

GLENORCHY PLANNING AUTHORITY MEETING

AGENDA

MONDAY, 17 MAY 2021



GLENORCHY CITY COUNCIL

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

Chairperson: Alderman Bec Thomas

Hour: 5.00 p.m.

TABLE OF CONTENTS:

1.	PLANNING AUTHORITY DECLARATION	3
2.	APOLOGIES/LEAVE OF ABSENCE	3
3.	PECUNIARY INTERESTS.....	3
4.	CONFIRMATION OF MINUTES	3
5.	PROPOSED USE AND DEVELOPMENT - BOUNDARY ADJUSTMENT TO ADHERE TO BALANCE OF 1 AUSTINS FERRY ROAD TO 121A MAIN ROAD - 1 AUSTINS FERRY ROAD AND 121A MAIN ROAD AUSTINS FERRY	4
6.	PROPOSED USE AND DEVELOPMENT - ADDITION TO SINGLE DWELLING - 20 PARRAMORE STREET ROSETTA.....	51

7.	PROPOSED USE AND DEVELOPMENT - WAREHOUSE (STORAGE) WITH ASSOCIATED OFFICE AND SIGNAGE - 37 HOWARD ROAD GLENORCHY.....	90
8.	PROPOSED USE AND DEVELOPMENT - MULTIPLE DWELLINGS (8) - 34A CARNEGIE STREET CLAREMONT.....	123
9.	PROPOSED USE AND DEVELOPMENT - NEW MARKETS WITH UP TO 60 STALLS (GENERAL RETAIL AND HIRE) WEEKDAY AND WEEKEND OPTIONS - 374 MAIN ROAD GLENORCHY	157
10.	PROPOSED USE AND DEVELOPMENT - FIFTEEN MULTIPLE DWELLINGS - 25 THORNLEIGH STREET WEST MOONAH	176
11.	PROPOSED USE AND DEVELOPMENT - STAGED SUBDIVISION (ONE NEW LOT) AND TWO MULTIPLE DWELLINGS (RESIDENTIAL) – 11 FIFTH AVENUE & 10 SEVENTH AVENUE, WEST MOONAH.....	224

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

2. APOLOGIES/LEAVE OF ABSENCE

3. PECUNIARY INTERESTS

4. CONFIRMATION OF MINUTES

That the minutes of the Glenorchy Planning Authority Meeting held on 19 April 2021 be confirmed.

**5. PROPOSED USE AND DEVELOPMENT - BOUNDARY
ADJUSTMENT TO ADHERE TO BALANCE OF 1 AUSTINS FERRY
ROAD TO 121A MAIN ROAD - 1 AUSTINS FERRY ROAD AND
121A MAIN ROAD AUSTINS FERRY**

Author: Planning Officer (Chantelle Griffin)

Qualified Person: Planning Officer (Chantelle Griffin)

Property ID: 7245801

REPORT SUMMARY

Application No.:	PLN-20-319
Applicant:	PDA Surveyors
Owner:	M W Bird and K J Markham
Zone:	General Residential
Use Class	Subdivision
Application Status:	Discretionary
Discretions:	Clause 9.10 Subdivision, Clause 10.4.2 Setbacks and building envelopes for all dwellings, Clause 10.6.1 Lot design, E5.6.1 Development adjacent to roads and railways and E15.8.3 Subdivision within a riverine inundation hazard area (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	Extension granted until 18 May 2021
Existing Land Use:	Multiple Dwellings and Single Dwelling

Representations:

1

Recommendation:

Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The proposal would create a one lot subdivision plus balance at 1 Austins Ferry Road, with the balance will be adhered to 121A Main Road, Austins Ferry.

The existing property at 1 Austins Ferry Road consists of 1847 m² with two multiple dwellings remaining on Lot 1 of 663 m² and the balance lot will consist of 1184 m². The balance will be adhered to 121A Main Road consisting of 3758 m² to create a lot with a total area of 4942 m².

The proposed lot 1 will have a frontage of 28.2 m, an average depth of 26 m and the multiple dwellings will be wholly contained within the lot. The balance lot 1 will have a frontage of 15.5 m from Austins Ferry Road, an average depth of 30 m (Figure 1).

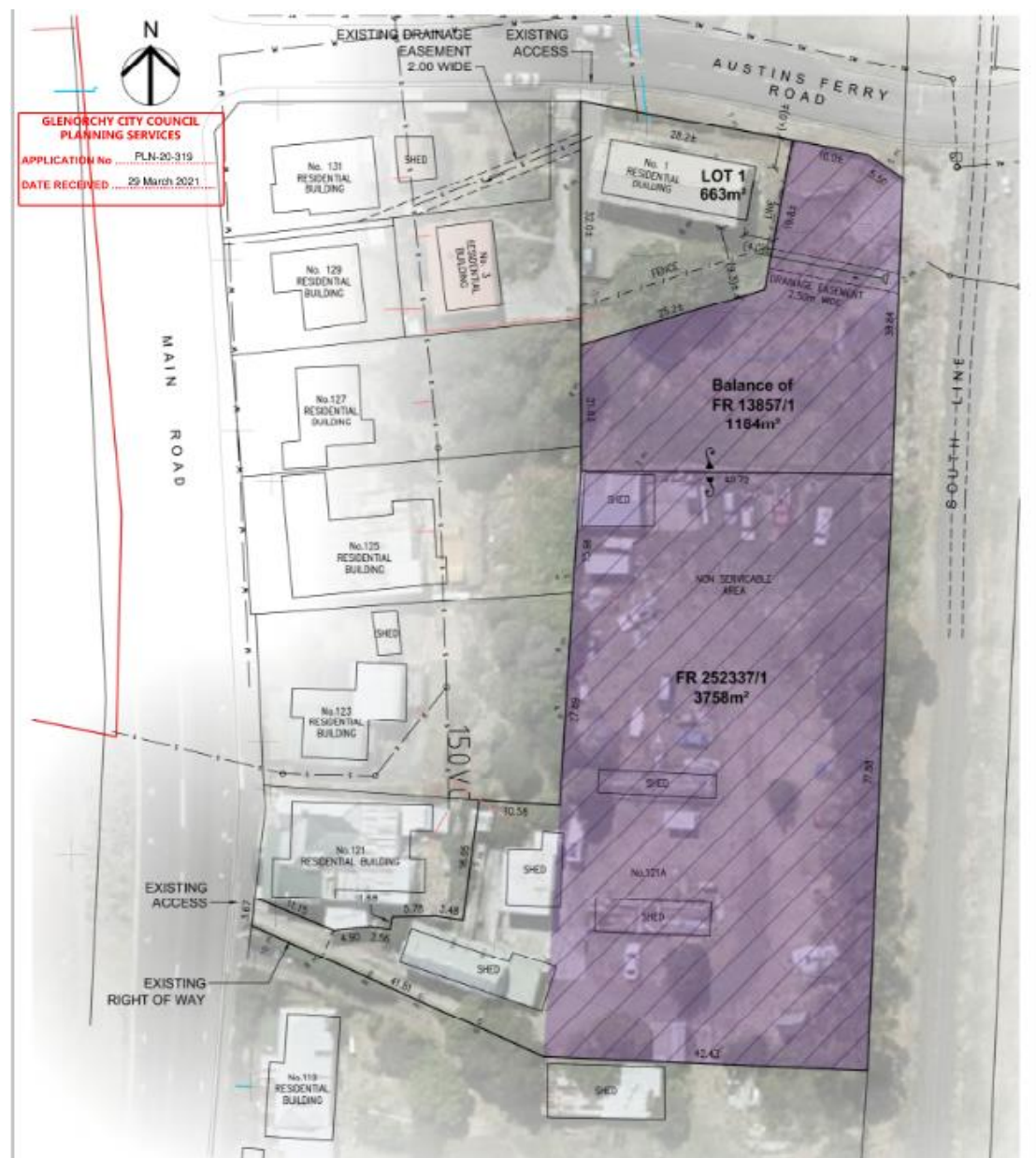


Figure 1: Site plan 1 Austins Ferry Road and 121A Main Road, Austins Ferry.

The proposal would be reliant on performance criteria for Clause 10.4.2 for setbacks and building envelopes for all dwellings, Clause 10.6.1 for lot design, Clause E5.6.1 for development adjacent to roads and railways and Clause E15.8.3 for subdivision within a riverine inundation hazard area.

SITE and LOCALITY

The properties are located on the southern side of Austins Ferry Road, approximately 49 m to the east of Main Road and on the eastern side of Main Road, 105 m to the south of Austins Ferry road, Austins Ferry.

The property at 1 Austins Ferry Road has two existing multiple dwellings located in the north-west corner, with no significant vegetation. The site has a moderate slope, with an average gradient of 1 in 5 falling to the south-east. The site has a rectangular shape, with a frontage of 43.7 m along Austins Ferry Road, an average depth of 44 m and a total area of 1847 m².

The property at 121A Main Road has outbuildings associated with the single dwelling at 119 Main Road located in the north-west corner and the middle of the site, with no significant vegetation. The site has a gentle slope, with an average gradient of 1 in 18 over the lot proper falling to the north-east. The site has an irregular shape, with a frontage of 3.68 m along Austins Ferry Road, an average depth of 42 m and a total area of 3758 m².

The property is located in a long strip of single dwellings and multiple dwellings in a residential area wedged between the Utilities zone for the Main Road and Rail Reserve to the west and east. With the Open Space Zone further to the west for Roseneath Park and to the east for Weston Park. A ribbon of the Environmental Management zone lies to the south for Roseneath Rivulet (Figure 2).

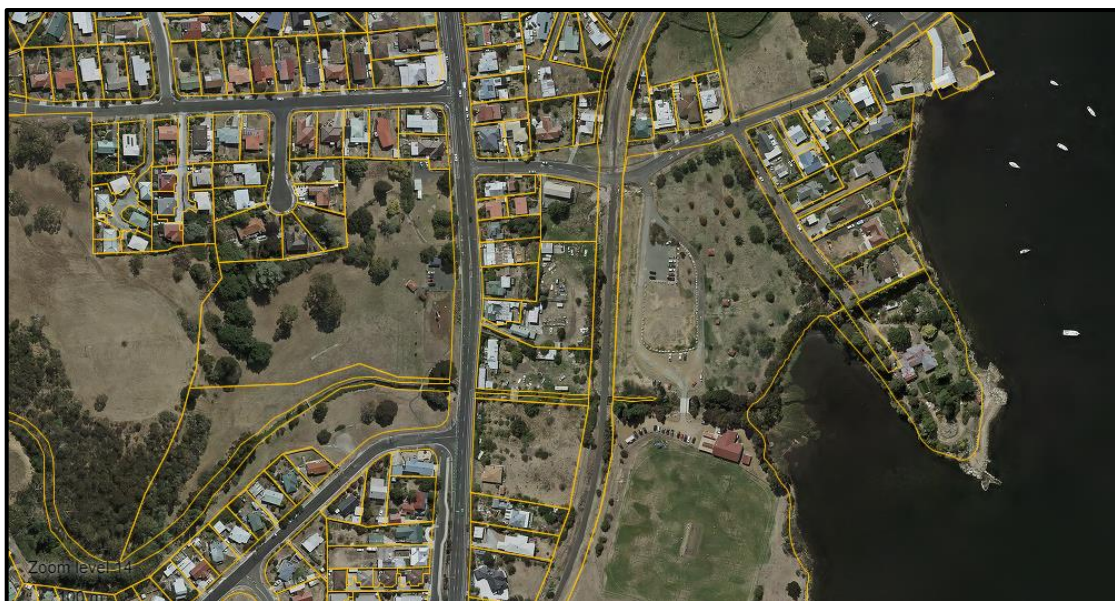


Figure 2: Aerial of 1 Austins Ferry Road and 121A Main Road, Austins Ferry.

ZONE

The subject properties are within the General Residential zone under the Glenorchy Interim Planning Scheme 2015 (Figure 3).

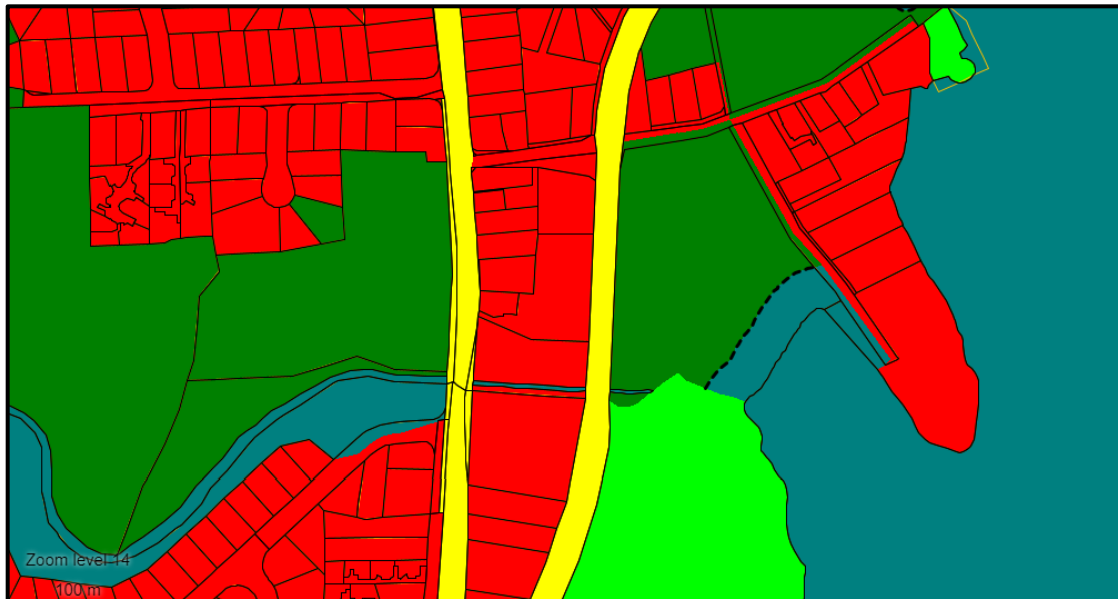


Figure 3: General Residential zones over 1 Austins Ferry Road and 121A Main Road, Austins Ferry.

BACKGROUND

The application was valid on 25 January 2021 so that Version No 33 of the *Glenorchy Interim Planning Scheme 2015* applies, which is an earlier version prior to recent changes becoming effective on 22 February 2021.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil.

Limited Exemptions

Nil.

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

No SAP or Code provisions override zone provisions in this assessment.

Use Class Description (Table 8.2):

Not applicable because the proposal is for subdivision.

Other relevant definitions (Clause 4.1):

Subdivide

Subdivide is defined as the following in Clause 4.1 of the Glenorchy Interim Planning Scheme 2015:

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

- (a) a lease of a building or of the land belonging to and contiguous to a building between the occupiers of that building;*
- (b) a lease of airspace around or above a building;*
- (c) a lease of a term not exceeding 10 years or for a term not capable of exceeding 10 years;*
- (d) the creation of a lot on a strata scheme or a staged development scheme under the Strata Titles Act 1998; or*
- (e) an order adhering existing parcels of land.*

Subdivision

Subdivision is defined as the following in Clause 4.1 of the Glenorchy Interim Planning Scheme 2015:

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

Discretionary Use or Development (Clause 8.8):

The application is discretionary under Clause 8.8 as follows:

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

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

The proposal is discretionary under (b) and (c) above as it relies on a discretion in the Special Provisions and Performance Criteria because it does not meet the following Acceptable Solutions and a provision of the Scheme:

- 9.10.2 Subdivision (for subdivision)
- Clause 10.4.2 A1 Setbacks and building envelope for all dwellings (location of the multiple dwellings)
- Clause 10.4.2 A3 Setbacks and building envelope for all dwellings (location of the multiple dwellings)
- Clause 10.6.1 A2 Lot design (the building area for the balance lot)
- Clause E5.6.1 A1 for development adjacent to roads and railways (the building area for the balance lot)
- Clause E15.8.3 A1 Subdivision within a riverine inundation hazard area (the building area for the balance lot)

Part C: Special Provisions

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

9.10 Subdivision

The proposal includes subdivision, therefore Clause 9.7 of the Scheme applies:

9.10.1

A permit is required for development involving a plan of subdivision.

9.10.2

A permit for development involving a plan of subdivision is discretionary unless:

- (a) for adjustment of a boundary in accordance with clause 9.3.1;*
- (b) the subdivision is prohibited in accordance with clause 8.9; or*
- (c) the plan of subdivision must not be approved under section 84 Local Government (Building and Miscellaneous Provisions) Act 1993.*

The proposed subdivision is discretionary in accordance with Clause 9.10.2.

Part D: Zones

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

Zone Purpose Statements

The 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 subdivision would provide for residential 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 Scheme.

Use Table

Not applicable.

Use Standards

Not applicable.

Development Standards for Residential Buildings & Works*Clause 10.4.2 – Standard A1, Setbacks and building envelope for all dwellings*

During the assessment of the subdivision it was discovered that the existing multiple dwellings had been built closer than 4 m to the front boundary, whereas the permit DA 76/86 approved on 25 August 1986 had only approved a setback of 5.4 m.

The multiple dwellings would require a minimum setback of 4.5 m from the northern front boundary, to be in accordance with Clause 10.4.2 – Standard A1. Whereas, the multiple dwellings will be set back a minimum of 4 m from the northern front boundary. The proposal is considered in accordance with the performance criteria:

A dwelling must:

- (a) have a setback from a frontage that is compatible with the existing dwellings in the street, taking into account any topographical constraints; and*
- (b) if abutting a road identified in Table 10.4.2, include additional design elements that assist in attenuating traffic noise or any other detrimental impacts associated with proximity to the road.*

The multiple dwelling are existing and are located within a streetscape with a mix of old and new development and a range of frontage setbacks including 0 m from the primary frontage. In this instance, the location of the dwellings would be compatible with the surrounding dwellings in the street.

Clause 10.4.2 – P1(b) is not relevant for this proposal. Therefore, it is considered that the modified plans for the proposal would be acceptable in this instance, and complies with the standard.

Clause 10.4.2 – Standard A3, Setbacks and building envelope for all dwellings

During the assessment of the subdivision it was discovered that the existing multiple dwellings had been built closer than 4 m to the front boundary, whereas the permit DA 76/86 approved on 25 August 1986 had only approved a setback of 5.4 m.

The multiple dwellings would require a minimum setback of 4.5 m from the northern front boundary, to be in accordance with Clause 10.4.2 – Standard A3. Whereas, the multiple dwellings will be set back a minimum of 4 m from the northern front boundary. The proposal is considered in accordance with the performance criteria:

The siting and scale of a dwelling must:

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

The existing multiple dwelling are located within a streetscape with a mix of old and new development. The buildings are located to the east of an internal driveway of the nearest adjoining dwelling and for this reason would have minimal impact on access to sunlight and overshadowing. The buildings are single storey and are located at a similar setback to the surrounding dwellings which will reduce the visual impact from an adjoining lot.

