side and a green area of a school at the rear. The property is shown in Figure 2.



Figure 2: Subject Property - theList

## ZONE

The subject property is within the General Residential Zone, which also applies to the locality in general, except for the school property at the rear that is zoned Community Purpose. The zoning is shown in Figure 3.



Figure 3: Zoning Map - theList

## BACKGROUND

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

## ASSESSMENT

### STATE POLICIES, OBJECTIVES of LUPAA

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

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

### TASMANIAN PLANNING SCHEME - GLENORCHY 2021

#### State Planning Provisions (SPP)

##### Administration

##### Exemptions (Tables 4.1 – 4.6)

The application includes demolition of an exempt outbuilding under clause 7.3.10 and an exempt front fence under 4.6.3.

##### Use Class Description (Table 6.2):

The application is for Multiple Dwellings which fits under the use class Residential. The use is defined in Table 6.2 Use Classes as follows:

##### *Residential*

*use of land for self-contained or shared accommodation. Examples include a secondary residence, boarding house, communal residence, home-based business, home-based child care, residential care facility, residential college, respite centre, assisted housing, retirement village and single or multiple dwellings.*

##### Other relevant definitions (Clause 3.0):

The following meanings in 3.0 Planning Terms and Definitions are of particular relevance:

##### *multiple dwellings*

*means 2 or more dwellings on a site.*

##### *dwelling*

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

*applicable standard*

*means as defined in subclause 5.6.2 of this planning scheme.*

*5.6.2 A standard is an applicable standard if: (a) the proposed use or development will be on a site within: (i) a zone; (ii) an area to which a specific area plan relates; or (iii) an area to which a site-specific qualification applies; or (b) the proposed use or development is a use or development to which a relevant code applies; and (c) 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.*

### **Discretionary Use or Development**

The application is discretionary under Clause 6.8.1 as follows:

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

- (a) the use is within a use class specified in the applicable Use Table as being a use which is discretionary;*
- (b) the use or development complies with each applicable standard but relies upon a performance criterion to do so; or*
- (c) it is discretionary under any other provision of the planning scheme,*

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

- 8.4.2 P3 Setbacks and building envelopes for all dwellings
- 8.4.6 P1 Privacy for all dwellings
- 8.4.8 P1 Waste Storage for multiple dwellings
- C2.5.1 P1 Car parking numbers

### **General Provisions**

No general provisions apply.

### **Zones**

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

**Zone Purpose Statements**

The purpose of the General Residential Zone is:

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

*8.1.2 To provide for the efficient utilisation of available social, transport and other service infrastructure.*

*8.1.3 To provide for non-residential use that:*

- (a) primarily serves the local community; and*
- (b) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.*

*8.1.4 To provide for Visitor Accommodation that is compatible with residential character.*

**Comment**

The proposal accords with the zone purpose statement as it is for a residential use in an area where full infrastructure services are provided.

**Use Table**

The use class Residential (Multiple Dwellings) is permitted within the General Residential Zone in 8.2 Use Table.

**Use Standards**

The standards in clause 8.3 Use Standards specifically relate to discretionary uses and visitor accommodation and are therefore not applicable to this proposal.

**Development Standards for dwellings**

The proposal accords with the relevant acceptable solutions as demonstrated in the attached Appendix, except as follows:

*8.4.2 P3 Setbacks and building envelopes for all dwellings*

The proposal does not accord with the acceptable solution in clause 8.4.2 A3 with respect to the building envelope. Therefore, the proposal relies on the related performance criteria as follows:

### 8.4.2 P3 Setbacks and building envelopes for all dwellings

The siting and scale of a dwelling must:

- (a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:
  - (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;
  - (ii) overshadowing the private open space of a dwelling on an adjoining property;
  - (iii) overshadowing of an adjoining vacant property; or
  - (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;
- (b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and
- (c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:
  - (i) an adjoining property; or
  - (ii) another dwelling on the same site.

#### Comment

The acceptable solution requires a dwelling to be within the building envelope. The proposal is outside the building envelope with respect to the rear wall but complies on the side elevation as shown in Figure 4.

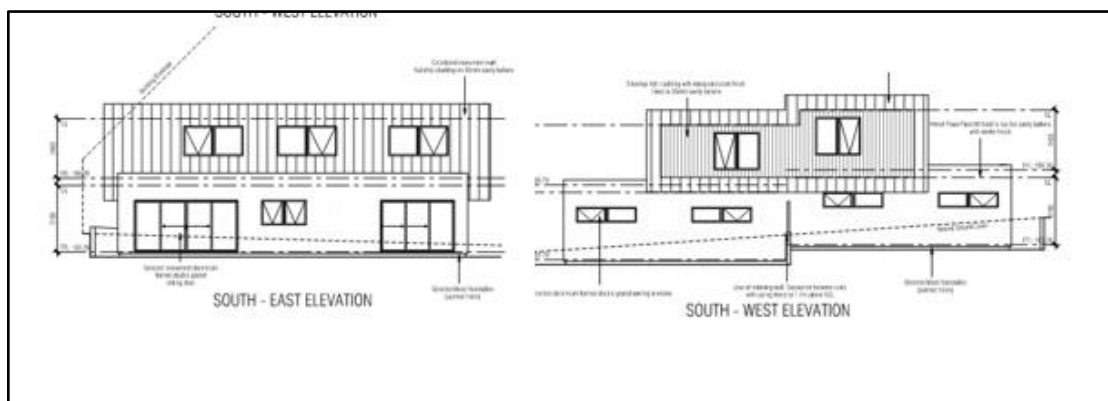


Figure 4: Rear and side elevation - West Elevation Design

There would be 1.5m setback from the rear boundary for a 6.79m high wall that would normally require a setback of 3.79m. The rear boundary adjoins the school property. Nevertheless, the high part of the dwelling would be between 5.186m and 9.072m away from the southwest boundary where there is the backyard of the neighbouring dwelling. On the northwest boundary the high part is also at least 6.2m from the

boundary. Given that there are only school grounds adjoining at the rear and that there is significant separation on the side there would be no unreasonable overshadowing occurring. This is demonstrated in the shadow diagrams the applicant submitted as supporting documentation. Visual impact is also considered acceptable as the bulk is reduced by the stepping down of the dwelling and articulation in the design. A lot of dwellings in the area have separation from the boundary of 1.5m so that the proposed setbacks are not considered inconsistent with established properties. There are no solar installations that could be affected the proposal.

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

#### *8.4.6 P2 Privacy for all dwellings*

The proposal does not accord with the acceptable solution in clause 8.4.6 A2 with respect to window separation from the boundary. Therefore, the proposal relies on the related performance criteria as follows:

##### *8.4.6 P2 Privacy for all dwellings*

*A window or glazed door to a habitable room of a dwelling that has a floor level more than 1m above existing ground level, must be screened, or otherwise located or designed, to minimise direct views to:*

- (a) a window or glazed door, to a habitable room of another dwelling; and*
- (b) the private open space of another dwelling.*

#### *Comment*

The acceptable solution requires windows 1m above the ground to be 4m from the rear boundary and 3m from a side boundary or 6m from a window of another dwelling on site if the windows have not obscure glazing.

The high and full sized windows on the side elevations are well more than 3m from the side boundary. There would be less than 6m separation from two bedroom windows of the existing house from an upstairs bedroom window of Unit 2. It is proposed to cover the windows on the existing house with opaque film as shown on the plan, which then would comply. A condition is recommended accordingly.

The full sized upstairs windows on the rear elevation are less than 4m from the rear boundary, which causes a technical discretion. There are no buildings in the vicinity on the adjacent school property, so it is considered that the proposal accords with the performance criteria.

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

#### *8.4.8 P2 Waste Storage for multiple dwellings*

The proposal does not accord with the acceptable solution in clause 8.4.8 P1 with respect to bin storage. Therefore, the proposal relies on the related performance criteria as follows:

##### *8.4.8 P1 Waste storage for multiple dwellings*

*A multiple dwelling must have storage for waste and recycling bins that is:*

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

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

*and*

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

#### *Comment*

The acceptable solution requires that waste storage is not in front of a dwelling. Each new dwelling would have its own waste storage area. The proposed dwellings would have a bin storage area within the fenced off private outdoor space area within a part that is in front of the dwellings. Therefore, the area would be screened from the frontage, which satisfies the performance criteria. The existing dwelling has sufficient space to store bins, but there is no waste storage area shown on the plan. A condition is recommended that the bin storage area is screened from the frontage and any dwelling.