Separation

The adjoining and surrounding properties have buildings in close proximity to the front boundary.

Therefore, it is considered that the modified plans for the proposal would be acceptable in this instance, and complies with the standard.

Development Standards for Subdivisions

Clause 10.6.1 – Standard A2, Lot design

The balance lot will require building envelope located outside the setback for the rail network and the inundation overlay, to be in accordance with Clause 10.6.1 – Standard A2. Whereas the proposed balance lot will be located entirely within the setback for the rail network and the inundation overlay. The proposal is considered in accordance

with the performance criteria: The proposal is considered in accordance with the performance criteria:

The design of each lot must contain a building area able to satisfy all of the following:

- (a) be reasonably capable of accommodating residential use and development;*
- (b) meets any applicable standards in codes in this planning scheme;*
- (c) enables future development to achieve maximum solar access, given the slope and aspect of the land;*
- (d) minimises the need for earth works, retaining walls, and fill and excavation associated with future development;*
- (e) provides for sufficient useable area on the lot for both of the following;*
 - (i) on-site parking and manoeuvring;*
 - (ii) adequate private open space.*

The application was referred to TasRail and Council's Hydraulics Engineer, who are supportive. Conditions and advice have been included in the recommendation. The balance lot will be adhered to an existing lot and any future development will be considered separately. Therefore, it is considered that reliance on the performance criteria would be acceptable in this instance, and complies with the standard.

Part E: Codes

The following codes of the Scheme apply to this proposal:

E5.0 Road and Railway Assets Code

The proposed subdivision would require assessment under this code due to the setback from the rail network.

Clause E5.6.1 – Standard A1, Development adjacent to roads and railways

The balance lot will require building envelope located outside the setback for the rail network, to be in accordance with Clause E5.6.1 – Standard A1. Whereas the proposed balance lot will be located entirely within the setback for the rail network. The proposal is considered in accordance with the performance criteria:

The location of development, from the rail network, or a category 1 road or category 2 road in an area subject to a speed limit of more than 60km/h, must be safe and not unreasonably impact on the efficiency of the road or amenity of sensitive uses, having regard to:

- (a) the proposed setback;*
- (b) the existing setback of buildings on the site;*
- (c) the frequency of use of the rail network;*
- (d) the speed limit and traffic volume of the road;*
- (e) any noise, vibration, light and air emissions from the rail network or road;*

- (f) *the nature of the road;*
- (g) *the nature of the development;*
- (h) *the need for the development;*
- (i) *any traffic impact assessment;*
- (j) *any recommendations from a suitably qualified person for mitigation of noise, if for a habitable building for a sensitive use; and*
- (k) *any written advice received from the rail or road authority.*

The application was referred to TasRail for comment, who is supportive of the proposal subject to advice. This has been included in the recommendation. The balance lot will be adhered to 121A Main Road and any future development will be considered separately.

Therefore, it is considered that reliance on the performance criteria would be acceptable in this instance, and complies with the standard.

E6.0 Parking and Access Code

The proposal is not exempt under Clause E6.4. However, the proposal complies with the acceptable solutions of the standards in Section E6.0.

E7.0 Stormwater Management Code

The proposal is not exempt under Clause E7.4. However, the proposal complies with the acceptable solutions of the standards in Section E7.0.

E11.0 Waterway and Coastal Protection Code

The proposed subdivision would require assessment under this code (Figure 4).

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

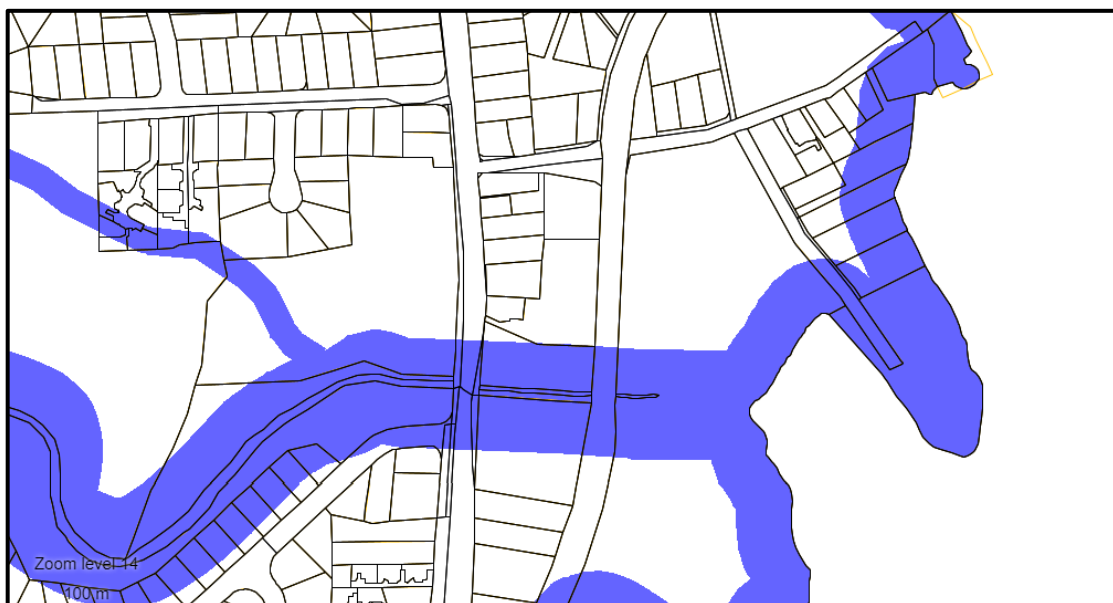


Figure 4: Waterway and Coastal Protection Code over 1 Austins Ferry Road and 121A Main Road, Austins Ferry.

E15.0 Inundation Prone Areas Code

The proposed subdivision would require assessment under this code due to riverine inundation.

Clause E15.8.3 – Standard A1, Subdivision within a Riverine Inundation Hazard Area

The balance lot will require a location outside the riverine inundation area for the building envelope, to be in accordance with Clause E8.7.1 – Standard A1. Whereas the proposed building envelope will be located within the riverine inundation area. The proposal is considered in accordance with the performance criteria:

Each lot, or a lot proposed in a plan of subdivision, within a riverine inundation hazard area, must not create an opportunity for use or development that cannot achieve a tolerable risk from flood, having regard to:

- (a) any increase in risk from flood for adjacent land;*
- (b) the level of risk to use or development arising from an increased reliance on public infrastructure;*
- (c) the need to minimise future remediation works;*
- (d) any loss or substantial compromise by flood of access to the lot, on or off site;*
- (e) the need to locate building areas outside the riverine inundation hazard area;*
- (f) any advice from a State authority, regulated entity or a council; and*
- (g) the advice contained in a flood hazard report.*

Council's Hydraulics Engineer has assessed the application and is supportive on the basis that there is an available area for building that would be partially outside the riverine inundation area.

Therefore, it is considered that reliance on the performance criteria would be acceptable in this instance, and complies with the standard.

PART F: Specific Area Plans

No Specific Area Plans apply.

INTERNAL REFERRALS**Development Engineer**

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

Comments

The proposal is to undertake a subdivision at 1 Austins Ferry Road, the proposal does not have any impact on the current accesses or stormwater services.

E5.0 Road and Railway Assets Code

The proposal is to undertake a, the proposal does not have any impact on the current accesses or stormwater services.

E6.0 Parking and Access Code

An inspection of the site revealed that the required area for 2 parking spaces were available on the site for the proposed lot 1. The development complies with Code E6 Parking and Access Code and is considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected

E7.0 Stormwater Management Code

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

The existing stormwater discharge from the proposed lot 1 will be formalised and an easement provided along the defined drainage channel. The balance lot is serviced by an existing connection.

A representation was received during the statutory advertising period related to the potential impact on the existing natural drainage channel and the effect of any future filling of the site at No. 121A Main Road. A report from a qualified hydrologist and a concept plan of the proposal to amend the ground levels at No 121A Main Road were made available to Council by the owner. The information submitted was reviewed and Council's Acting Manager of Infrastructure was satisfied that the earthworks proposed would not cause any flooding issues to the neighbouring properties.

Other

E3.0 Landslide Code

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

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

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

E15.0 Inundation Prone Areas Code

Council's documentation indicates that the allotment is within a flood prone area.

The existing house is outside the defined area.

Hydraulics Engineer

The proposal was referred to Council's Hydraulics Engineer who is supportive subject to conditions. During the assessment flood report was submitted as part of a separate application on the same site and the Hydraulics engineer is satisfied that the proposed balance lot will be able to provide a building area and is unlikely to cause an impact greater than the existing conditions.

EXTERNAL REFERRALS

Enwave

The application was referred to Enwave, which is supportive of the proposal.

TasNetworks

The application was referred to TasNetworks, which is supportive of the proposal.

TasRail

The application was referred to TasRail, which provided the following comments:

Please be aware that the matter of stormwater has also been the subject of discussions between the applicant and Council, the applicant and TasRail, and TasRail and Council with regard to the stormwater capacity and existing culvert under the railway. It should be noted that as discussed and confirmed with Council's Patrick Marshall and TasRail, TasRail is not responsible to provide stormwater systems for residents/urban development and therefore any upgrade required to this culvert needs to be funded by either Council or the applicant.

Further, TasRail is concerned to ensure that an appropriate hydrology assessment is provided to support the development application, to determine the actual capacity of the existing infrastructure. TasRail's concern is to protect the rail assets and to ensure that additional stormwater loading does not have the capacity to impact the integrity of rail assets, noting that although this corridor is currently non-operational it's status could change at any time. In the meantime TasRail is required to manage the rail corridor/rail infrastructure in a way that does not preclude, limit or constrain its future use.

Other than noting TasRail's concerns about the stormwater and requesting that Council ensure that existing stormwater has the capacity to manage the additional loading arising from the new lots, TasRail has no objection to the subdivision. We ask that the attached Standard TasRail Notes be included with any Permit approved by Council, so that the landowners are aware of matters relevant to the adjoining rail corridor.

Advice from TasRail has been included in the recommendation.

TasWater

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

REPRESENTATIONS

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

1. Flooding

The representor states that concern is raised that the proposal may cause a problem to an adjoining property to the west by impeding the natural drainage and run off, especially during a flood.

Planner's Comment:

This issue has been previously addressed under the heading E15.0 Inundation Prone Areas Code and by Council's Development and Hydraulics Engineers who are supportive of the proposal.

2. Landfill

The representor states that concern is raised that the proposal may cause a problem by impacting and/or placing landfill on an adjoining property to the west.

Planner's Comment:

The proposed landfill for the site is being assessed under a separate application and the issue is not a planning issue that can be considered as part of this application.

CONCLUSION

The proposal is relying on the performance criteria to comply with the acceptable standards of the Scheme in relation to: for setbacks and building envelopes for all dwellings, lot design, development adjacent to roads and railways and subdivision within a riverine inundation hazard area.

The proposal is assessed as satisfying the performance criteria and complies with the applicable standard(s).

The proposal is assessed as complying with all other use and development standards in the General Residential zone, as well as the relevant standards of the Roads and Railway Assets Code, Parking and Access Code, Stormwater Management Code, and Inundation Code.

The application was publicly advertised for the statutory 14-day period and one representation was received raising concern regarding flooding and landfill.

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

Recommendation:

That a permit be granted for the proposed use and development of Boundary adjustment to adhere the balance of 1 Austins Ferry Road to 121A Main Road at 1 Austins Ferry Road and 121A Main Road, Austins Ferry subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-20-319 and Drawing (1 page) submitted on 29 March 2021, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2020/01361-GCC, dated 22 March 2021, form part of this permit.
3. The Plan of Survey and accompanying Schedule of Easements must describe all existing easements and any additional easements required.
4. The balance lot for CT 13857/1 (1 Austins Ferry Road) must be adhered to CT 252337/1 (121A Main Road).

Engineering

5. 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.
6. The new point of discharge for the stormwater catchment from the proposed lot 1 is to be 150mm in diameter and installed centrally within a 2.50 m wide easement as shown on the approve drawing.

Advice to Applicant

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

Underground Services

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

Other Permits

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

Tas Rail

- Stormwater or effluent is not permitted to be discharged onto rail land or into the rail drainage system. Should there be a requirement for a service or asset to be installed on rail land in order to connect into an authorised stormwater or other outlet, a separate TasRail Permit is required and will only be approved subject to terms and conditions (costs apply). A Permit Application Form is available by contacting property@tasrail.com.au.
- Although the railway line through this area is currently non-operational, it is reserved for future transport use. For this reason TasRail recommends any person building, developing or purchasing property near rail corridor land take into account potential exposure to train and/or transport noise and vibration particularly in relation to building design, material specifications and lifestyle. It should also be noted that TasRail is required to ensure that planning and development proposals do not impede or preclude future transport use of the rail corridor.
- No obstruction, installation or works of any kind are permitted inside railway land for any purpose including for structures, unauthorised vehicles, drainage, water pipes, stormwater discharge, electrical or service infrastructure, storage of materials, vegetation clearing, inspections etc. All access enquiries should be directed to property@tasrail.com.au
- As per the *Rail Infrastructure Act 2007*, the Rail Infrastructure Manager (TasRail) may remove and dispose of unauthorised or unlawful service infrastructure and take such other action as it sees fit. Where this occurs, TasRail may recover its costs of doing so as a debt due to TasRail from that person and retain if applicable any proceeds of disposal. No action lies against TasRail for removing or disposing of the unauthorised or unlawful service infrastructure.
- Using or creating an unauthorised railway crossing is unsafe and strictly prohibited. All access enquiries should be directed to property@tasrail.com.au As railway land is Crown Land, the Rail Infrastructure Manager is not required to contribute to the cost of boundary fencing.
- Access to the railway corridor or rail land for any purpose is strictly prohibited without a Permit issued by TasRail.

Attachments/Annexures

- 1 GPA Attachments - 1 Austins Ferry Road and 121A Main Road Austins
[Ferry](#)

APPENDIX 1**10.0 General Residential Zone**

Standard	Acceptable Solution	Proposed	Complies?
10.3 Use Standards			
10.3.1 Non-Residential Use	A1 Hours of operation must be within 8.00 am to 6.00 pm, except for office and administrative tasks or visitor accommodation.	Not applicable.	N/A
	A2 Noise emissions measured at the boundary of the site must not exceed the following: (a) 55 dB(A) (LAeq) between the hours of 8.00 am to 6.00 pm; (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 6.00 pm to 8.00 am; (c) 65dB(A) (LAm _{ax}) at any time. Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness. Noise levels are to be averaged over a 15 minute time interval.	Not applicable.	N/A
	A3 External lighting must comply with all of the following: (a) be turned off between 6:00 pm and 8:00 am, except for security lighting;	Not applicable.	N/A

Glenorchy Planning Authority Meeting Agenda

	(b) security lighting must be baffled to ensure they do not cause emission of light into adjoining private land.		
	A4 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site must be limited to 20 vehicle movements per day and be within the hours of: (a) 7.00 am to 5.00 pm Mondays to Fridays inclusive; (b) 9.00 am to 12 noon Saturdays; (c) nil on Sundays and Public Holidays.	Not applicable.	N/A
10.3.2 Visitor Accommodation	A1 Visitor accommodation must comply with all of the following: (a) is accommodated in existing buildings; (b) provides for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site; (c) has a floor area of no more than 160m ² .	Not applicable.	N/A
10.3.3 Local Shop	A1 A local shop must have a gross floor area no more than 200m ² .	Not applicable.	N/A
10.4 Development Standards for Residential Buildings and Works			
10.4.1 Residential density for multiple dwellings	A1 Multiple dwellings must have a site area per dwelling of not less than: (a) 325m ² ; or (b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.	Not applicable.	N/A

Glenorchy Planning Authority Meeting Agenda

10.4.2 Setbacks and building envelopes for all dwellings	A1 <p>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:</p> <ul style="list-style-type: none"> (a) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or (b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or (c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or (d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road. 	<p>The multiple dwellings will have a minimum setback of 4 m from the southern front boundary. Compliance will require a setback of 4.5 m from the southern front boundary. Therefore, the proposal relies on performance criteria.</p>	<p>No</p> <p>Refer to discussion in the report.</p>
	A2 <p>A garage or carport must have a setback from a primary frontage of at least:</p> <ul style="list-style-type: none"> (a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or (b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage. 	<p>Not applicable.</p>	<p>N/A</p>

Glenorchy Planning Authority Meeting Agenda

	<p>A3 A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must:</p> <p>(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:</p> <p>(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</p> <p>(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</p> <p>(b) only have a setback within 1.5 m of a side boundary if the dwelling:</p> <p>(ii) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or</p> <p>(iii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).</p>	<p>The multiple dwellings will have a minimum setback of 4 m from the southern front boundary. Compliance will require a setback of 4.5 m from the southern front boundary. Therefore, the proposal relies on performance criteria.</p>	<p>No</p> <p>Refer to discussion in the report.</p>
<p>10.4.3 Site coverage and private open space for all dwellings</p>	<p>A1 Dwellings must have:</p> <p>(a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and</p> <p>(b) for multiple dwellings, a total area of private open space of not less than 60 m² associated with each dwelling, unless the dwelling has a finished floor level that is</p>	<p>Not applicable.</p>	<p>N/A</p>

	<p>entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(c) a site area of which at least 25% of the site area is free from impervious surfaces.</p>		
	<p>A2 A dwelling must have an area of private open space that:</p> <p>(d) is in one location and is at least:</p> <p>(i) 24 m²; or</p> <p>(ii) 12 m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(e) has a minimum horizontal dimension of:</p> <p>(i) 4 m; or</p> <p>(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</p> <p>(f) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and</p> <p>(g) 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</p> <p>(h) 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</p> <p>(i) has a gradient not steeper than 1 in 10; and</p>	Complies. Existing.	Yes

Glenorchy Planning Authority Meeting Agenda

	(j) is not used for vehicle access or parking.		
10.4.4 Sunlight and overshadowing of all dwellings	A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).	Not applicable.	N/A
	A2 A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B): (i) at a distance of 3 m from the window; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.	Not applicable.	N/A
	A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in	Not applicable.	N/A

Glenorchy Planning Authority Meeting Agenda

	<p>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"> (i) at a distance of 3 m from the northern edge of the private open space; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. <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"> (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling. 		
<p>10.4.5 Width of openings for garages and carports for all dwellings</p>	<p>A1 A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).</p>	Not applicable.	N/A
<p>10.4.6 Privacy for all dwellings</p>	<p>A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with</p>	Complies.	Yes

Glenorchy Planning Authority Meeting Agenda

	<p>a uniform transparency of no more than 25%, along the sides facing a:</p> <ul style="list-style-type: none"> (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary; and (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4 m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m: <ul style="list-style-type: none"> (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site. 		
	<p>A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <ul style="list-style-type: none"> (a) The window or glazed door: <ul style="list-style-type: none"> (i) is to have a setback of at least 3 m from a side boundary; and (ii) is to have a setback of at least 4 m from a rear boundary; and (iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site. 	Complies.	Yes

Glenorchy Planning Authority Meeting Agenda

	<p>(b) The window or glazed door:</p> <ul style="list-style-type: none"> (i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or <p>(c) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.</p>		
	<p>A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least:</p> <ul style="list-style-type: none"> (a) 2.5 m; or (b) 1 m if: <ul style="list-style-type: none"> (i) it is separated by a screen of at least 1.7 m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level. 	Not applicable.	N/A
<p>10.4.7 Frontage Fences for all dwellings</p>	<p>A1 A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than:</p> <ul style="list-style-type: none"> (a) 1.2 m if the fence is solid; or 	Not applicable.	N/A

Glenorchy Planning Authority Meeting Agenda

	(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).		
10.4.8 Waste Storage for multiple dwellings	A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m ² per dwelling and is within one of the following locations: (a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) in a communal storage area with an impervious surface that: (i) has a setback of at least 4.5 m from a frontage; and (ii) is at least 5.5 m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2 m above the finished surface level of the storage area.	Not applicable.	N/A
10.6 Development Standards for Subdivision			
10.6.1 Lot Design	A1 The size of each lot must comply with the minimum and maximum lot sizes specified in Table 10.1, except if for public open space, a riparian or littoral reserve or utilities.	Complies.	Yes
	A2 The design of each lot must provide a minimum building area that is rectangular in shape and complies with all of the following, except if for public open space, a riparian or littoral reserve or utilities: (a) clear of the frontage, side and rear boundary setbacks;	The proposed subdivision is located within the inundation hazard area and within the 50 m setback from the rail network. Compliance will require the proposal to be located outside the inundation hazard area and outside the 50 m setback from the rail	No Refer to discussion in the report.

Glenorchy Planning Authority Meeting Agenda

	(b) not subject to any codes in this planning scheme; (c) clear of title restrictions such as easements and restrictive covenants; (d) has an average slope of no more than 1 in 5; (e) the long axis of the building area faces north or within 20 degrees west or 30 degrees east of north; (f) is 10 m x 15 m in size.	network. Therefore, the proposal relies on performance criteria.	
	A3 The frontage for each lot must comply with the minimum and maximum frontage specified in Table 10.2, except if for public open space, a riparian or littoral reserve or utilities or if an internal lot.	Complies.	Yes
	A4 No lot is an internal lot.	Complies.	Yes
	A5 Subdivision is for no more than 3 lots.	Complies.	Yes
10.6.2 Roads	A1 The subdivision includes no new road.	Complies.	Yes
10.6.3 Ways and Public Open Space	A1 No Acceptable Solution.	Not applicable.	N/A
10.6.4 Services	A1 Each lot must be connected to a reticulated potable water supply.	Complies.	Yes
	A2 Each lot must be connected to a reticulated sewerage system.	Complies.	Yes
	A3 Each lot must be connected to a stormwater system able to service the building area by gravity.	Complies.	Yes
	A4 The subdivision includes no new road.	Complies.	Yes

APPENDIX 2**E5.0 Road and Railway Assets Code**

Standard	Acceptable Solution	Proposed	Complies?
E5.5 Use Standards			
E5.5.1 Existing road accesses and junctions	A1 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.	Not an applicable standard.	N/A
	A2 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.	Not an applicable standard.	N/A
	A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.	Development does not increase traffic movements.	N/A

Glenorchy Planning Authority Meeting Agenda

Standard	Acceptable Solution	Proposed	Complies?
E5.5.2 Exiting Level Crossings	A1 Where use has access across part of a rail network, the annual average daily traffic (AADT) at an existing level crossing must not be increased by greater than 10% or 10 vehicle movements per day, whichever is the greater.	No new buildings proposed.	N/A
E5.6 Development Standards			
E5.6.1 Development adjacent to roads and railways	A1.1 Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h: (a) new buildings; (b) other road or earth works; and (c) building envelopes on new lots.	The proposed subdivision is located within the 50 m setback from the rail network. Compliance will require the proposal to be located outside the 50 m setback from the rail network. Therefore, the proposal relies on performance criteria.	No Refer to discussion in the report.

Glenorchy Planning Authority Meeting Agenda

Standard	Acceptable Solution	Proposed	Complies?
	A1.2 Buildings, may be: <ul style="list-style-type: none"> (a) located within a row of existing buildings and setback no closer than the immediately adjacent building; or (b) an extension which extends no closer than: <ul style="list-style-type: none"> (i) the existing building; or (ii) an immediately adjacent building. 	Not an applicable standard.	N/A
E5.6.2 Road accesses and junctions	A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h	Existing approved accesses to be utilised.	N/A
	A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.	Existing approved accesses to be utilised.	N/A
E5.6.3 New Level Crossings	A1 No Acceptable Solutions.	Not an applicable standard.	N/A

Glenorchy Planning Authority Meeting Agenda

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

APPENDIX 3**E6.0 Parking and Access Code**

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

Standard	Acceptable Solution	Proposed	Complies?
	(rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.		
E6.6.4 Number of Bicycle Parking Spaces	A1 The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.	Not an applicable standard.	N/A
E6.7 Development Standards			
E6.7.1 Number of Vehicle Accesses	A1 The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.	Complies.	Yes
E6.7.2 Design of Vehicular Accesses	A1 Design of vehicle access points must comply with all of the following: (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must	Complies.	Yes

Glenorchy Planning Authority Meeting Agenda

Standard	Acceptable Solution	Proposed	Complies?
	be designed and constructed to comply with all access driveway provisions in section 3 "Access Driveways and Circulation Roadways" of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.		
E6.7.3 Vehicular Passing Areas Along an Access	A1 Vehicular passing areas must: <ul style="list-style-type: none"> (a) be provided if any of the following applies to an access: <ul style="list-style-type: none"> (i) it serves more than 5 car parking spaces; (ii) is more than 30 m long; (iii) it meets a road serving more than 6000 vehicles per day; (b) be 6 m long, 5.5 m wide, and taper to the width of the driveway; (c) have the first passing area constructed at the kerb; (d) be at intervals of no more than 30 m along the access. 	Not an applicable standard.	N/A
E6.7.4 On-Site Turning	A1 On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following: <ul style="list-style-type: none"> (a) it serves no more than two dwelling units; (b) it meets a road carrying less than 6000 vehicles per day. 	Not an applicable standard.	N/A
E6.7.5 Layout of Parking Areas	A1 The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 "Design of Parking Modules, Circulation Roadways and Ramps" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient	Not an applicable standard.	N/A

Glenorchy Planning Authority Meeting Agenda

Standard	Acceptable Solution	Proposed	Complies?
	headroom to comply with clause 5.3 "Headroom" of the same Standard.		
E6.7.6 Surface Treatment of Parking Areas	A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following; (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.	Existing approved access.	N/A
E6.7.7 Lighting of Parking Areas	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.	Not an applicable standard.	N/A
E6.7.8 Landscaping of Parking Areas	A1 Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.	Not an applicable standard.	N/A
E6.7.9 Design of Motorcycle Parking Areas	A1 The design of motorcycle parking areas must comply with all of the following:	Not an applicable standard.	N/A

Glenorchy Planning Authority Meeting Agenda

Standard	Acceptable Solution	Proposed	Complies?
	(a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) be located within 30 m of the main entrance to the building.		
E6.7.10 Design of Bicycle Parking Facilities	A1 The design of bicycle parking facilities must comply with all the following; (a) be provided in accordance with the requirements of Table E6.2; (b) be located within 30 m of the main entrance to the building.	Not an applicable standard.	N/A
	A2 The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.	Not an applicable standard.	N/A
E6.7.11 Bicycle End of Trip Facilities	A1 For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.	Not an applicable standard.	N/A
E6.7.12 Siting of Car Parking	A1 Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban	Not an applicable standard.	N/A

Glenorchy Planning Authority Meeting Agenda

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

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

Standard	Acceptable Solution	Proposed	Complies?
E7.7 Development Standards			
E7.7.1 Stormwater Drainage and Disposal	A1 Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.	No new impervious areas proposed.	N/A
	A2 A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply: (a) the size of new impervious area is more than 600 m ² ; (b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots.	Not an applicable standard.	N/A
	A3 A minor stormwater drainage system must be designed to comply with all of the following: (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed; (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.	Complies.	Yes

Monday 17 May 2021

Glenorchy Planning Authority Meeting Agenda

Standard	Acceptable Solution	Proposed	Complies?
	A4 A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.	Not an applicable standard.	N/A

APPENDIX 5**E11 Waterway and Coastal Protection Code**

Standard	Acceptable Solution	Proposed	Complies?
E11.7 Development Standards			
E11.7.1 Buildings and Works	A1 Building and works within a Waterway and Coastal Protection Area must be within a building area on a plan of subdivision approved under this planning scheme.	Not applicable. The application is for subdivision and no new works are proposed.	N/A
	A2 Building and works within a Future Coastal Refugia Area must be within a building area on a plan of subdivision approved under this planning scheme.	Not applicable.	N/A
	A3 Buildings and works within a Potable Water Supply Area must be within a building area on a plan of subdivision approved under this planning scheme.	Not applicable.	N/A
	A4 Development must involve no new stormwater point discharge into a watercourse, wetland or lake.	Complies.	Yes
E11.7.2 Building and Works Dependent on a Coastal Location	A1 An extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date.	Not applicable.	N/A

Monday 17 May 2021

Glenorchy Planning Authority Meeting Agenda

Standard	Acceptable Solution	Proposed	Complies?
	A2 No Acceptable Solution for dredging and reclamation.	Not applicable.	N/A
	A3 No Acceptable Solution for coastal protection works initiated by the private sector.	Not applicable.	N/A

APPENDIX 6**E15.0 Inundation Prone Areas Code**

Standard	Acceptable Solution	Proposed	Complies?
E15.6 Use Standards			
E15.6 Use Standards	A1 Change of use of a non-habitable building to a habitable building or a use involving habitable rooms must comply with all of the following: (a) floor level of habitable rooms is no less than the AHD level for the Coastal Inundation Low Hazard Area in Table E15.1; (b) floor level of habitable rooms is no less than the AHD level for the 1% AEP plus 300mm if in an area subject to riverine flooding.	Not applicable.	N/A
E15.7 Development Standards for Buildings and Works			
E15.7.1 Coastal Inundation High Hazard Areas	A1 For a habitable building, including extensions to existing habitable buildings, there is no Acceptable Solution.	Not applicable.	N/A
	A2 For a non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, there is no Acceptable Solution.	Not applicable.	N/A

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

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

	A3 A land application area for onsite wastewater management must comply with all of the following: (a) horizontal separation distance from high water mark or from the top of bank of a watercourse or lake must be no less than 100 m; (b) vertical separation distance from the water table must be no less than 1.5 m.	Not applicable.	N/A
E15.7.6 Development Dependent on a Coastal Location	A1 An extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date.	Not applicable.	N/A
	A2 No acceptable solution	Not applicable.	N/A
	A3 No Acceptable Solution for coastal protection works initiated by the private sector.	Not applicable.	N/A
E15.8 Development Standards for Subdivision			
E15.8.1 Medium and High Inundation Hazard Areas	A1 No Acceptable Solution.	Not applicable.	N/A
	A2 Subdivision is not prohibited by the relevant zone standards.	Not applicable.	N/A
E15.8.2 Subdivision Dependent on a Coastal Location	A1 No acceptable solution	Not applicable.	N/A

E15.8.3 Subdivision within a Riverine Inundation Hazard Area	A1 Each lot, or a lot proposed in a plan of subdivision, within a Riverine Inundation Hazard Area must: <ul style="list-style-type: none"> (a) be able to contain a building area, vehicular access and services, that are wholly located outside a Riverine Inundation Hazard Area; (b) be for the creation of separate lots for existing buildings; (c) be required for public use by the Crown, a council or a relevant agency; or (d) be required for the provision of Utilities. 	The proposed subdivision is located within the inundation hazard area. Compliance will require the proposal to be located outside the inundation hazard area. Therefore, the proposal relies on performance criteria.	No Refer to discussion in the report.
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6. PROPOSED USE AND DEVELOPMENT - ADDITION TO SINGLE DWELLING - 20 PARRAMORE STREET ROSETTA

Author: Planning Officer (Matthew Abell)

Qualified Person: Planning Officer (Matthew Abell)

Property ID: 5338705

REPORT SUMMARY

Application No.:	PLN-21-076
Applicant:	Precision Design & Drafting
Owner:	S L Midson and C I Rice
Zone:	General Residential
Use Class	Residential
Application Status:	Discretionary
Discretions:	10.4.2 Setbacks and building envelopes for all dwellings (P3), E6.6.1 Number of Car Parking Spaces (P1). (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	17 May 2021
Existing Land Use:	Single Dwelling
Representations:	0
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The proposal is for addition and alterations to a single dwelling at 20 Parramore Street, Rosetta.

The proposed development will involve converting the dwelling's garage into a master bedroom with a walk-in-robe and ensuite. The proposed development would also include a rumpus room. There will be no changes to the other parts of the existing dwelling or an increase to the maximum height of the existing dwelling.

The proposed development will be setback a minimal 6.65 m from the front boundary, 12.32 m from the rear boundary, and 1.02 m from the eastern side boundary. The total area of the proposed development is 56.90 m² and has a maximum height of 5.3 m (Figure 1).

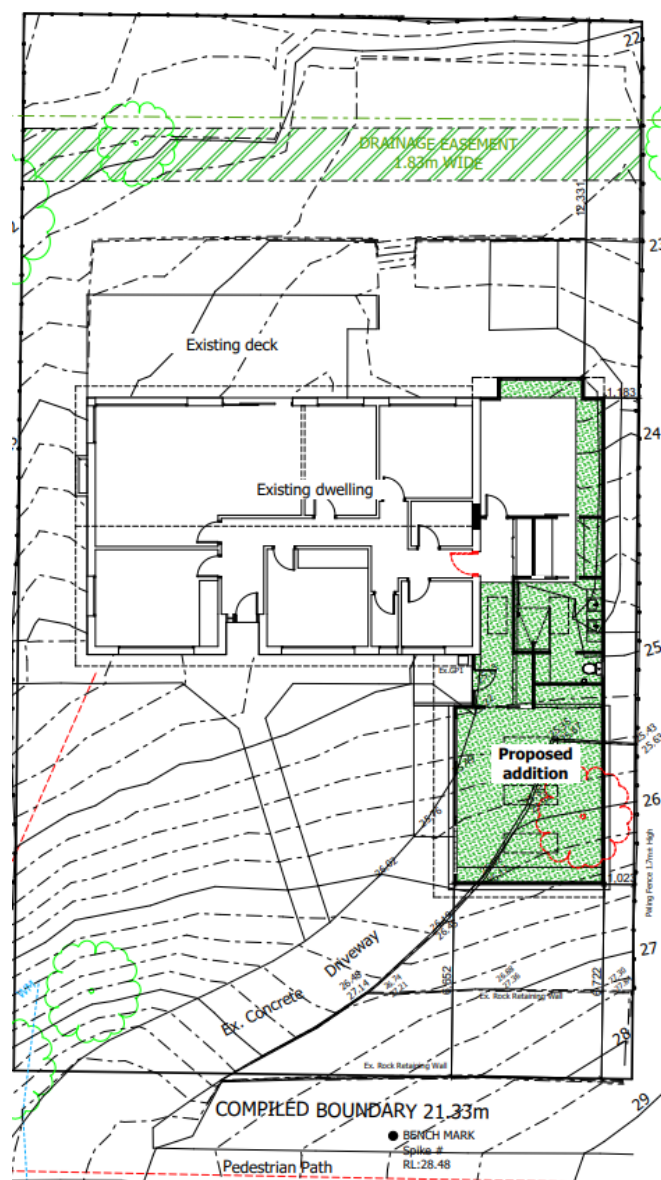


Figure 1: Site plan of the Proposal.

SITE and LOCALITY

The subject lot is rectangular shaped with a frontage of 21.33 m, a depth of 36.57m and an area of 782 m². There is a slope that falls from the front boundary to the rear boundary and there is a 1.83 m wide easement for sewer located to the northern end of the lot. There is no significant vegetation or trees of significance located on site (Figure 2).