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

## **Codes**

### **C2.0 Parking and Sustainable Transport Code**

The proposal accords with the relevant acceptable solutions as demonstrated in the attached Appendix, except as follows:

#### *C2.5.1 P1 Car parking numbers*

The proposal does not accord with the acceptable solution in clause C2.5.1 A1 with respect to carparking numbers. Therefore, the proposal relies on the related performance criteria as follows:

##### *C2.5.1 P1 Car parking numbers*

##### *P1.2*

*The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to:*

*(a) the nature and intensity of the use and car parking required;*



*(b) the size of the dwelling and the number of bedrooms; and*

*(c) the pattern of parking in the surrounding area.*

#### *Comment*

The acceptable solution requires that the car parking numbers are as specified in Table C2.1, which would be seven spaces. The proposal provides for six spaces. The application was referred to the Development Engineer, who assessed that the parking shortfall was acceptable.

For further comments, please refer to engineering assessment under the Referrals section later in this report.

### **C3.0 Road and Railway Assets Code**

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

### **Glenorchy Local Provisions Schedule (GLPS)**

#### **Local Area objectives**

No local area objectives of the Scheme apply to this proposal.

#### **Particular Purpose Zones**

No particular purpose zones of the Scheme apply to this proposal.

#### **Specific Area Plans**

No specific area plans of the Scheme apply to this proposal.

#### **GLE-Site Specific Qualifications**

No site-specific qualifications of the Scheme apply to this proposal.

#### **GLE-Code lists**

No code lists of the Scheme apply to this proposal.

#### **GLE-Applied, Adopted and Incorporated Document**

Nil.

## INTERNAL REFERRALS

### Development Engineer

#### Comments

The development application seeks an approval for three multiple dwellings (one existing and two additional). The works include access, driveway and works associated to drainage. The scope of work can be seen in the figure below.



Runoff is proposed to be collected and drained via an upgraded kerb connection. The developer has proven the underground unit connection is not feasible due to the site constraints. The kerb connection must be upgraded to a 150mm diameter equivalent to satisfy Council's requirement. The General Manager's consent to interfere with stormwater infrastructure can be granted. The document is available in ECM.

### C2.0 Parking and Sustainable Transport Code

The development complies with the Code and is considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected.

The site can be accessed off the existing vehicular access, which is proposed to be widened, onto the driveway and parking areas. The requirement under the C2.5.1 and table C2.1, A1 requires the total of two (2) car parking spaces for each residential dwelling and 1 visitor parking space. The applicant proposes to provide car parking area for two car spaces each dwelling (or the total of 6 spaces for the entire site) and not providing any visitor space. Therefore, a shortfall of 1 parking space. It is however considered acceptable under the Performance Criteria due to the small shortfall and

availability of the on-street parking. There are no requirements for accessible car parking, motorcycle parking spaces, bicycle parking spaces and commercial vehicle applicable to the development application. The layout of parking area complies with the standard AS2890.1:2004. The turning swept path is provided demonstrate compliance to the standard. The surface treatment of the driveway is proposed to be concrete. Surface runoff is proposed to be captured and directed to the Council's stormwater system.

### **C3.0 Road and Railway Assets Code**

The proposed development is not expected to increase vehicle movements over 20% or 40 vehicle trips per day. The site can be accessed off the existing vehicle crossing, and no new access is proposed. Therefore, the proposed development complies with the code requirements.

### **Other**

### **C7.0 Natural Assets Code**

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

### **C12.0 Flood-Prone Areas Hazard Code**

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

### **C15.0 Landslide Code**

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

## **EXTERNAL REFERRALS**

### **TasWater**

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

## **REPRESENTATIONS**

The application was advertised for the statutory 14-day period with 1 representation(s) being received. The issues raised are as follows:

### **Overshadowing**

The representor states that the building would cast significant shadows over the properties at 46 and 48 Second Avenue.

*Planner's Comment:*

This issue has been previously addressed under the heading 8.4.2 A3 Setbacks and building envelopes for all dwellings. A phone call to the representor also explained the plans and since it is now understood that there would be a large separation from the boundary to the upper storey of the proposed building, the representor is less concerned.

**CONCLUSION**

The application is for two conjoined double storey dwellings in the backyard of an existing dwelling. The application is discretionary for the building envelope, window separation, waste storage and one visitor parking space. Nevertheless, the proposal accords with the relevant Performance Criteria. There was one representation received being concerned about overshadowing. However, the second storey part of the southeastern dwelling is stepped back so that there is sufficient separation from the boundary not to cause unreasonable overshadowing.

In conclusion, the proposal is assessed to substantially comply with the requirements of Schedule 1 of the *Land Use Planning and Approvals Act 1993* and the *Tasmanian Planning Scheme – Glenorchy 2021*, subject to the recommended conditions.

**Recommendation:**

That a permit be granted for the Partial demolition and multiple dwellings (one existing, two new) of 2-4 Ashbourne Grove West Moonah subject to the following conditions:

**Planning**

1. Use and development must be substantially in accordance with planning permit application No. PLN-22-412 and Drawings submitted on 19/06/2023, 14 pages, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2022/01846-GCC, dated 21/11/2022 form part of this permit.
3. Bedroom 2 and 3 of the existing dwelling must have opaque film installed to a height of 1.7m above the floor level. This requirement must be shown on plans submitted with a Building Permit Application.
4. The existing dwelling must have an area for waste and recycling bins that is not less than 1.5m<sup>2</sup> and is not in front of the dwelling. This requirement must be shown on plans submitted with a Building Permit Application.

5. The front fence must have openings above the height of 1.2m which provide uniform transparency of at least 30% (excluding any post). This requirement must be shown on plans submitted with a Building Permit Application.

## Engineering

6. Prior to the issuing of a Building Approval or the commencement of works on site, including demolition (whichever occurs first), a Soil and Water Management Plan must be submitted detailing proposed sediment and erosion control measures to the satisfaction of Council's Development Engineer.

The approved control measures must be installed prior to any disturbance of soil or construction activity such as concrete cutting, demolition and must be regularly inspected and maintained during the construction and demolition period to prevent soil and other materials entering the local stormwater system, roadways, or adjoining properties.

The approved control measures must remain in place until such time as all construction activity likely to generate sediment has been completed or all disturbed areas have been stabilised using vegetation and/or restored or sealed to the satisfaction of the Council.

The approved Soil and Water Management Plan (SWMP) forms part of this permit and must be complied with.

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

7. The loading and unloading of goods from vehicles, including building materials and equipment, must only be carried out on the land.
8. The property owner is to ensure that Council's Road Assets and Infrastructure are protected during the demolition and building process. The owner is to ensure that damage to road assets, footpaths, kerb and channel, drainage pits, nature strips and other services is kept to a minimum and any damaged assets are reinstated. Should damages occur, the repair costs associated with such damages are the responsibility of the property owner. If reinstatement works are not undertaken promptly or to Council's satisfaction, Council may elect to reinstate or rectify any defects and recover the expenses reasonably incurred in doing so from the property owner.
9. Any damage to Council's assets, including services, footpaths, driveway crossings and nature strips must be promptly reported to and then repaired to the requirements of Council's Development Engineer, at the developer's cost.  
Damage to Council Assets:

- (a) Any damage to Council's assets, including services, footpaths, driveway crossings and nature strips must be promptly reported to and then repaired to the requirements of Council's Development Engineer, at the developer's cost.
  - (b) It is the developer's responsibility to obtain and submit with the Building Application, a comprehensive photographic record of the condition of the footpaths, driveways and nature strips at the road frontage to the site and adjacent to the site, prior to commencing construction. The photographic record shall be relied upon to establish the extent of damage caused to Council's assets throughout construction. In the event that the developer fails to provide a pre-construction photographic record of the site then any damage to Council assets found on completion of the works shall be deemed to be the responsibility of the developer and must be repaired at the developer's cost.
2. The design and construction of the parking, access and turning areas must comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004, to the satisfaction of the Council's Development Engineer. Drawings showing the driveway details must be in accordance with the Australian Standard and submitted with the Building Application for approval by Council's Development Engineer prior to the commencement of works on site. The proposed driveway and parking must comply with the following:
- (a) Be constructed to a sealed finish and the finished gradient shall not exceed the maximum gradient of 20% or 1 in 5.
  - (b) Vertical alignment shall include transition curves (or straight sections) at all grade changes greater than 12.5%.
  - (c) Total of six (6) clearly marked car parking spaces (2 spaces per each dwelling) must be provided in accordance with the approved plan received by Council and always kept available for these purposes.
  - (d) All runoff from paved and driveway areas must be discharged into Council's stormwater system.
  - (e) The crossfall along the footpath must not exceed 4%.
  - (f) The gradient of any parking areas must not exceed 5% and
  - (g) Minimum carriageway width is to be no less than 6.0 metres.

All works required by this condition must be installed prior to the occupancy of the dwellings.