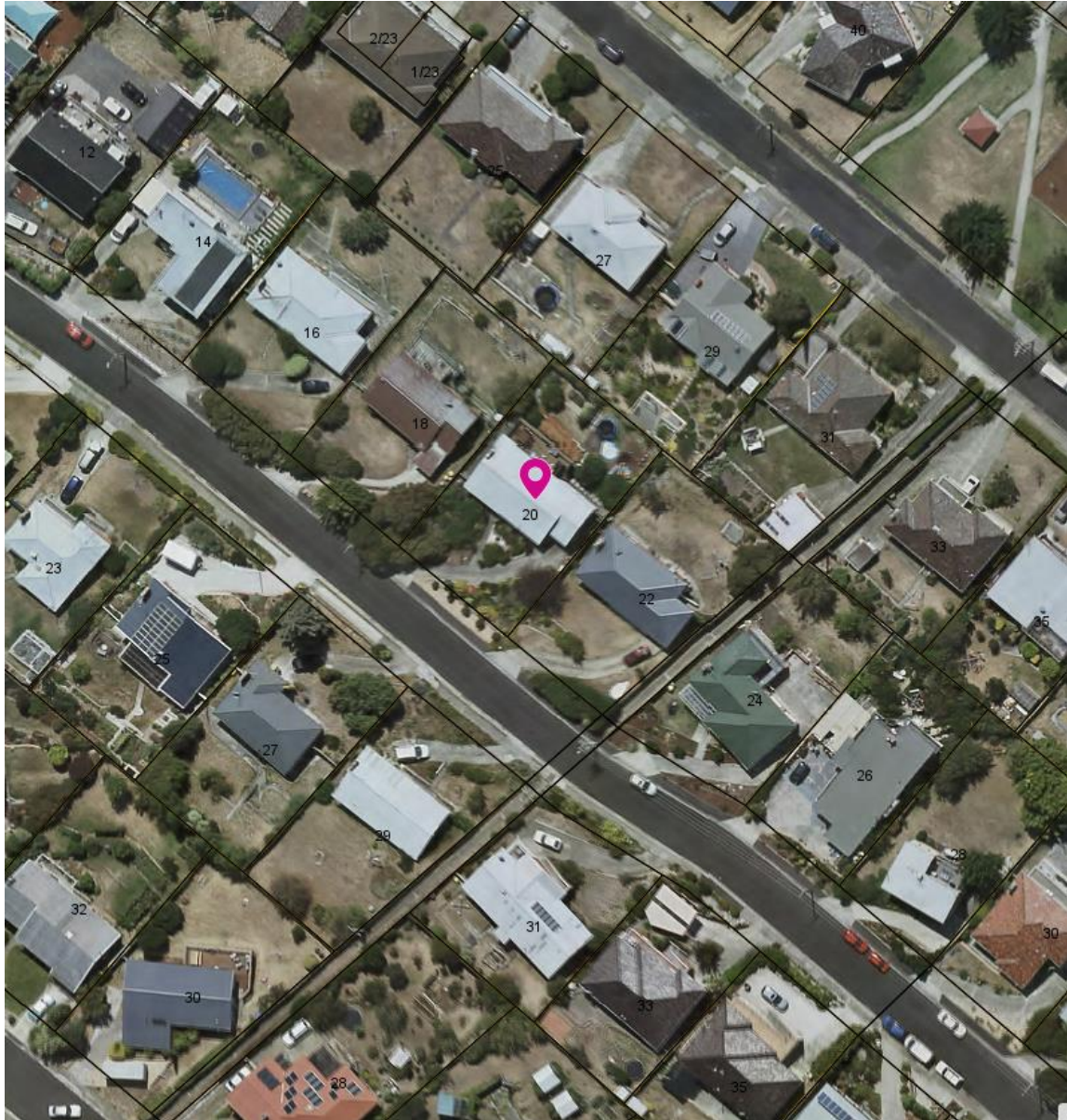


Figure 2: Aerial View of the subject site and the surrounding area.

ZONE

The subject site is located within a General Residential Zone (red). The land to the north-east is located within the Open Space Zone (green) (Figure 3).

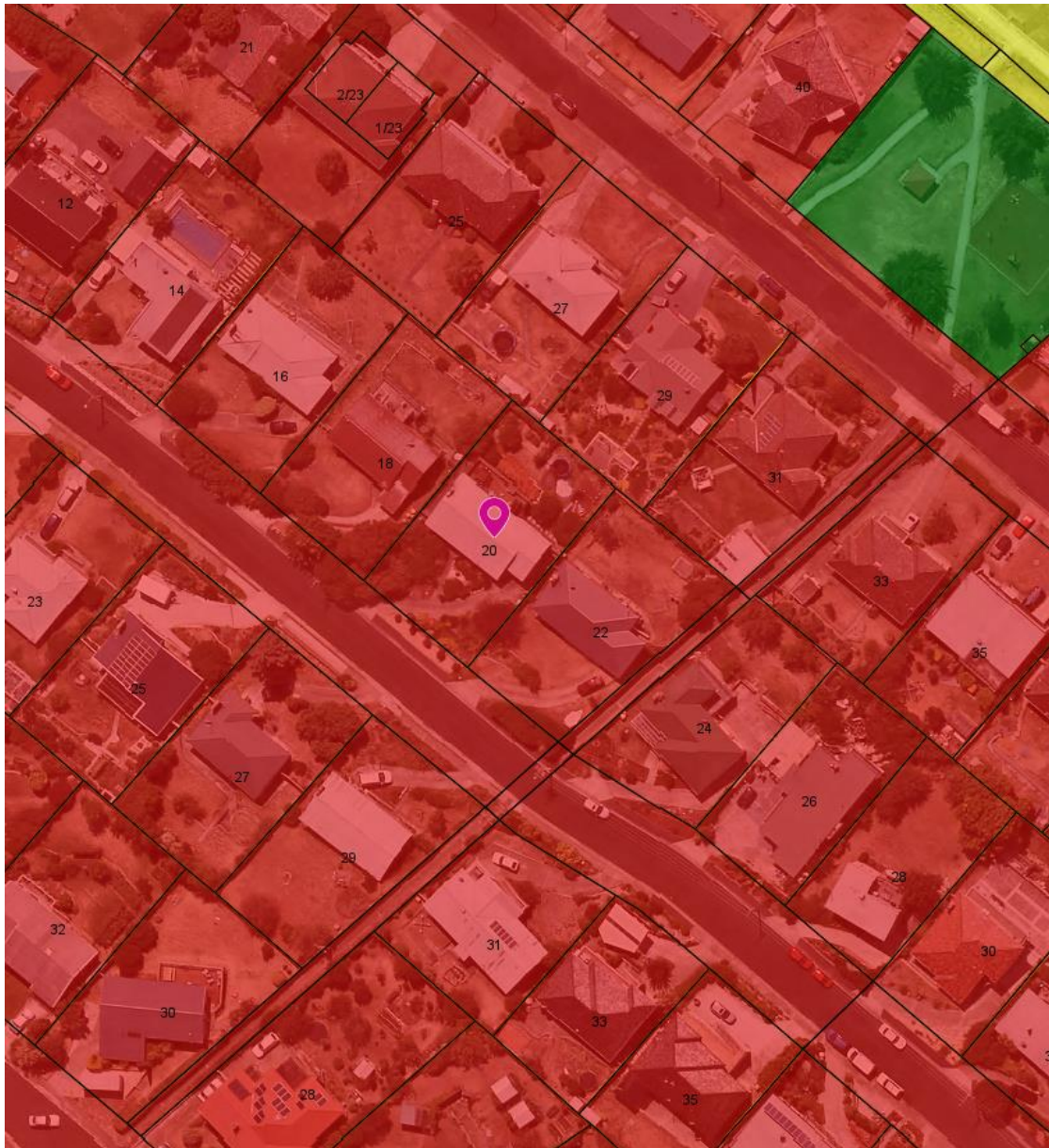


Figure 3: Zoning Map of the subject site and the surrounding area.

BACKGROUND

There is no relevant background information applicable to this assessment.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil.

Limited Exemptions

Nil.

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

No SAP or Code provisions override the zone provisions in this assessment.

Use Class Description (Table 8.2):

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

Other relevant definitions (Clause 4.1):

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.

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.

Single Dwelling 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

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

9.4 Demolition

The proposal includes demolition; therefore, Clause 9.4 Demolition of the Scheme applies, which states.

Unless approved as part of another development or Prohibited by another provision in this planning scheme, or a code relating to historic heritage values applies, an application for demolition is Permitted and a permit must be granted subject to any conditions and restrictions specified in clause 8.11.2 of the relevant interim planning scheme.

Comment:

The proposal will involve the demolition of the garage on the site. In this case, the demolition forms part of the application in addition to a single dwelling and raises no issues.

Part D: Zones

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

Zone Purpose Statements

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

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

10.1.1.3 To provide for the efficient utilisation of services

Comment:

The proposal is assessed as being consistent with the purpose of the zone because it is for a residential use where full infrastructure services are provided.

Use Table

Single dwelling fits within the Residential use class, which is No Permit Required, in the General Residential Zone. However, the application is discretionary because it relies on performance criteria to comply with applicable standards.

Use Standards

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

Development Standards for Residential Buildings & Works*10.4.2 Setbacks and building envelopes for all dwellings (P3)*

The acceptable solution (A3) requires any development within 1.5 m from a side boundary, not to exceed the total length of 9 m. The proposed addition does not comply with the acceptable solution (A3), as the proposal is setback of a minimal of 1.02 m from the southeast side boundary and has a total length of 16.83 m. Therefore, the proposed development must rely on the performance criteria (P3), which states.

The siting and scale of a dwelling must:

(a) not cause unreasonable loss of amenity by:

- (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or*
- (ii) overshadowing the private open space of a dwelling on an adjoining lot; or*
- (iii) overshadowing of an adjoining vacant lot; or*
- (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and*

(b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.

Comment:

Reduction in Sunlight

The applicant submitted shadow diagrams (Figure 4) as supporting documentation with the application. The shadow diagrams shown below demonstrates that the proposed development would not result in an unreasonable loss of amenity of the two adjoining lots.

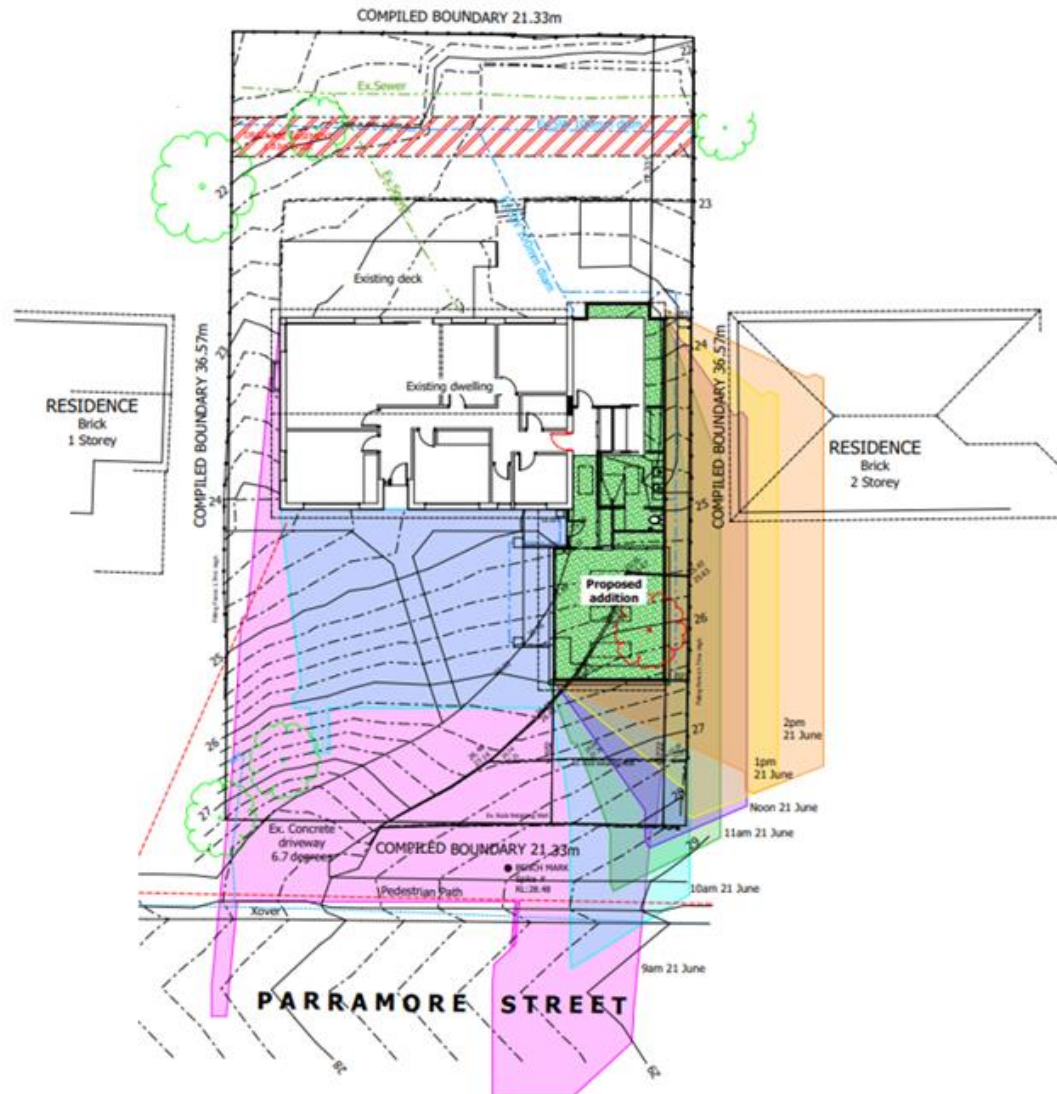


Figure 4: *Shadow Diagrams of the Proposal.*

The shadow diagrams show that the proposed development would cast a shadow over the adjoining property to the southeast from Noon to 2 pm 21st June. Therefore, the adjoining property to the southeast would still receive the morning sunlight between 9 am to noon on the 21st June. The adjoining property to the southeast would receive about four hours of direct morning sunlight for its habitable rooms. Additionally, the private open space for the adjoining property to the southeast would not be affected in terms of overshadowing from the proposed development. The adjoining lots' dwellings to the northwest and northeast of the subject site will not be impacted by overshadowing from the proposed development. Therefore, the proposed development will not cause unreasonable loss of amenity by reduction in sunlight to the habitable rooms and the private open space of dwelling to the southeast.

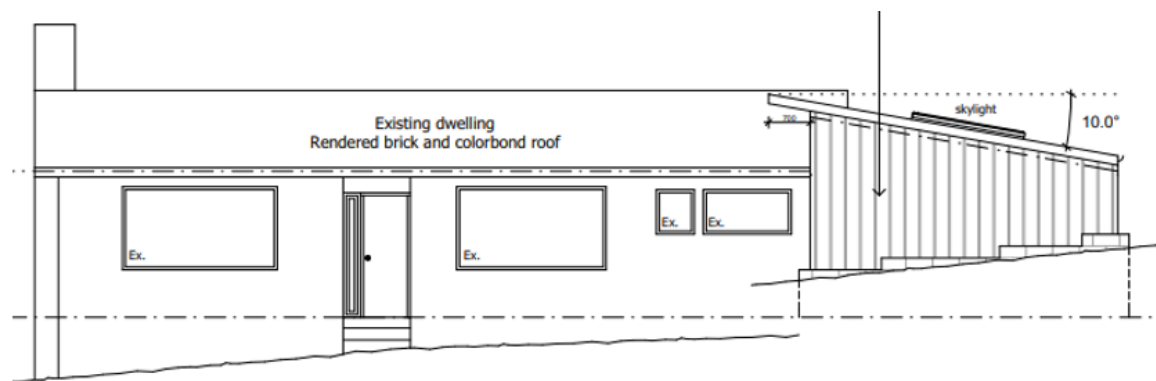
Visual Impacts

Figure 5: *Southwest Elevation of the Proposal.*



Figure 6: *Photograph of the subject site from the street.*

The proposed development would not increase the maximum height of the existing dwelling and remain a single storey dwelling. Additionally, the subject site has a moderate slope that falls from the front boundary to the rear boundary, hiding from view a part of the proposed extension. Furthermore, there is some vegetation on the front of the site, which will block views of a part of the proposed development. There are also other dwellings along Parramore Street (no. 4, 11, 24, 26, 35) that are larger in scale as they have a greater gross floor area compared to the proposed development. There are also multiple double-storey dwellings within Parramore Street that have more significant visual impact resulting from their bulk and scale. Overall, the proposed development is modest in scale and is not considered to cause an unreasonable loss of amenity due to visual impacts.

Separation

The proposed development will still keep the pattern of separation between dwellings on adjoining lots and is compatible with the streetscape along Parramore Street. The proposed development is compatible with the surrounding area, which includes multiples lots that have structures that exceed 9 m in length are within 1.5 m to 0.0 m

of their associated side boundaries. These sites include the following No. 8, 9, 35 and 37 Parramore Street and elsewhere within the surrounding area that all have structures that exceed 9 m in length and are at a similar distance of approximately 1 m from their associated side boundary. Overall, the proposed development will keep the pattern of separation between dwellings on adjoining lots and is still compatible with other dwellings along Parramore Street and the surrounding area.

The proposal is assessed as complying with the performance criteria (P3) and meeting the standard.

Part E: Codes

The following codes of the Scheme apply to this proposal:

E5.0 Road and Rail Asset Code

The proposal also complies with all the other applicable Acceptable Solutions, as demonstrated in the attached Appendix B. For further comment, please refer to the Engineering Assessment under the Referrals section later in this report.

E6.0 Parking and Access Code

E6.6.1 Number of Car Parking Spaces (P1)

The acceptable solution (A1) requires the number of on-site car parking for a single dwelling to be no less than two, as specified in Table E6.1 under the E6.0 Parking and Access Code. The proposed development would result in a parking shortfall as there would only be one on-site car parking available. Therefore, the proposal must rely on performance criteria (P1), which states.

The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:

(a) car parking demand;

Comment:

There would be no increase in the demand for on-site car parking as 20 Parramore Street will remain a single dwelling. The driveway has the capacity to accommodate one on-site car parking space. It is noted that the functional operation of the driveway would not change from the existing conditions as there is a car currently parked in the driveway. The existing garage is not generally used for car parking. There are plenty of opportunities for on-street car parking along Parramore Street, close to the subject site.

(b) the availability of on street and public car parking in the locality.

Comment:

Along Parramore Street, there is a relatively large amount of on-street car parking available for the occupants of 20 Parramore to use. The subject site is located within the General Residential Zone and is surrounded by other single dwellings. Therefore, this will result in the area having no additional demands from other land uses (e.g. Commercial) to compete with the number of on-street car parks. There would be sufficient on-street parking availability within a reasonable walking distance to cater to the demand for 20 Parramore Street.

(c) the availability and frequency of public transport within a 400m walking distance of the site;

Comment:

There are two Metro Tasmania bus stops that are within 400 m which are in walkable distance to 20 Parramore Street. The first bus stop is at Radcliff Crescent, which is 263.33 m away from 20 Parramore Street with routes 511, 512 and X11, with a bus service that travels between Cadbury Estate Claremont and Glenorchy Interchange. The second bus stop has routes 510, 520, 521, 522, and 605 which has bus services that travel to Granton, Bridgewater, and Glenorchy Interchange.

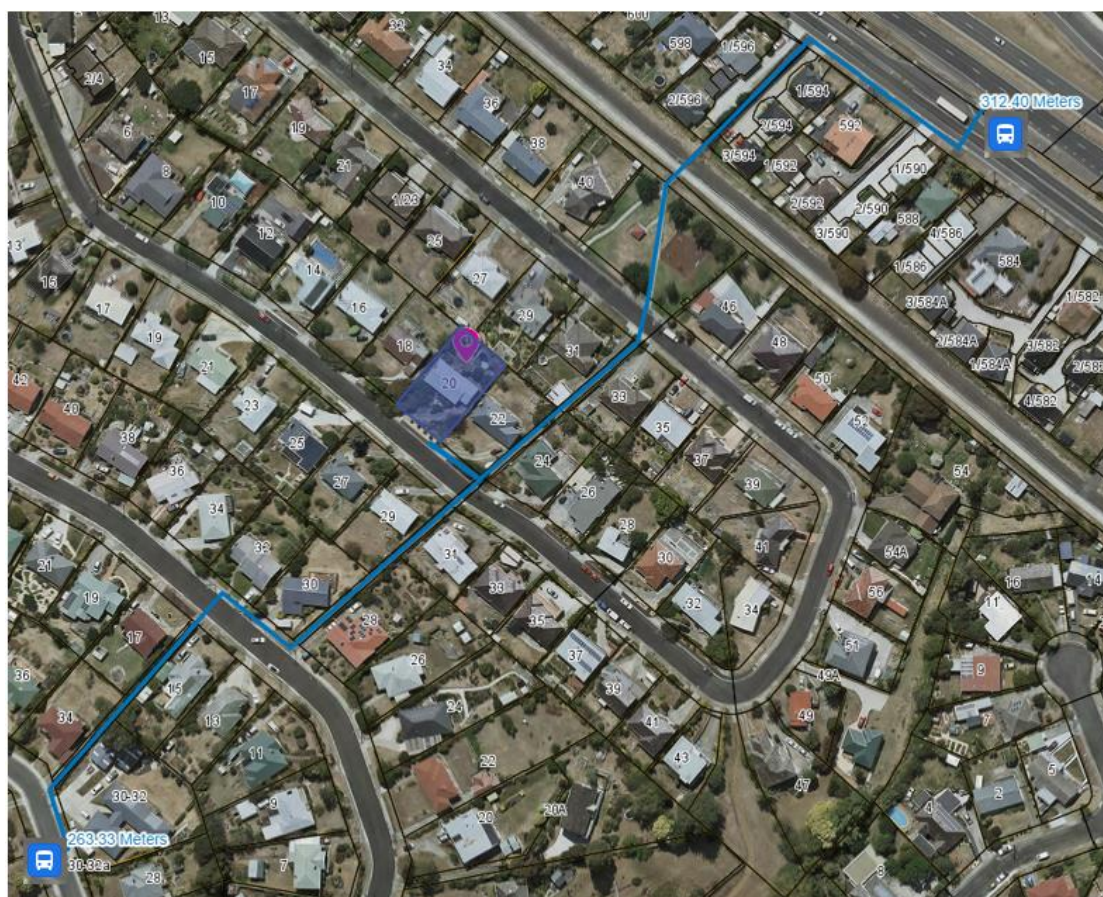


Figure 7: Aerial View showing the distance between 20 Parramore and the nearest bus stops.

(d) the availability and likely use of other modes of transport;

Comment:

If needed, there are additional opportunities for the occupants of 20 Parramore Street to use other modes of transport such as Taxi (13Cabs) and other transportation network companies (e.g. Ubers).

(e) the availability and suitability of alternative arrangements for car parking provision;

Comment:

There are no alternative arrangements for car parking within the area.

(f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;

Comment:

Single dwelling does not require shared car parking spaces.

(g) any car parking deficiency or surplus associated with the existing use of the land;

Comment:

There is no car parking deficiency or surplus associated with the existing use of the land. There are currently two on-site car parking spaces on-site.

(h) any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site;

Comment:

There is no credit allocated to 20 Parramore Street. There is no need to provide credit for a single dwelling within a residential zone.

(i) the appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;

Comment:

There is no Cash in Lieu allocated for 20 Parramore Street.

(j) any verified prior payment of a financial contribution in lieu of parking for the land;

Comment:

There is no need for a payment for cash in lieu.

(k) any relevant parking plan for the area adopted by Council;

Comment:

There is no parking plan for the area adopted by Council.

(l) the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;

Comment:

There is no historic cultural heritage significance within the surrounding area.

(m) whether the provision of the parking would result in the loss, directly or indirectly, of one or more significant trees listed in the Significant Trees Schedule.

Comment:

There are no significant trees within the surrounding area that would be impacted by use of on-street parking.

In Summary:

Based on the above assessment, the proposed development meets the requirements of Performance Criteria (P1). There is sufficient on-street parking availability in the surrounding road network and access to public transport to cater for the potential of one car parking space. The Council's Development Engineer has assessed the number of the car parking spaces and does not object to it. For further comments, please refer below to the 'Referrals' section.

The proposal is assessed as complying with the performance criteria (P1) and meeting the standard.

E6.7.5 Layout of Parking Areas (P1)

The layout of car parking space on the driveway does not comply with the acceptable solution (A1), which requires car parking space to comply with section 2 "Design of Parking Modules, Circulation Roadways and Ramps" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 "Headroom" of the same Standard. The proposed development will need to address the performance criteria (P1), which states.

The layout of car parking spaces, access aisles, circulation roadways and ramps must be safe and must ensure ease of access, egress and manoeuvring on-site.

Comment:

The driveway has been in continuous use for many years without issue. The driveway's width is sufficient to allow safe access on and off the property. The driveway is short in length, which only requires simple entry and exists manoeuvres that ensure ease of

access onto the site. The car parking slope is considered acceptable as the part of the driveway is currently being used for this purpose and has been used this way for many years without an issue. It is common practice for cars to be parked on a driveway for private properties with a slope. The Council's Development Engineer has assessed the layout of the parking area and does not object to it. For further comments, please refer below to the 'Referrals' section.

The proposal is assessed as complying with the performance criteria (P1) and meeting the standard.

The proposal also complies with all the other applicable Acceptable Solutions, as demonstrated in Appendix C. For further comments, refer to the Engineering Assessment under the Referrals section later in this report.

E7.0 Stormwater Management Code

The proposal also complies with all the other applicable Acceptable Solutions, as demonstrated in Appendix D. For further comments, please refer to the Engineering Assessment under the Referrals sections later in this report.

PART F: Specific Area Plans

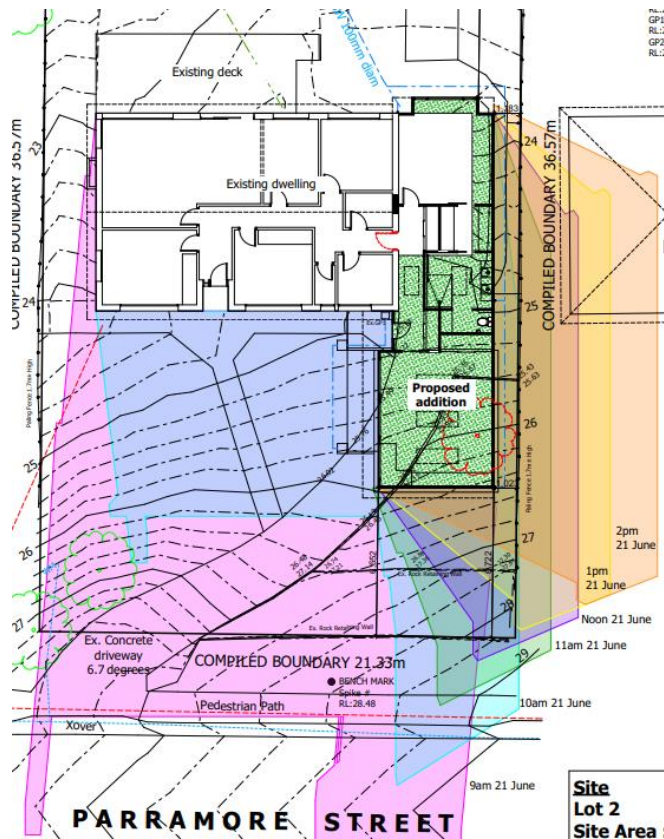
There is no Specific Area Plans applicable to this assessment.

INTERNAL REFERRALS

Development Engineer

Comments

The development application seeks approval for partial demolition and addition to the existing dwelling at the subject site as seen in the figure below. The work to the addition includes converting the existing single garage to a habitable area resulting in loss of a single car parking space. The Traffic Impact Statement (TIS) by Midson traffic Pty Ltd dated March 2021 submitted with the application as a supporting document addressing the impact the parking shortfall may have to the road network and clause P1, E6.6.1 is accepted.



E5.0 Road and Railway Assets Code

The development complies with the Code. The proposed development is not expected to increase vehicle movements to and from the site, over 40 vehicle movements per day and therefore complies with the Acceptable solution A3 of E5.5.1. The site can be accessed off the existing vehicle crossing, and no new access is proposed; this complies with A2, E5.6.2. Sight distance also complies with the Acceptable solution, A1 E5.6.4.

E6.0 Parking and Access Code

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

The site can be accessed off the existing vehicular access onto the driveway and parking space. The requirement under the E6.6.1, A1 requires a total of two car parking spaces for a residential dwelling. The applicant proposes to remove the existing garage and convert it to habitable rooms. This results in a parking shortfall. The TIS is submitted as part of the application to address the number of parking and parking layout.

There are no requirements for accessible car parking, motorcycle parking spaces, bicycle parking spaces and commercial vehicle applications to the development application.

There is no change to the layout of the parking area and complies with the standard AS2890.1:2004. The surface treatment of the driveway is proposed to be concrete. These comply with the acceptable solutions. There are no requirements for passing bay, on-site turning, landscaping

The TIS addresses the Performance Criteria P1 of Clause E6.6.1 of the Planning Scheme, including the parking demand, on-street parking availability, public transport, on-site turning and car park design. TIS also states that the car parking demand is likely to be two spaces while the post-development has the capacity to store one car in the driveway. TIS further states that there is a relatively large pool of nearby available on-street car parking available. The site is located in a residential area with no competing demands for other land uses.

The TIS then concludes that the assessment of the development meets the requirements of Performance Criteria P1 of Clause E6.6.1 of the Planning Scheme. Specifically, there is sufficient on-street parking available in the surrounding road network to cater for the potential shortfall of one car parking space.

The TIS inspects the bottom of the driveway has a slope of 10%. The crossfall slope is close to level (less than 6.25%). Therefore the parking space at the end of the driveway does not comply with the parking slope requirements of AS2890.1; however, considering that the driveway is currently being used for the parking purpose and the grade is not extreme, it is considered the existing parking space is safe, easy and efficient use.

E7.0 Stormwater Management Code

There are no GCC stormwater mains affected by this application. Council does not have a record of the stormwater connection to a 150mm Council main and runs along the property's rear boundary. There is no new connection proposed and all stormwater runoff is proposed to discharge to the connection. Therefore, the SW arrangement is considered to comply with the acceptable solution, A1. The development also considered comply with the acceptable solution A2 and a stormwater system does not require to incorporate water sensitive urban design for treatment, as the size of the new impervious area is less than 600 m², there is no new car parking space proposed and the application is not for a subdivision.

A3 and A4 also satisfactory given the size and scope of the development and recent infrastructure constructed at the subdivision stage. Therefore, the development is considered to meet the requirements in Stormwater Management Code.

Other

E3.0 Landslide Code

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

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

Not applicable.

E15.0 Inundation Prone Areas Code

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

EXTERNAL REFERRALS

No external referrals were deemed necessary.

REPRESENTATIONS

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

CONCLUSION

The proposal is relying on the performance criteria to comply with applicable standards. The proposal is assessed as satisfying the performance criteria and complies with those standards. The proposal is assessed as complying with all other use and development standards in the General Residential Zone and the applicable standards of the Road and Railway Assets code, Parking and Access code and Stormwater Management code. The application was publicly advertised for the statutory 14-day period and no representations were received. It is concluded that the proposal is consistent with the Scheme's zone purpose statements and is satisfactory.

Recommendation:

That a permit be granted for the proposed use and development of Addition to Single Dwelling at 20 Parramore Street Rosetta subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-21-076 and Drawing submitted 30/03/2021, except as otherwise required by this permit.

Engineering

2. Soil and water management is to comply with best practice to prevent any transfer of soil material outside of the area specifically and necessarily disturbed for construction. Particular attention is to be paid to ensure no soil material is tracked onto roads and footpaths or to enter the Council's stormwater system. All aspects and protection measures in connection with soil and water

management are to comply with the requirements of Council's Development Engineer and be installed prior to the removal of and/or disturbance of any soil or vegetation.

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

3. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
4. All internal hydraulic service works required for the development must be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor. Any alterations or works to Council mains must be approved by Council at the developer's cost.
5. 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. The driveway and parking must comply with the following:-
 - (a) Be constructed to a sealed finish and
 - (b) All runoff from paved and driveway areas must be discharged into Council's stormwater system.

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

Advice to Applicant

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

Other Permits

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

Other Services

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

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

Attachments/Annexures

- 1** GPA Attachments - 20 Parramore Street Rosetta



APPENDIX A**10.0 General Residential Zone**

Standard	Acceptable Solution	Proposed	Complies?
10.3 Use Standards			
10.3.1 Non-Residential Use	A1 Hours of operation must be within 8.00 am to 6.00 pm, except for office and administrative tasks or visitor accommodation.	Not applicable – Residential Use.	N/A
	A2 Noise emissions measured at the boundary of the site must not exceed the following: (a) 55 dB(A) (LAeq) between the hours of 8.00 am to 6.00 pm; (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 6.00 pm to 8.00 am; (c) 65dB(A) (LAm _{ax}) at any time. Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness. Noise levels are to be averaged over a 15 minute time interval.		N/A
	A3 External lighting must comply with all of the following: (a) be turned off between 6:00 pm and 8:00 am, except for security lighting; (b) security lighting must be baffled to ensure they do not cause emission of light into adjoining private land.		N/A
	A4 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site must be limited to 20 vehicle movements per day and be within the hours of: (a) 7.00 am to 5.00 pm Mondays to Fridays inclusive; (b) 9.00 am to 12 noon Saturdays; (c) nil on Sundays and Public Holidays.		N/A

10.3.2 Visitor Accommodation	A1 Visitor accommodation must comply with all of the following: (a) is accommodated in existing buildings; (b) provides for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site; (c) has a floor area of no more than 160m ² .		N/A
10.3.3 Local Shop	A1 A local shop must have a gross floor area no more than 200m ² .		N/A
10.4 Development Standards for Residential Buildings and Works			
10.4.1 Residential density for multiple dwellings	A1 Multiple dwellings must have a site area per dwelling of not less than: (a) 325m ² ; or (b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.	Not applicable – single dwelling.	N/A
10.4.2 Setbacks and building envelopes for all dwellings	A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or (b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or (c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or (d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.	(a) Complies – the proposed addition is 6.65 m from the front boundary. (b) Not applicable (c) Not applicable (d) Not applicable	Yes

	<p>A2 A garage or carport must have a setback from a primary frontage of at least:</p> <ul style="list-style-type: none"> (a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or (b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage. 	Not applicable – no garage or carport is proposed.	N/A
	<p>A3 A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must:</p> <ul style="list-style-type: none"> (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"> (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and (b) only have a setback within 1.5 m of a side boundary if the dwelling: <ul style="list-style-type: none"> (i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or (ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser). 	<p>The proposal does not meet the side boundary setback standard. Therefore will need to rely on the performance criteria (P3).</p> <ul style="list-style-type: none"> (a) Complies – The proposal is contained within a building envelope (refer to Diagram 10.4.2A) (b) Does not comply- The proposed development is 1.02m from the side boundary and exceeds 9m in length <ul style="list-style-type: none"> (i) Not applicable (ii) Does not comply – total length of 16.83m 	No
<p>10.4.3 Site coverage and private open space for all dwellings</p>	<p>A1 Dwellings must have:</p> <ul style="list-style-type: none"> (a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and (b) for multiple dwellings, a total area of private open space of not less than 60 m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8 	<ul style="list-style-type: none"> (a) Complies – the site coverage is 28.77% (b) Not applicable – single dwellings. (c) Complies – there will be more than 25% of the site are is free from impervious surfaces. 	Yes

	<p>m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(c) a site area of which at least 25% of the site area is free from impervious surfaces.</p>		
	<p>A2</p> <p>A dwelling must have an area of private open space that:</p> <p>(a) is in one location and is at least:</p> <p>(i) 24 m²; or</p> <p>(ii) 12 m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(b) has a minimum horizontal dimension of:</p> <p>(i) 4 m; or</p> <p>(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</p> <p>(c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and</p> <p>(d) is not located to the south, southeast 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</p> <p>(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</p> <p>(f) has a gradient not steeper than 1 in 10; and</p> <p>(g) is not used for vehicle access or parking.</p>	<p>Not applicable - As the proposal is for addition to the front of the existing dwelling, there would not change to the private open space on the property. Since the private open space is located at the rear of the dwelling, there will no changes to the area, dimension, located or accessible from a habitable room therefore, this standard is not applicable.</p>	<p>N/A</p>
<p>10.4.4</p> <p>Sunlight and overshadowing of all dwellings</p>	<p>A1</p> <p>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).</p>	<p>The existing dwelling would have windows facing north from the habitable room (living/ dining room).</p>	<p>Yes</p>
	<p>A2</p> <p>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,</p>	<p>Not applicable – single dwelling</p>	<p>N/A</p>

	<p>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):</p> <p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B):</p> <ul style="list-style-type: none"> (i) at a distance of 3 m from the window; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. <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"> (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling. 		
	<p>A3</p> <p>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"> (i) at a distance of 3 m from the northern edge of the private open space; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. <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"> (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling. 	Not applicable – single dwelling	N/A

10.4.5 Width of openings for garages and carports for all dwellings	A1 A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).	Not applicable – no garage or carport is proposed.	N/A
10.4.6 Privacy for all dwellings	A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary; and (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4 m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m: (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.	Not applicable – the proposal does not involve a new balcony, deck, roof terrace, parking space, or carport.	N/A
	A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b): (a) The window or glazed door: (i) is to have a setback of at least 3 m from a side boundary; and (ii) is to have a setback of at least 4 m from a rear boundary; and (iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and	There are two existing windows in the living and bedroom 1 are within 3 m from the side however these windows were approved previous when the dwelling was built therefore these windows do not trigger discretion as they have approval. (a) Complies (i) Complies – no windows or glazed door is facing the southeast side boundary. The proposed addition's windows or glazed door facing the northwest side boundary are setbacks more than 3m. (ii) Complies – all windows and glazed door meet this standard	Yes

	<ul style="list-style-type: none"> (iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site. (b) The window or glazed door: <ul style="list-style-type: none"> (i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or (c) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%. 	<ul style="list-style-type: none"> (iii) Not applicable – single dwelling (iv) Not applicable – single dwelling (b) Not applicable – not required (c) Not applicable – not required 	
	<p>A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least:</p> <ul style="list-style-type: none"> (a) 2.5 m; or (b) 1 m if: <ul style="list-style-type: none"> (i) it is separated by a screen of at least 1.7 m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level. 	Not applicable – single dwelling	N/A
10.4.7 Frontage Fences for all dwellings	<p>A1 A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than:</p> <ul style="list-style-type: none"> (a) 1.2 m if the fence is solid; or (b) 1.8 m, if any part of the fence that is within 4.5 m of a primary frontage has openings above a height of 1.2 m which provide a uniform transparency of not less than 30% (excluding any posts or uprights). 	Not applicable – no fences proposed.	N/A
10.4.8 Waste Storage for multiple dwellings	A1	Not applicable – single dwelling	N/A