3. Widening to the existing vehicle crossing to provide a passing bay at the access point must be constructed in accordance with the Tasmanian standard drawing TSD-R09-v3, TSD-R11-v3 and TSD-R14-v3 between the kerb and the property boundary and completed to the satisfaction of Council's Development Engineer prior to the occupancy. The detail design must be submitted and approved prior to the issuing of a Building Permit Approval.

*Advice:* Prior to the commencement of any work within the road reservation by a private contractor, the contractor must obtain a Road Opening Permit from the Council's Compliance Officer. This permit shall include items such as hours of work, road safety, reinstatement, soil and water management, etc. The Road Opening Permit Application Form is available via Council's website <https://www.gcc.tas.gov.au/wp-content/uploads/2022/08/Road-Opening-Permit-Application-Form-1.pdf>

4. Prior to the commencement of the use or the issuing of the plumbing permit, a stormwater kerb connection via Ashbourne Grove onto the property boundary must be provided by Council at full cost to the applicant. The developer must apply for a Stormwater Kerb Connection by completing the Stormwater Connection Request Form which can be obtained by contacting Council's Customer Service or via Council's website <https://www.gcc.tas.gov.au/council/documents-and-publications/forms/>. The Request Form outlines the process and conditions for stormwater connections.

### **Advice to Applicant**

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

#### *General Manager's Consent for Stormwater Management*

Any conditions and/or advice as set out in the attached General Manager's Consent for Stormwater Management, reference No. PLN-22-412, dated 26 July 2023, form part of this permit.

#### *Underground Services*

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

### *Other Permits*

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

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

### **Attachments/Annexures**

- 1** GPA Attachment - 2-4 Ashbourne Grove, West Moonah





## APPENDIX

## 8.0 General Residential Zone

Standard	Acceptable Solution	Proposed	Complies?
<b>8.3 Use Standards</b>			
<b>8.3.1 Discretionary uses</b>	<b>A1</b> Hours of operation of a use listed as Discretionary, excluding Emergency Services, must be within the hours of 8.00am to 6.00pm		NA
	<b>A2</b> External lighting for a use listed as Discretionary: (a) must not operate within the hours of 7.00pm to 7.00am, excluding any security lighting; and (b) security lighting must be baffled to ensure direct light does not extend into the adjoining property.		NA
	<b>A3</b> Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as Discretionary, excluding Emergency Services, must be within the hours of: (a) 7:00am to 7:00pm Monday to Friday; (b) 9:00am to 12 noon Saturday; and (c) nil on Sunday and public holidays.		NA
	<b>A4</b> No acceptable solution.		NA
<b>8.3.2 Visitor Accommodation</b>	<b>A1</b> Visitor Accommodation must: (a) accommodate guests in existing habitable buildings; and (b) have a gross floor area of not more than 200m <sup>2</sup> per lot.		NA
	<b>A2</b> Visitor Accommodation is not for a strata lot that is part of a strata scheme where another strata lot within that strata scheme is used for a residential use.		NA

8.4 Development Standards for Dwellings			
<b>8.4.1</b> Residential density for multiple dwellings	<b>A1</b> Multiple dwellings must have a site area per dwelling of not less than 325m <sup>2</sup> .	The land has an area of 986.53/3=328m <sup>2</sup>	Yes
<b>8.4.2</b> Setbacks and building envelopes for all dwellings	<b>A1</b> Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, not less than 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site; (b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; (c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or (d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level.	The dwellings would be behind the existing dwelling so that the front setback does not change, which is 4.6m.	Yes
	<b>A2</b> A garage or carport for a dwelling must have a setback from a primary frontage of not less than: (a) 5.5m, or alternatively 1m behind the building line; (b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or	No new garage is proposed	N/A

	(c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.		
	<p><b>A3</b> A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and</p> <p>(b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</p> <p>(ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).</p>	Outside building envelope	No – Discretion
<p><b>8.4.3</b> <b>Site coverage and private open space for all dwellings</b></p>	<p><b>A1</b> Dwellings must have:</p> <p>(a) a site coverage of not more than 50% (excluding eaves up to 0.6m wide); and</p> <p>(b) for multiple dwellings, a total area of private open space of not less than 60m<sup>2</sup> associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer).</p>	Site coverage 38.36% 85m <sup>2</sup> of total POS would be provided for each dwelling and more than 60m <sup>2</sup> for the existing dwelling.	Yes
	<p><b>A2</b> A dwelling must have private open space that:</p> <p>(a) is in one location and is not less than:</p> <p>(i) 24m<sup>2</sup>; or</p> <p>(ii) 12m<sup>2</sup>, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the</p>	Each dwelling would have POS adjacent to the side elevation of more than 4m x 6m, accessible from a sliding door in the living area. The existing dwelling would have an area of POS at the front/side of the dwelling that would be screened. The POS	Yes

	<p>finished ground level (excluding a garage, carport or entry foyer);</p> <p>(b) has a minimum horizontal dimension of not less than:</p> <p>(i) 4m; or</p> <p>(ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);</p> <p>(c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and</p> <p>(d) has a gradient not steeper than 1 in 10.</p>	for the existing dwelling would be orientated within 30 degrees of north.	
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<b>8.4.4</b> <b>Sunlight to private open space of multiple dwellings</b>	<b>A1</b> A multiple dwelling, that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 8.4.3, must satisfy (a) or (b), unless excluded by (c): (a) the multiple dwelling is contained within a line projecting (see Figure 8.4): (i) at a distance of 3m from the northern edge of the private open space; and (ii) vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal; (b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00am and 3.00pm on 21st June; and (c) this Acceptable Solution excludes that part of a multiple dwelling consisting of: (i) an outbuilding with a building height not more than 2.4m; or (ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling.	The existing dwelling would be to the north of the POS of Unit 2. However, there is 3m separation from the rear wall to the compliant area nominated on the plan.	Yes
<b>8.4.5</b> <b>Width of openings for garages and carports for all dwellings</b>	<b>A1</b> A garage or carport for a dwelling within 12m 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 6m or half the width of the frontage (whichever is the lesser).	Not proposed	NA
<b>8.4.6</b> <b>Privacy for all dwellings</b>	<b>A1</b> A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above existing ground level must have a permanently fixed screen to a height of not less	Not proposed	NA

	<p>than 1.7m above the finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a:</p> <ul style="list-style-type: none"> <li>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 3m from the side boundary;</li> <li>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and</li> <li>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m: <ul style="list-style-type: none"> <li>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</li> <li>(ii) from a balcony, deck, roof terrace or the private open space of the other dwelling on the same site.</li> </ul> </li> </ul>		
	<p><b>A2</b> A window or glazed door to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b):</p> <ul style="list-style-type: none"> <li>(a) the window or glazed door: <ul style="list-style-type: none"> <li>(i) is to have a setback of not less than 3m from a side boundary;</li> <li>(ii) is to have a setback of not less than 4m from a rear boundary;</li> <li>(iii) if the dwelling is a multiple dwelling, is to be not less than 6m 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 not less than 6m from the private open space of another dwelling on the same site.</li> </ul> </li> <li>(b) the window or glazed door:</li> </ul>	<p>Both dwellings would have full size upstairs windows within 1.5m of the rear boundary, which does not comply. The remaining windows would comply. See report for more details.</p>	<p>No – Discretion</p>

	<ul style="list-style-type: none"> <li>(i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling;</li> <li>(ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of not less than 1.7m 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 not less than 1.7m above floor level, with a uniform transparency of not more than 25%.</li> </ul>		
	<p><b>A3</b> 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 not less than:</p> <ul style="list-style-type: none"> <li>(a) 2.5m; or</li> <li>(b) 1m if: <ul style="list-style-type: none"> <li>(i) it is separated by a screen of not less than 1.7m in height; or</li> <li>(ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level.</li> </ul> </li> </ul>	Unit 1 has a window within 1m of the shared turning area. However, the window has a sill height 1.7m above ground, which complies.	Yes
<p><b>8.4.7</b> <b>Frontage Fences for all dwellings</b></p>	<p><b>A1</b> No Acceptable Solution<sup>1</sup>.</p> <p><i>(<sup>1</sup> An exemption applies for fences in this zone – see Table 5.6 in Exemptions)</i></p>	It is proposed to have a 1.7m high picket fence with 10mm gaps in front of the existing dwelling. It is assumed that this fence would be exempt as there are no dimensions for the width of the slats. A condition is recommended to ensure the fence has the exempt dimensions.	Yes
<b>8.4.8</b>	<b>A1</b>	It is proposed to take bins to each dwelling. The proposed dwellings have a bin storage area within the fenced off POS	No – Discretion