	<p>A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m² per dwelling and is within one of the following locations:</p> <p>(a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</p> <p>(b) in a communal storage area with an impervious surface that:</p> <ul style="list-style-type: none"> (i) has a setback of at least 4.5 m from a frontage; and (ii) is at least 5.5 m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2 m above the finished surface level of the storage area. 		
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APPENDIX B

E5 Road and Railway Assets Code

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

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

Standard	Acceptable Solution	Proposed	Complies?
	A1.2 Buildings, may be: <ul style="list-style-type: none"> (a) located within a row of existing buildings and setback no closer than the immediately adjacent building; or (b) an extension which extends no closer than: <ul style="list-style-type: none"> (i) the existing building; or (ii) an immediately adjacent building. 		NA
E5.6.2 Road accesses and junctions	A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h		NA
	A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.		Yes
E5.6.3 New Level Crossings	A1 No Acceptable Solutions.		NA

Standard	Acceptable Solution	Proposed	Complies?
E5.6.4 Sight distance at accesses, junctions and level crossings	A1 Sight distances at: <ul style="list-style-type: none"> (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia. 		Yes – no change

APPENDIX C**E6.0 Parking and Access Code**

Standard	Acceptable Solution	Proposed	Complies?
E6.6 Use Standards			
E6.6.1 Number of Car Parking Spaces	<p>A1</p> <p>The number of on-site car parking spaces must be:</p> <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>		No – TIS addresses shortfall
E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability	<p>A1</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>		N/A

Standard	Acceptable Solution	Proposed	Complies?
	(c) be located as close as practicable to the building entrance.		
E6.6.3 Number of Motorcycle Parking Spaces	A1 The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.		N/A
E6.6.4 Number of Bicycle Parking Spaces	A1 The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.		N/A
E 6.7 Development Standards			
E6.7.1 Number of Vehicle Accesses	A1 The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.		Yes
E6.7.2 Design of Vehicular Accesses	A1 Design of vehicle access points must comply with all of the following: (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with		N/A

Standard	Acceptable Solution	Proposed	Complies?
	<p>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;</p> <p>(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.</p>		
<p>E6.7.3</p> <p>Vehicular Passing Areas Along an Access</p>	<p>A1</p> <p>Vehicular passing areas must:</p> <p>(a) be provided if any of the following applies to an access:</p> <ul style="list-style-type: none"> (i) it serves more than 5 car parking spaces; (ii) is more than 30 m long; (iii) it meets a road serving more than 6000 vehicles per day; <p>(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway;</p> <p>(c) have the first passing area constructed at the kerb;</p> <p>(d) be at intervals of no more than 30 m along the access.</p>		N/A
<p>E6.7.4</p> <p>On-Site Turning</p>	<p>A1</p> <p>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:</p>		N/A

Standard	Acceptable Solution	Proposed	Complies?
	(a) it serves no more than two dwelling units; (b) it meets a road carrying less than 6000 vehicles per day.		
E6.7.5 Layout of Parking Areas	A1 The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 "Design of Parking Modules, Circulation Roadways and Ramps" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 "Headroom" of the same Standard.		No - satisfies PC
E6.7.6 Surface Treatment of Parking Areas	A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following; (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.		Yes
E6.7.7 Lighting of Parking Areas	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.		N/A

Standard	Acceptable Solution	Proposed	Complies?
E6.7.8 Landscaping of Parking Areas	A1 Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.		N/A
E6.7.9 Design of Motorcycle Parking Areas	A1 The design of motorcycle parking areas must comply with all of the following: (a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) be located within 30 m of the main entrance to the building.		N/A
E6.7.10 Design of Bicycle Parking Facilities	A1 The design of bicycle parking facilities must comply with all the following; (a) be provided in accordance with the requirements of Table E6.2; (b) be located within 30 m of the main entrance to the building.		N/A
	A2 The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking		

Standard	Acceptable Solution	Proposed	Complies?
	facilities in compliance with section 2 “Design of Parking Facilities” and clauses 3.1 “Security” and 3.3 “Ease of Use” of the same Standard.		
E6.7.11 Bicycle End of Trip Facilities	A1 For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.		N/A
E6.7.12 Siting of Car Parking	A1 Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.		Yes
E6.7.1.13 Facilities for E7 s	A1 Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless: (a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site; (b) the use is not primarily dependent on outward delivery of goods from the site.	N/A	N/A

Standard	Acceptable Solution	Proposed	Complies?
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements of the road authority.		Yes

APPENDIX D

E7.0 Stormwater Management Code

Standard	Acceptable Solution	Proposed	Complies?
E7.7 Development Standards			
E7.7.1 Stormwater Drainage and Disposal	A1 Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.		Yes
	A2 A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply: (a) the size of new impervious area is more than 600 m ² ; (b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots.		Yes – not required
	A3 A minor stormwater drainage system must be designed to comply with all of the following: (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed; (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.		Yes

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

**7. PROPOSED USE AND DEVELOPMENT - WAREHOUSE
(STORAGE) WITH ASSOCIATED OFFICE AND SIGNAGE - 37
HOWARD ROAD GLENORCHY**

Author: Planning Officer (Roy Adam)

Qualified Person: Planning Officer (Roy Adam)

Property ID: 3429304

REPORT SUMMARY

Application No.:	PLN-20-243
Applicant:	Pinnacle Drafting & Design
Owner:	C R Kumpulainen and S Marshall
Zone:	General Industrial
Use Class	Storage
Application Status:	Discretionary
Discretions:	25.4.2 P1 Setback E5.5.1 P3 Existing road accesses and junctions E17.7.1 P1 Standards for Signs (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	19 May 2021
Existing Land Use:	Warehouse
Representations:	0

Recommendation:**Approval, subject to conditions**

REPORT IN DETAIL

PROPOSAL

The application proposes the construction of a new warehouse, with ancillary office space and signage. The proposed warehouse does not have a tenant and is proposed to be vacant initially. The building would be flat roofed with Colorbond steel, and constructed from pre-cast concrete panels, Colorbond cladding and brick veneer. Windows and entry doors are proposed on the northwest elevation. Two roller doors and entry doors are proposed on the southwest elevations. The maximum height would be 8.5m.

The warehouse area would account for an area of 635.8m² over two levels. The proposal would have one vehicle access in total and seven car parking spaces, plus one shared space. The proposed signage includes one Business Directory sign composed of three panels. The application is discretionary for a front setback, a parking shortfall and signage. The proposal is shown in Figure 1.

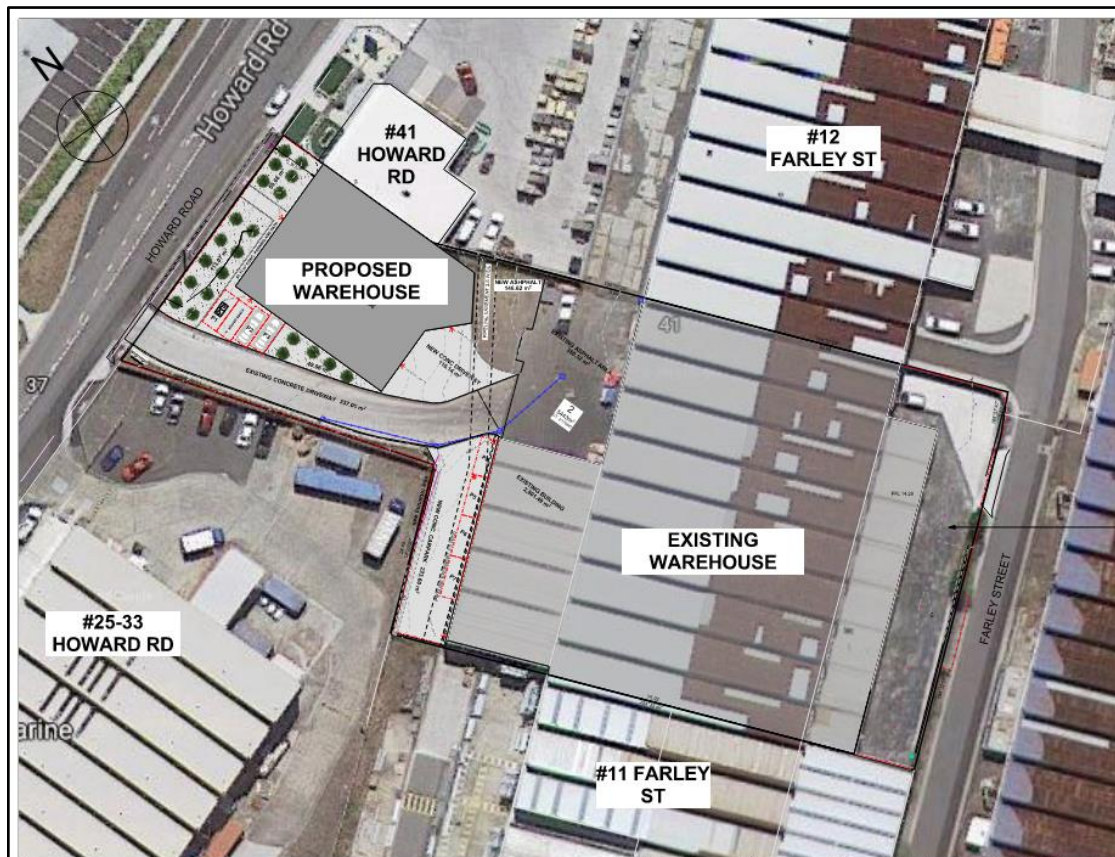


Figure 1: Proposal Plan

SITE and LOCALITY

The property is located on the south-eastern side of Howard Road, approximately 150m south of the Brooker Highway. The site has a frontage of 36.7 m to Howard Road, has an irregular shaped area of 5443 m² and is near level. The site is directly opposite the Royal Hobart Showground (Figure 2). The title reference is CT 170947/2. The property is currently occupied by a Warehouse. The property is surrounded by industrial uses to north, south and east, the showgrounds are to the west (Fig. 2).

The site has access at the rear to Farley Street. The applicant has provided that the existing business to the rear of the site is provided with car parking spaces from Farley Street (29/3/2021 coverletter).

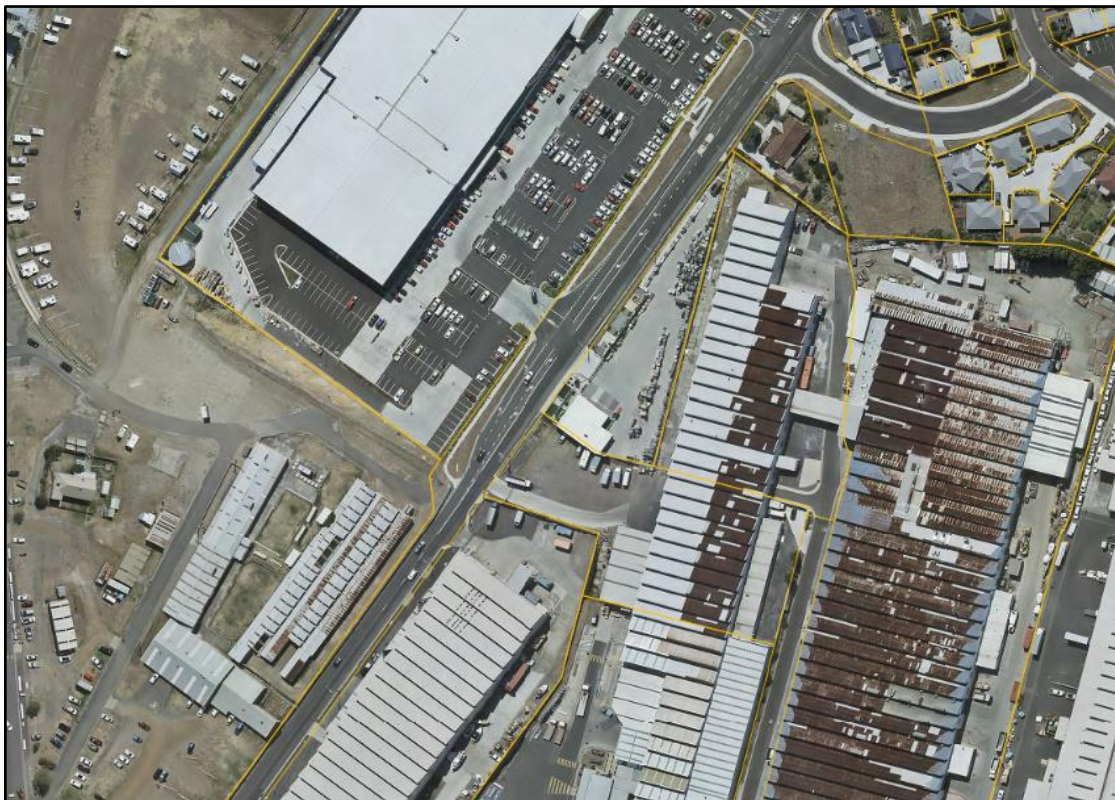


Figure 2: Subject Site and surrounds

ZONE

The property is located within the General Industrial Zone in purple, which also applies to the surrounding land. The railway corridor is within the Utilities Zone to the south-west in yellow and the showgrounds within the Community Purpose Zone to the west in light yellow. The zoning map is shown in Figure 3.



Figure 3: Zoning map of the locality.

BACKGROUND

Application

The application is supported by these documents:

- Civil Drawings by Aldanmark submitted 26/11/2020
- Planning submission (coverletters) by Pinnacle Drafting submitted 19/11/2020 and 15/02/21
- Traffic Impact Statement by Midson Traffic dated April 2021

Permits

- PLN-13-204.01 at 41 Howard Road, allowed for staging. The existing Warehouse shown on the current application was similarly referred to as an “existing Warehouse”. However the amended permit removed the fit-out works previously proposed. Car parking for the existing Warehouse was also removed.
- PLN-13-204 at 41 Howard Road was approved 23/12/2013, for the Demolition and construction of a Warehouse and the alteration to an existing Warehouse. The alteration (new fit-out) of the existing Warehouse included a car parking space requirement of 22 spaces.

Previously, 41 Howard Road included the present 37 Howard Road as shown in Figure 4:



Figure 4: 41 Howard Road, Glenorchy

- DA72-01 at 39 & 41 Howard Road was approved 5/4/2001, for Change of Use to Limited Impact Industry. This DA required eight car parking spaces being provided at the site. Council records do not include a site plan.
- DA173-89 Planning Approval for loading and refuelling canopy for existing transport depot
- BA10462 Storeroom addition to existing workshop for Glenorchy Body Works, approved 22 September 1964
- BA6151 Additional workshop associated with the existing dwelling, February 1956
- BA5452 Timber workshop associated with an existing dwelling, approved September 1954

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil.

Limited Exemptions

Nil.

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

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

E5.0 Road and Railway Assets Code

E6.0 Access and Parking Code

E7.0 Stormwater Management Code

E17.0 Signs Code

Use Class Description (Table 8.2):

The application is for a warehouse with ancillary office space, which fits under the use class Storage. The use is defined in Table 8.2 Use Classes:

***Storage** use of land for storage or wholesale of goods and may incorporate distribution. Examples include boat and caravan storage, contractors' yard, freezing and cool storage, liquid fuel depot, solid fuel depot, vehicle storage, warehouse and wood yard.*

The proposed warehouse includes a office component which accounts for approximately 4% of the total floor area. Under clause 8.2.2 a use or development that is directly associated with and a subservient part of another use on the same site must be categorised into the same use class as that other use.

Other relevant definitions (Clause 4.1):

There are no definitions of special relevance to this application in 4.1 Planning Terms and Definitions.

Discretionary Use or Development

The application is discretionary under Clause 8.8:

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

(a) the use is within a use class specified in the applicable Use Table as being a use which is discretionary;

(b) the use or development complies with each applicable standard but relies upon a performance criterion to do so; or

(c) it is discretionary under any other provision of the planning scheme,

(d) and the use or development is not prohibited under any other provision of the planning scheme.

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

25.4.2 P1 Setback

E5.5.1 P3 Existing road accesses and junctions

E17.7.1 P1 Standards for Signs

Part C: Special Provisions

No special provisions of the Scheme apply to this proposal.

Part D: Zones

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

Zone Purpose Statements

The purpose of the General Industrial Zone at clause 25.1 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.

To provide industrial activity with good access to strategic transport networks.

The proposed warehouse is considered in accordance with the zone purpose as it would provide for storage and distribution of goods near a major road.

Use Table

The use class Storage is 'Permitted' within the General Industrial Zone in 25.2 Use Table.

Use Standards

There are no use standards for this zone.

Development Standards for Residential Buildings & Works

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

25.4.2 A1 Setback

The proposal does not satisfy the Acceptable Solution in 25.4.2 A1 with respect to front setbacks. Therefore, the proposal relies on the relevant Performance Criteria P1:

Building setback from frontage must satisfy all of the following:

- (a) be consistent with any Desired Future Character Statements provided for the area;*
- (b) be compatible with the setback of adjoining buildings;*
- (c) enhance the characteristics of the site, adjoining lots and the streetscape;*
- (d) provide adequate opportunity for parking*

Comment

The proposed building would have a setback of 6.9 m from the primary frontage to Howard Road. The Acceptable Solution requires 10m. There are no considerations for any Desired Future Character Statement as the site is outside the Price of Wales Maritime Industrial Precinct where character statements do apply.

In regards to the compatibility of setbacks, the setback on the primary frontage is similar to that of the adjoining building at 41 Howard Road. Similar setbacks at the frontage are observed to the south along Howard Road at 25-33 Howard Road.

The proposed building is considered to enhance the characteristics of the site and the streetscape, by replacing an empty space with a new modern building as well as landscaping. The new building would fit well with the streetscape through its form and fenestration. The site provides sufficient parking. The reduced setback would in part be used for parking.

In consideration of the above the proposal complies with the standard through the Performance Criteria.

Part E: Codes

The following codes of the Scheme apply:

E5.0 Road and Rail Asset Code

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

E5.5.1 A3 Existing road accesses and junctions

The proposal does not satisfy the Acceptable Solution in E5.5.1 A3 with respect to traffic increase. Therefore, the proposal relies on the related Performance Criteria P3:

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

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

Comment:

The application was referred to Council's Traffic Engineer, who assessed that the proposal satisfies the above Performance Criteria.

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

E6.0 Parking and Access Code

The number of parking spaces required under Acceptable Solution of E6.6.1 is seven. The number of parking spaces proposed meets the Acceptable Solution E6.6.1 A1 of the planning scheme.