<b>Waste Storage for multiple dwellings</b>	<p>A multiple dwelling must have a storage area, for waste and recycling bins, that is not less than 1.5m<sup>2</sup> per dwelling and is within one of the following locations:</p> <ul style="list-style-type: none"> <li>(a) an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</li> <li>(b) a common storage area with an impervious surface that: <ul style="list-style-type: none"> <li>(i) has a setback of not less than 4.5m from a frontage;</li> <li>(ii) is not less than 5.5m from any dwelling; and</li> <li>(iii) is screened from the frontage and any dwelling by a wall to a height not less than 1.2m above the finished surface level of the storage area.</li> </ul> </li> </ul>	<p>area. The bin storage area is technically in front of each dwelling, which causes a discretion. Also, the bin storage area of the existing dwelling is not shown. For more details, see report.</p>	
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## APPENDIX

## C2.0 Parking and Sustainable Transport Code

Standard	Acceptable Solution	Proposed	Complies?
<b>C2.5 Use Standards</b>			
<b>C2.5.1</b> <b>Car parking numbers</b>	<p><b>A1</b> The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if:</p> <ul style="list-style-type: none"> <li>(a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;</li> <li>(b) the site is contained within a parking precinct plan and subject to Clause C2.7;</li> <li>(c) the site is subject to Clause C2.5.5; or</li> <li>(d) it relates to an intensification of an existing use or development or a change of use where: <ul style="list-style-type: none"> <li>(i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or</li> <li>(ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:</li> </ul> </li> </ul> <p><math>N = A + (C - B)</math></p>	Two spaces proposed for each dwelling – no visitor parking provided. Shortfall can be accepted.	No

Standard	Acceptable Solution	Proposed	Complies?
	<p>N = Number of on-site car parking spaces required</p> <p>A = Number of existing on site car parking spaces</p> <p>B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1</p> <p>C= Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.</p>		
<b>C2.5.2</b> <b>Bicycle parking numbers</b>	<b>A1</b>  Bicycle parking spaces must: <ul style="list-style-type: none"> <li>(a) be provided on the site or within 50m of the site; and</li> <li>(b) be no less than the number specified in Table C2.1.</li> </ul>	Not required	NA
<b>C2.5.3</b> <b>Motorcycle parking numbers</b> <i>This applies to:</i> <i>Business and Professional Services;</i> <i>Community Meeting and Entertainment;</i> <i>Custodial Facility;</i> <i>Crematoria and Cemeteries;</i> <i>Educational and Occasional Care;</i> <i>Food Services;</i> <i>General Retail and Hire;</i> <i>Hospital Services;</i> <i>Hotel Industry;</i> <i>Pleasure Boat Facility;</i>	<b>A1</b>  The number of on-site motorcycle parking spaces for all uses must: <ul style="list-style-type: none"> <li>(a) be no less than the number specified in Table C2.4; and</li> <li>(b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained.</li> </ul>	Not required	NA

Standard	Acceptable Solution	Proposed	Complies?
<i>Residential if for a communal residence, multiple dwellings or hostel use; Sports and Recreation; and Tourist Operation.</i>			
<b>C2.5.4</b> <b>Loading bays</b> <i>This applies to: Bulky Goods Sales; General Retail and Hire; Manufacturing and Processing; and Storage.</i>	<b>A1</b>  A loading bay must be provided for uses with a floor area of more than 1000m <sup>2</sup> in a single occupancy.	Not required	NA
<b>C2.5.5</b> <b>Number of car parking spaces within the General Residential Zone and Inner Residential Zone</b> <i>This applies to: Business and Professional Services; Community Meeting and Entertainment; Educational and Occasional Care; Emergency Services; Food Services; General Retail and Hire; Sports and Recreation; and Utilities, if not for minor utilities.</i>	<b>A1</b>  Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for:  (a) Food Services uses up to 100m <sup>2</sup> floor area or 30 seats, whichever is the greater; and  (b) General Retail and Hire uses up to 100m <sup>2</sup> floor area,  provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone.	Not required	NA
<b>C2.6 Development Standards for Building Works</b>			
<b>C2.6.1</b> <b>Construction of parking areas</b>	<b>A1</b>  All parking, access ways, manoeuvring and circulation spaces must:	Parking and driveway area proposed to be paved surface and surfaced water are to be drained to the stormwater connection.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<ul style="list-style-type: none"> <li>(a) be constructed with a durable all weather pavement;</li> <li>(b) be drained to the public stormwater system, or contain stormwater on the site; and</li> <li>(c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.</li> </ul>		
<b>C2.6.2</b> <b>Design and layout of parking areas</b>	<b>A1.1</b> Parking, access ways, manoeuvring and circulation spaces must either: <ul style="list-style-type: none"> <li>(a) comply with the following:               <ul style="list-style-type: none"> <li>(i) have a gradient in accordance with <i>Australian Standard AS 2890 - Parking facilities, Parts 1-6</i>;</li> <li>(ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces;</li> <li>(iii) have an access width not less than the requirements in Table C2.2;</li> <li>(iv) have car parking space dimensions which satisfy the requirements in Table C2.3;</li> <li>(v) have a combined access and manoeuvring width adjacent to parking spaces not less than the</li> </ul> </li> </ul>	Layout and gradients are provided in accordance with the AS2890.1	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<p>requirements in Table C2.3 where there are 3 or more car parking spaces;</p> <p>(vi) have a vertical clearance of not less than 2.1m above the parking surface level; and</p> <p>(vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or</p> <p>(b) comply with <i>Australian Standard AS 2890- Parking facilities, Parts 1-6</i>.</p> <p><b>A1.2</b></p> <p>Parking spaces provided for use by persons with a disability must satisfy the following:</p> <p>(a) be located as close as practicable to the main entry point to the building;</p> <p>(b) be incorporated into the overall car park design; and</p> <p>(c) be designed and constructed in accordance with <i>Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities</i>. [S35]</p>		
<p><b>C2.6.3</b></p> <p><b>Number of accesses for vehicles</b></p>	<p><b>A1</b></p> <p>The number of accesses provided for each frontage must:</p> <p>(a) be no more than 1; or</p> <p>(b) no more than the existing number of accesses,</p>		Yes