The proposal is in accordance with the relevant Acceptable Solutions of the code, as demonstrated in the attached Appendix.

E7.0 Stormwater Management Code

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

Signs Code

The application proposes business identification signage, with graphics unknown until the site is tenanted. The proposed signage is shown in Figure 4:

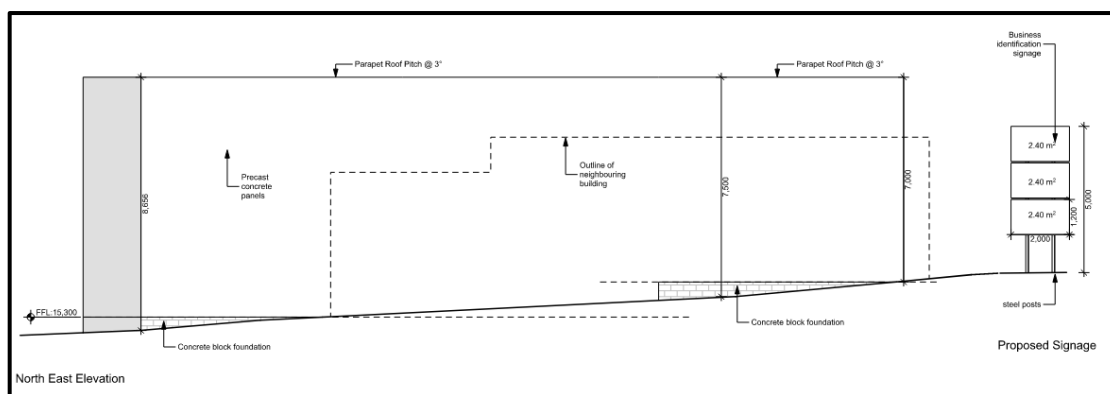


Figure 4: A view of the proposed signage.

E17.3 Definition of Terms

The proposed signs fall within this definition:

Ground Based Panel Sign	means a sign permanently attached to the ground on its own supportive structure, independent of any building, primarily intended to identify the premises and be seen from a distance. Does not include a pole or pylon sign or ground based sign.
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E17.7.1 A1 Standards for Signs

The proposal does not satisfy the Acceptable Solution in E17.7.1 A1 with respect to sign standards in Table E17.2 (where underlined):

Ground Based Panel Sign

- (a) Height above the ground no more than 5000mm;;
- (b) Width no more than 1500mm;
- (c) Does not encroach on any road or other public reservation.

Therefore, the proposal relies on the related Performance Criteria at:

E17.7.1 P1 Standards for Signs

A sign not complying with the standards in Table E17.2 or has discretionary status in Table E17.3 must satisfy all of the following:

- (a) be integrated into the design of the premises and streetscape so as to be attractive and informative without dominating the building or streetscape;*
- (b) be of appropriate dimensions so as not to dominate the streetscape or premises on which it is located;*
- (c) be constructed of materials which are able to be maintained in a satisfactory manner at all times;*
- (d) not result in loss of amenity to neighbouring properties;*

(e) not involve the repetition of messages or information on the same street frontage;

(f) not contribute to or exacerbate visual clutter;

(g) not cause a safety hazard.

Comments

The proposed signage is considered to be in accordance with the above Performance Criteria for the following reasons:

- The proposed signage is in proportion to the size of the building and located close to the crossover and internal driveway so as not be dominating the building or the streetscape. It has a lower height than the building as well as being 17.7 m away from the nearest building wall.
- The signage would be constructed with steel framing, plywood backing and vinyl faces.
- The proposed signage is not considered to adversely affect the amenity of the area that is industrial in nature with corporate branding being typical.
- The proposed ground signage is blank, and would serve to identify the building tenancies with future applications. Being a new building with no other signage proposed there is not a repetition of information being caused.
- There would be no road safety issues with the proposed signage as it would not be confused with or obscure statutory signage.

PART F: Specific Area Plans

No specific area plan applies.

INTERNAL REFERRALS

Traffic Engineer

Introduction

The developer proposes to construct a warehouse with offices at the front of their property at 37 Howard Road. The driveway access will be located at a dedicated right turn lane to the property opposite the site at 2 Howard Road. This means that vehicles turning right into or out of this site will need to do so by crossing the opposing right turn lane.

The assessment below is based on the Traffic Impact Assessment (TIA) undertaken by Midson Traffic Plt Ltd, dated April 2021. The TIA based the assessment on 382.94 m² of warehouse and 104.89 m² of showroom. The application has since changed with a warehouse of 635.8 m² of which 147.97 m² is mezzanine floor area and office of 38.49 m². This has changed the traffic generation numbers but not the parking numbers.

Traffic Generation

The traffic generated by the development is expected to be 29 trips per day with 4 trips during peak hour based on RMS Guide (Roads and Maritime Services) Road Traffic Authority NSW Guide to Traffic Generation Development for a warehouse and office. The TIA incorrectly stated 85 trips per day with 9 trips per hour which should have been 22 trips per day with 3 trips during peak.

Based on the above the Acceptable Solution is met for clause E5.5.1 A3 of the Glenorchy Interim Planning Scheme. The TIA noted that the increase in traffic can be readily absorbed in the network without loss of efficiency or detrimental impact on road safety.

Howard Road carries around 6,000 vehicles per day of which 10% are commercial vehicles. Access to the site will be off Howard Road in which traffic will be commercial and industrial in nature which is consistent with the current traffic use.

The TIA is accepted, and it can be concluded that the additional traffic should not have a significant impact on the road network and the acceptable solution E5.5.1 A3 is met in the planning scheme.

Driveway Access

The development is proposing to use an existing access off Howard Road. Sight distance at this access in both directions exceeds 80m, thus meets the acceptable solution E5.6.2 of the planning scheme.

A dedicated right turn lane has been constructed adjacent to the subject site at 2 Howard Road where there is a large building being constructed, similar in size to adjoining Bunnings. This means that vehicles turning right into or out of this site will need to do so by crossing the opposing right turn lane.

The findings of the TIA undertaken for 2 Howard Road in late 2019 regarding this turning movement was reassessed as part of this TIA due to the increase in traffic. The traffic volume turning right into 2 Howard Road was estimated to be 75 vehicles per peak hour in year 2029.

The current maximum right turns at 37 Howard Road is estimated to be 4 per hour into the site and 4 per hour out of the site. This TIA estimates that the proposed development will increase the right turn into the site by 3 per peak hour and 4 per peak hour out of the site. The increase in right turn movements into 37 Howard Road site is likely to be less than this due to traffic volume numbers in the TIA being incorrect.

The increase in right turn movements was assessed in this TIA and it was concluded that the additional inward and outward movements of traffic will not have any significant adverse impact on the safety or efficiency of the access. The findings of the 2 Howard Road TIA are also noted below:

It should be noted the proposed two way right turn traffic management treatment along Howard Road was developed to have right turning traffic on arterial type roads with many frontage driveways along both sides of the road to stop in the median lane when giving way to oncoming traffic, thereby improving traffic efficiency and safety. However, it is not a traffic management treatment aimed at eliminating overlapping right turns or even opposing vehicle movements competing for the same road space. Such opposing movements do occur at busier driveways but without any safety issues arising as drivers work out how to manage each such situation. The fact that a right turn lane is proposed for opposing vehicles turning into to the development site will not add any significant complexity to the situation.

Commercial Vehicles

Commercial vehicles will access the site via the driveway off Howard Road and turn at the back of the new building. The turning area can accommodate a 12.5 heavy rigid vehicle and then reverse into the warehouse. The development proposes that the warehouse will likely use up to a 12.5m trucks several times a day.

The TIA assessed the commercial vehicle facility against the Australian Standard AS2890.2 in which it concluded it complied. Thus, the acceptable solution of clause E6.7.13 of the planning scheme is met.

Parking Supply

The development is proposing seven car parking spaces which includes one accessible space. The new building is proposed along the western frontage of the property off Howard Road. This area is not currently used for parking by the existing buildings on the site, as parking for these occurs within the building and behind the building accessed via Farley Street.

Three of the proposed new parking spaces including the accessible space, will be located adjacent to the new building. The other four will be located alongside an existing building with no loss in parking for the existing buildings.

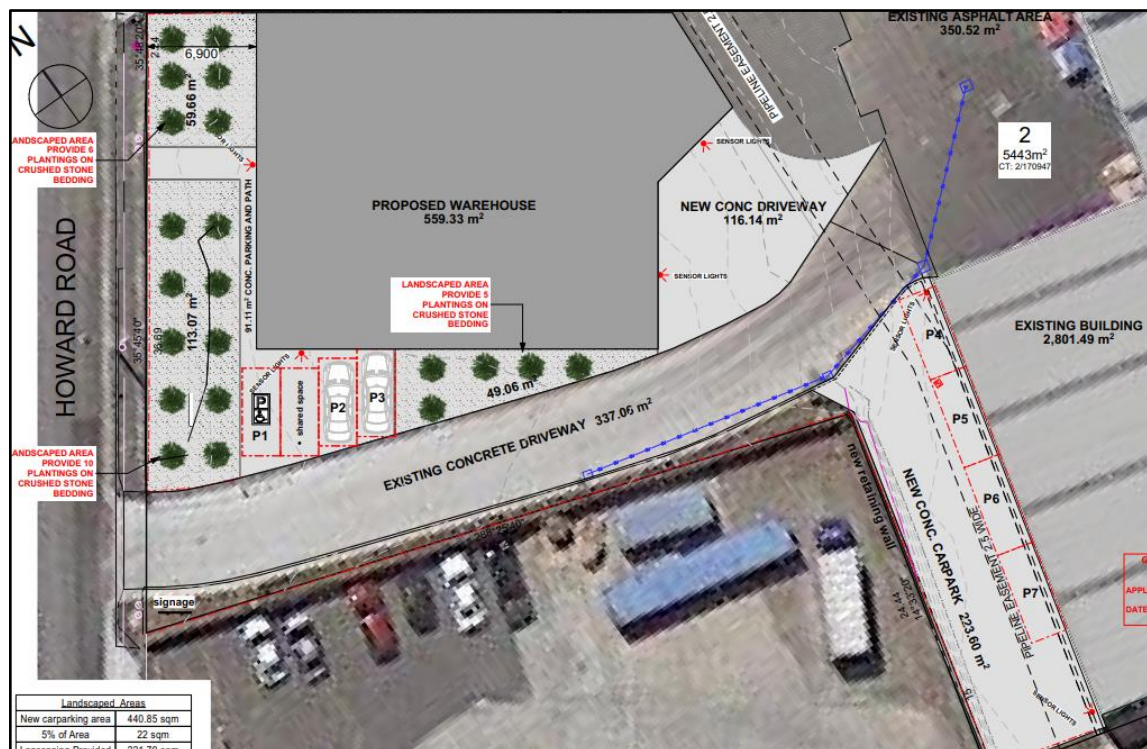
The number of parking spaces required under the Glenorchy Interim Planning Scheme is seven. The number of parking spaces meets the Acceptable Solution E6.6.1 A1 of the planning scheme.

Conclusion

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

Development Engineer

The development application seeks an approval for a warehouse at the front of the property at 37 Howard Road as see in the figure below.



The works comprise of the driveway access and new parking area. Due to the location of the vehicle crossing located opposite the new dedicated turning lane to Spotlight, the development application has been referred to Council's Traffic Engineer for review and comment. The Traffic Impact Assessment (TIA) undertaken by Midson Traffic Pty Ltd, dated April 2021 is submitted as part of the application as a supporting document.

E5.0 Road and Railway Assets Code

Based on the TIA it is expected that the proposed warehouse will increase vehicle movements, to and from the site, by approximately 85 vehicle movements per day and therefore the development application is unable to comply with the Acceptable solution A3 of E5.5.1. The TIA then addressed the performance criteria, P3 under the E5.5.1, stating that the increase in traffic can be readily absorbed in the traffic network without loss of efficiency or detrimental impact on road safety. Providing that Howard Road is a major collector road which carries over 6,000 vehicles per day (vpd), Council's engineers agree with the conclusion in the TIA that the additional traffic should not have a significant impact on the road network. Thus, the performance criteria for E5.5.1 P3 is met.

The site can be accessed off the existing vehicle crossing, and no new access is proposed; this complies with A2, E5.6.2. As a dedicated has been constructed adjacent to the subject site that will access the site opposite (2 Howard Road) which will require

all vehicles turning right into the subject site to do so by crossing the opposing right turn lane; the TIA is required to address the matter. The increase in right turn movements was assessed in this TIA and it was concluded that the additional inward and outward movements of traffic will not have any significant adverse impact on the safety or efficiency of the access.

Sight distance in both directions exceeds 80m and hence comply with the Acceptable solution, A1 E5.6.4.

Thus, the development complies with the Code.

E6.0 Parking and Access Code

The site can be accessed off the existing vehicular access onto the proposed driveway and parking area. The requirement under the E6.6.1, A1 requires the total of seven (7) car parking spaces for the proposed warehouse (storage). The applicant proposes to comply with the requirements providing 7 on-site car parking spaces consisted of 3 spaces adjacent to the new development (including 1 accessible parking space) and 4 spaces adjacent to the existing building as shown in the extract in the above section. Therefore, the acceptable solutions are met for E6.6.1 and E6.6.2.

There are no requirements for motorcycle parking spaces and bicycle parking spaces applicable to the development application.

The layout of parking area complies with the standard AS2890.1:2004. The surface treatment of the driveway is proposed to be concrete. These comply with the acceptable solutions.

The passing bay, on-site turning area, landscaping and lighting and commercial vehicle clauses are considered meeting the acceptable solution requirements and will be conditioned in the permit.

Therefore, it is concluded that 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.

E7.0 Stormwater Management Code

There are no GCC stormwater mains affected by this application and there is no new connection proposed. Stormwater runoff is proposed to discharge to the existing system. Therefore, the SW arrangement is considered comply with the acceptable solution, A1.

The stormwater system is required to incorporate water sensitive urban design for treatment, as the size of the new impervious area is over 600 sq.m. and there are more than 6 new car parking spaces proposed as part of the application. The developer proposes gross pollution traps and treatment elements to capture the suspended

solids phosphorus and nitrogen. This will also be conditioned in the permit. Therefore the acceptable solution, A2 is met.

The increased amount of runoff generated by the proposal must be retained to the pre-existing condition to comply with the acceptable solution, A3. The stormwater plan by Aldenmark provided a new in ground 2000L detention tank with ocean protect stormfilter treatment system to be installed to retain and limit stormwater flow to the existing system to the existing pre-development flow. Therefore, A3 is met.

Post development overland flow paths is not expected to be significantly affected, with the new driveway and hardstand area capturing flows to outlet. Therefore, A4 is met.

Therefore, the development is considered meet the requirements in Stormwater Management Code.

Other

E3.0 Landslide Code

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

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

Not applicable.

E15.0 Inundation Prone Areas Code

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

EXTERNAL REFERRALS

TasWater

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

TasGas

The agency responded with advice noting that "Works within 25 meters from high pressure steel gas pipeline should be carried out under a works agreement issued by Tas Gas".

REPRESENTATIONS

The application was advertised for the statutory 14-day period with zero representations being received.

CONCLUSION

The application proposes the construction of a new warehouse with ancillary office space and signage. The application is discretionary for the reduced front setback and signage. The proposal satisfies each of the relevant Performance Criteria as outlined within the report.

There were no representations received during the statutory advertising period.

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

Recommendation:

That a permit be granted for the proposed use and development of Warehouse (Storage) with associated Office and signage at 37 Howard Road Glenorchy subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-20-243 and drawings submitted on 15/3/2021 and 29/3/21, except as otherwise required by this permit.
2. Landscaping works as shown on the endorsed plans must be completed within six months from issue of Certificate of Occupancy to the satisfaction of Council's Senior Statutory Planner and then maintained to the satisfaction of Council's Senior Statutory Planner.
3. Any conditions and/or advice as determined by TasWater, and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2020/00910-GCC, dated 2/12/2020, form part of this permit.

Engineering

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

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

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

5. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
6. All internal hydraulic service works required for the development must be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor. Any alterations or works to Council mains must be approved by Council and undertaken at the developer's cost.
7. The design and construction of the parking, access and turning areas must generally comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, 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 must not exceed the maximum gradient of 20%;
 - (b) The total of 7 clearly marked car parking must be provided in accordance with the approved plan received by Council and kept available for these purposes at all times;
 - (c) Of the required number of car parking spaces, one (1) car parking space must be provided for the exclusive use of people with disabilities, clearly marked and kept available for these purposes at all times;
 - (d) All runoff from paved and driveway areas must be discharged into Council's stormwater system;
 - (e) Be incorporated the WSUD and landscaping into the parking areas of the development;
 - (f) Be clearly line-marked or physically separated to each space in accordance with the approved plan;

- (g) Landscaping of parking and circulation areas must be provided and must be no less than 5 percent of the area of the car park;
- (h) Lighting in accordance with clause 3.1, AS1158.3.1:2005 must be installed;
- (i) The gradient of any parking areas must not exceed 5%; and
- (j) Minimum carriageway width is to be no less than 3.0 metres.

All works required by this condition must be installed prior to the occupancy of the building and/or the commencement of use.

8. The on-site stormwater detention must be provided so that stormwater discharged from the site does not exceed the pre-existing stormwater runoff for the critical duration of the 5% Annual Exceedance Probability events in the catchment. Any system proposed to retain the required runoff storage volume must be detailed in an engineering design lodged and approved prior to the issuing of the Building Permit, and to be designed, constructed and maintained to the satisfaction of Council's Development Engineer. The design must be prepared by a suitably qualified engineer.
9. Stormwater runoff from the roofed and car parking areas must be discharged and directed to Council's existing stormwater connection. Stormwater pre-treatment is required. A Water Sensitive Urban Design (WSUD) element for the treatment of stormwater discharging from the development must be incorporated into the development. Plans must be submitted and approved by Council's Development Engineer prior to the issuing of a Building Approval. The stormwater treatment detail must be designed and certified by a suitably qualified Engineer and must be submitted to and approved by Council.
10. Upon approval of the WSUD and OSD Maintenance Scheme, and in association with a Building Application, the applicant must enter into a registered agreement with Council, at the sole expense of the applicant, pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993*, for the area which is subject to this permit. The Owner and all successors in title must advise any subsequent successor in title of the existence of the Agreement and its terms and conditions. The Part 5 agreement must require the Owner and all successors in title to covenant and agree with Council the following:
 - (a) All works outlined in the WSUD and OSD Maintenance Scheme submitted by the applicant and approved by Council, including the maintenance method and frequency for individual WSUD and OSD elements, must be implemented and managed by the Owner and all successors in title at their sole expense;

- (b) The Owner must keep the maintenance records in an accessible form (either printed or electronic) for five years from the date of the work was carried out to prove that the maintenance of each WSUD and OSD element has been conducted in accordance with the WSUD and OSD Maintenance Scheme;
- (c) Repair and replace all the WSUD and OSD elements at the sole expense of the Owner and all successors in title so that the WSUD and OSD functions (stormwater quality and quantity control) in a safe and efficient manner.
- (d) Permit the Council from time to time and upon giving reasonable notice (but in the case of an emergency, at any time and without notice) to enter and inspect the WSUD and OSD elements for compliance with the requirements of this agreement;
- (e) Comply with the terms of any written notice issued by the Council in respect of the requirements of this agreement within the time stated in the notice.