Standard	Acceptable Solution	Proposed	Complies?
	whichever is the greater.		
	<b>A2</b>  Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.		NA
<b>C2.6.4</b> <b>Lighting of parking areas within the General Business Zone and Central Business Zone</b>	<b>A1</b>  In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roads and pedestrian paths serving 5 or more car parking spaces, which are 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 <i>Australian Standard/New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements</i> .		NA
<b>C2.6.5</b> <b>Pedestrian access</b>	<b>A1.1</b>  Uses that require 10 or more car parking spaces must:  (a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by:  (i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or  (ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and  (b) be signed and line marked at points where pedestrians cross access ways or parking aisles.		NA

Standard	Acceptable Solution	Proposed	Complies?
	<b>A1.2</b>  In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.		
<b>C2.6.6</b> <b>Loading bays</b>	<b>A1</b>  The area and dimensions of loading bays and access way areas must be designed in accordance with <i>Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Offstreet commercial vehicle facilities</i> , for the type of vehicles likely to use the site.		NA
	<b>A2</b>  The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward direction in accordance with <i>Australian Standard AS 2890.2 – 2002, Parking Facilities, Part 2: Parking facilities Offstreet commercial vehicle facilities</i> .		
<b>C2.6.7</b> <b>Bicycle parking and storage facilities within the General Business Zone and Central Business Zone</b>	<b>A1</b> Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 “Basis of Design” and clause 3.6 “Car Parks” in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.		NA
	<b>A2</b>  Bicycle parking spaces must:  (a) have dimensions not less than:  (i) 1.7m in length;		NA

Standard	Acceptable Solution	Proposed	Complies?
	<ul style="list-style-type: none"> <li>(ii) 1.2m in height; and</li> <li>(iii) 0.7m in width at the handlebars;</li> <li>(b) have unobstructed access with a width of not less than 2m and a gradient not steeper than 5% from a road, cycle path, bicycle lane, shared path or access way; and</li> <li>(c) include a rail or hoop to lock a bicycle that satisfies <i>Australian Standard AS 2890.3-2015 Parking facilities - Part 3: Bicycle parking</i>.</li> </ul>		
<b>C2.6.8</b> <b>Siting of parking and turning areas</b>	<b>A1</b>  Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas must be located behind the building line of buildings, excluding if a parking area is already provided in front of the building line.		NA
	<b>A2</b>  Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must: <ul style="list-style-type: none"> <li>(a) have no new vehicle accesses, unless an existing access is removed;</li> <li>(b) retain an active street frontage; and</li> <li>(c) not result in parked cars being visible from public places in the adjacent roads.</li> </ul>		NA
<b>C2.7 Parking Precinct Plan</b>			
<b>C2.7.1</b> <b>Parking Precinct Plan</b>	<b>A1</b>		NA



Standard	Acceptable Solution	Proposed	Complies?
	Within a parking precinct plan, onsite parking must:  (a) not be provided; or  (b) not be increased above existing parking numbers.		