Advice to Applicant

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

Other Permits

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

Underground Services

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

Works within 25 meters from high pressure steel gas pipeline should be carried out under a works agreement issued by Tas Gas.

Attachments/Annexures

- 1** GPA Attachments - 37 Howard Road Glenorchy



APPENDIX A**25.0 General Industrial**

Standard	Acceptable Solution	Proposed	Complies
25.4 Development Standards for Buildings and Works			
25.4.1 Building Height	A1 Building height must be no more than: 20m.	Maximum building height: 8.7 m	Yes
25.4.2 Setback	A1 Building setback from frontage must be no less than: 10m.	Primary frontage: 6.9 m	No - discretion
25.4.3 Design	A1 Building design must address the street by complying with all of the following: (a) provide the main pedestrian entrance to the building at the frontage; (b) screen mechanical plant from view from the street and other public spaces; (c) incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof.	a) Main entry to Howard Street b) Condition c) Condition	Yes
24.4.4 Fencing	A1 Fencing must comply with all of the following: (a) fences, walls and gates of greater height than 2.4 m must not be erected within 10 m of the frontage; (b) fences along a frontage must be at least 50% transparent above a height of 1.2 m.	Existing front fencing is not changed and transparent (wire mesh).	Yes

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

Standard	Acceptable Solution	Proposed	Complies?
5.5 Use Standards			

Standard	Acceptable Solution	Proposed	Complies?
E5.5.1 Existing road accesses and junctions	A1 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.		NA
	A2 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.		NA
	A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.		Yes
E5.5.2 Exiting Level Crossings	A1 Where use has access across part of a rail network, the annual average daily traffic (AADT) at an existing level crossing must not be increased by greater than 10% or 10 vehicle movements per day, whichever is the greater.		NA
5.6 Development Standards			

Standard	Acceptable Solution	Proposed	Complies?
E5.6.1 Development adjacent to roads and railways	A1.1 Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h: (a) new buildings; (b) other road or earth works; and (c) building envelopes on new lots.		NA
	A1.2 Buildings, may be: (a) located within a row of existing buildings and setback no closer than the immediately adjacent building; or (b) an extension which extends no closer than: (i) the existing building; or (ii) an immediately adjacent building.		NA
E5.6.2 Road accesses and junctions	A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h		Yes
	A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.		Yes

Standard	Acceptable Solution	Proposed	Complies?
E5.6.3 New Level Crossings	A1 No Acceptable Solutions.		NA
E5.6.4 Sight distance at accesses, junctions and level crossings	A1 Sight distances at: (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.		Yes

APPENDIX C

E6.0 Parking and Access Code

Standard	Acceptable Solution	Proposed	Complies?
E6.6 Use Standards			
E6.6.1 Number of Car Parking Spaces	A1 The number of on-site car parking spaces must be: (a) no less than the number specified in Table E6.1 and no more than 10% greater than that number; except if: (i) the site is subject to a parking plan for the area adopted by Council, in which case		Yes

Standard	Acceptable Solution	Proposed	Complies?
	<p>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>		
<p>E6.6.2</p> <p>Number of Accessible Car Parking Spaces for People with a Disability</p>	<p>A1</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>		Yes
<p>E6.6.3</p> <p>Number of Motorcycle Parking Spaces</p>	<p>A1</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). 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>		N/A
<p>E6.6.4</p> <p>Number of Bicycle Parking Spaces</p>	<p>A1</p> <p>The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.</p>		Yes
E 6.7 Development Standards			
<p>E6.7.1</p> <p>Number of Vehicle Accesses</p>	<p>A1</p>		Yes

Standard	Acceptable Solution	Proposed	Complies?
	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.		
E6.7.2 Design of Vehicular Accesses	<p>A1</p> <p>Design of vehicle access points must comply with all of the following:</p> <ul style="list-style-type: none"> (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities. 		N/A
E6.7.3 Vehicular Passing Areas Along an Access	<p>A1</p> <p>Vehicular passing areas must:</p> <ul style="list-style-type: none"> (a) be provided if any of the following applies to an access: <ul style="list-style-type: none"> (i) it serves more than 5 car parking spaces; (ii) is more than 30 m long; (iii) it meets a road serving more than 6000 vehicles per day; (b) be 6 m long, 5.5 m wide, and taper to the width of the driveway; (c) have the first passing area constructed at the kerb; (d) be at intervals of no more than 30 m along the access. 		Yes

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

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

Standard	Acceptable Solution	Proposed	Complies?
Bicycle End of Trip Facilities	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.		
E6.7.12 Siting of Car Parking	A1 Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.		Yes
E6.7.1.13 Facilities for E7 s	A1 Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless: (a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site; (b) the use is not primarily dependent on outward delivery of goods from the site.	N/A	Yes
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements of the road authority.		Yes

APPENDIX D

E7.0 Stormwater Management Code

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

APPENDIX E

E17.0 Signs Code

Standard	Acceptable Solution	Proposed	Complies?
E17.6 Use Standards			
E17.6.1 Use of Signs	A1 A sign must be a permitted sign in Table E17.3	A Business directory sign is permitted in the General Industrial Zone.	Yes
	A2 A sign associated with the sale of goods or services must relate directly to the use of the building or site to which it is affixed.	Blank signage is proposed until tenancy is leased.	N/A
	A3 A sign must not contain flashing lights, moving parts or changing messages or graphics, except if a Statutory Sign	The signs would not contain lights, moving messages or parts.	Yes
	A4 An illuminated sign must not be located within 30 metres of a residential use, except if a Statutory Sign.	No illumination proposed.	N/A
E17.7 Development Standards			
E17.7.1 Standards for Signs	A1 A sign must comply with the standards listed in Table E.17.2 and be a permitted sign in Table E17.3.	Complies with Table 17.3 Status of Signs within Zone. Does not comply with Table 17.2 Sign Standard as underlined. Business Directory (a) No more than 1 sign per building; (b) Vertical dimension no more than 2000mm; (c) <u>Horizontal dimension no more than 600mm.</u> Proposed dimensions are 2.0mx0.6m per building (1.2m ²). Permitted signage is proposed of 1.2x2.0m per sign (2.4m ²).	No - discretion
	A2 The number of signs per business per street frontage must comply with all of the following: (a) maximum of 1 of each sign type;	a) There would be 1 Business Directory sign at the Howard Street frontage (north-west). b) N/A c) N/A	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(b) maximum of 1 window sign per window; (c) if the street frontage is less than 20 m in length, the maximum number of signs on that frontage is 3; (d) if the street frontage is 20 m in length or greater, the maximum number of signs on that frontage is 6. except for the following sign types, for which there is no limit; (i) Building Site, (ii) Name Plate, (iii) Newspaper Day Bill, (iv) Open/Closed, (v) Real Estate, (vi) Street Number, (vii) Temporary Sign.	d) Frontage is greater than 20m	
	A3 Signs must not obscure or prevent or delay a driver from seeing a Statutory Sign or a Tourist Information Sign.	The proposed signage would be in the site alongside the driveway and would not obstruct any statutory signage.	Yes
	A4 Signs must not resemble Statutory Signs because of the same or similar shape, size, design, colour, letter size or lighting.	The proposed signage would not resemble statutory signage.	Yes
	A5 For properties that have a common boundary with Brooker Avenue, any advertising sign must be located at least 5m from that boundary.	No common boundary with Brooker Hwy.	N/A
E17.7.2 Standards for signs on Heritage Places subject to the Heritage Code or within Heritage Precinct or Cultural Landscape Precincts	A1 No acceptable solution.	Not heritage listed	N/A

**8. PROPOSED USE AND DEVELOPMENT - MULTIPLE DWELLINGS
(8) - 34A CARNEGIE STREET CLAREMONT**

Author: Planning Officer (Roy Adam)

Qualified Person: Planning Officer (Roy Adam)

Property ID: 3024868

REPORT SUMMARY

Application No.:	PLN-21-080
Applicant:	Prime Design (Invermay)
Owner:	Thi Thanh Tam Do
Zone:	General Residential
Use Class	Residential
Application Status:	Discretionary
Discretions:	10.4.2 Setback and Building Envelope 10.4.3 Site coverage and Private Open Space 10.4.6 Privacy for all dwellings E.5.5.1 Existing Road Accesses and Junctions (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	19 May 2021
Existing Land Use:	Vacant Land
Representations:	1

Recommendation:**Approval, subject to conditions**

REPORT IN DETAIL

PROPOSAL

The application is for a construction of eight (8) two - bedroom dwellings at 34A Carnegie Street, Claremont. The dwellings are to be arranged along the edges of the property with an internal concrete driveway, providing access to each dwelling.

Unit 1 is located towards the frontage, with a minimum setback of 18.9m, units 6-8 have a setback of 4.0m to the south west side boundary, units 3 and 4 are set back 1.5m from the rear (south) boundary, Unit 5 is set back 1.1m from the rear boundary, and Unit 2 is set back 4.5m from the east boundary. A retaining wall extends alongside the south west side boundary (46.6m) and rear boundary (15.9m) for a total length of 62.5m. At the rear boundary the retaining wall is set back 0.48m. The dwellings are to be single storey with a maximum height ranging between 3.8m to 7.7m above natural ground level.

The units 1 and 2 are to have a floor area of 139.6m² and units 3-8 are to have a floor area of 110.58m². The floor layout of units 1 and 2 comprises three bedrooms, an open plan kitchen/dining and living which opens onto a deck, a bathroom, a single garage with a laundry. Units 1 and 2 also have an outdoor parking space alongside each unit.

The floor layout of units 3-8 comprises two bedrooms, an open plan kitchen/dining and living which opens onto a deck, a bathroom and a laundry. Units 3-8 also have two parking spaces beneath each unit as carports.

Each unit has access to two parking spaces. Two visitor parking spaces are proposed for the development overall, on the northern side of Unit 1. Each dwelling would have access to more than 75m² of private open space.

A 1.8m high fence is proposed between units 3-8. Nine bins (recycling, waste, and FOGO) are located alongside the shared driveway, screened by a timber fence.



Figure 1: Proposed Site Plan

SITE and LOCALITY

The subject site is located on the west side of Carnegie Street and obtains frontage at the north-eastern portion of the site onto a short section of the public road (36 m length). The application includes a private right of way to which the subject site has a right of carriageway. This right of way is shared along with 32B and 32C Carnegie Street.



Figure 2: An aerial view of the subject site and surrounding locality

The property at 34A Carnegie Street is an internal lot. It is situated behind a row of dwellings fronting Carnegie Street. The property has an irregular shape of 3332m² with eastern aspect on the side of a small hill. The lot has a moderate to steep slope. The property is vacant, with no standing vegetation. There is an existing driveway over the access strips of 32B and 32C Carnegie Street, which are also internal lots.

The locality is characterised by residential development, as well as undeveloped land in the vicinity of a small hill. The property adjoins six properties. The properties to the east contain a row of houses facing Carnegie Street, with backyards adjoining the common boundary. The property adjoining to the south and west comprise vacant land with a few scattered trees.

ZONE

The site is located within the General Residential Zone and adjoins the same zoning on all sides as shown in Figure 3.



Figure 3: Snapshot of the zoning

BACKGROUND

Reason for GPA

Planning Services do not have delegation to determine proposals for more than four dwellings or when a representation is received.

PLN-17-157 for six multiple dwellings was approved by the Glenorchy Planning Authority 16/10/2017.

Application

The application involves adjacent land over which there is a Right of Way. Therefore, the land at 32B and 32C Carnegie Street is also part of the application. Council received confirmation that the respective land owners have been notified, in accordance with Section 52 of the *Land Use Planning and Approvals Act 1993*.

Titles

The Schedule of Easements connected to the Certificate of Title for the subject site states that a right of carriageway exists over the Right of Way. The stated width is 11.64 m.

Right of Way

The *Conveyancing and Law of Property Act 1884* in Schedule 8 defines the rights of carriage way as:

Full and free right for every person who is at any time entitled to an estate or interest in possession in the land herein indicated as the dominant tenement or any part thereof with which the right shall be capable of enjoyment, and every person authorized by him, to go, pass, and repass at all times and for all purposes with or without animals or vehicles or both to and from the said dominant tenement or any such part thereof.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil.

Limited Exemptions

Nil.

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

No SAP applies.

No conflict between zone and code provisions.

Use Class Description (Table 8.2):

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

Other relevant definitions (Clause 4.1):

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

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

Multiple Dwellings means 2 or more dwellings on a site.

Private Open Space means an outdoor area of the land or dwelling for the exclusive use of the occupants of the land or dwelling.

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

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

Part C: Special Provisions

No special provisions of the Scheme apply to this proposal.

Part D: Zones

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

Zone Purpose Statements

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

10.1.1.2 To provide for compatible non-residential uses that primarily serve the local community. 10.1.1.3 To provide for the efficient utilisation of services.

Comment: The proposal is for the development of fully serviced vacant land to accommodate total of eight dwellings. The proposal is assessed as complying with the purpose of the zone.

Use Table

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

Use Standards

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

Development Standards for Residential Buildings & Works

10.4.2 Setback and Building Envelope (A3/P3)

A retaining wall is proposed 0.48 m from the south boundary for a length of 16.0 m. As such, the proposal relies on performance criteria P3 which requires:

The siting and scale of a dwelling must:

(a) not cause unreasonable loss of amenity by:

(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or

(ii) overshadowing the private open space of a dwelling on an adjoining lot; or

(iii) overshadowing of an adjoining vacant lot; or

(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and

(b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.

Comment: A shadow diagram was supplied by the applicant which demonstrated the potential overshadowing on the adjoining properties (shown in Figure 4).

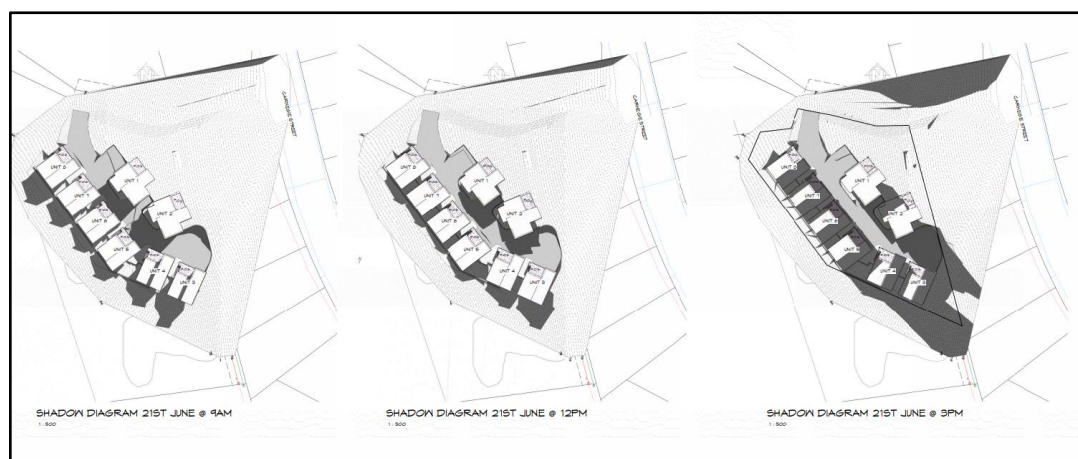


Figure 4: An hourly shadow cast diagram for the impact of the proposed development on 21st of June (Winter Solstice)

The shadow diagram above shows that the proposal would impact the adjoining property at 124 Branscombe Road, 40 Carnegie Street and 42 Carnegie Street during winter solstice. These sites would be impacted at 3pm as shown in Figure 4. All three sites will have access to a minimum of three hours of sunlight between 9am and noon. The proposal is therefore assessed as not causing an unreasonable loss of amenity to the adjoining properties.

The proposed retaining wall along the southern boundary is to be cut into the slope and have a negligible height above ground level. The dwellings at this interface, units 3 and 4, are to be single storey with a maximum heights of 6.9m and 7.74 m

respectively, which matches existing dwellings in the area, in terms of scale, bulk and proportion. The proposal includes a setback to the eastern side boundary of 4.5m, which exceeds that typically found in the vicinity. The 1.5 m setback to the southern boundary, adjoining the vacant lot, is typical to that in Carnegie Street.

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

10.4.3 Site coverage and Private Open Space (A2/P2)

Units 3 to 8 have decks slightly less than 24m² as private open space (23m²). The proposal relies on performance criteria P2, which requires the following:

A dwelling must have private open space that:

(a) includes an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and that is:

(i) conveniently located in relation to a living area of the dwelling; and

(ii) orientated to take advantage of sunlight.

The private open space for units 3-8 is located generally to the north of the dwellings and is accessible through an open plan living space on each floor plan. It is noted that at each of the dwellings, the total amount of private open space to the outside of the dwellings and underneath is easily capable of acting as an outdoor extension of the dwelling for relaxation, dining, entertaining and children's play. Each dwelling would have access to a minimum of 70m² of private open space (excluding car parking). The shadow diagram at Figure 4 shows that the 23m² decks portion of these totals would have access to at least three hours of sunlight during winter solstice.

Please note that Unit 3 has a fence to the east, defining its private open space that has been included on the landscaping plan. A condition ensuring its construction is recommended.

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

10.4.6 Privacy for all dwellings (A2/P2)

Unit 5 has a bedroom window (Bedroom 1, East Elevation) set back less than 6 m from the private open space of Unit 4.

Unit 3 has a bedroom window (Bedroom 2, South Elevation) that has a floor level more than 1 m above natural ground level and set back less than 3 m from the south boundary.

Therefore, the proposal relies on performance criteria P2, which requires:

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

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

Comment:

The Unit 5 bedroom window on the east elevation is separated by 3.3 m to the private open space of Unit 4 to the east (north-facing deck). The windows do not have a sill height of 1.7 m nor any screening. These views have been minimised by a screen on the deck on the west elevation that is 1.7 m in height and a uniform transparency of not more than 25 percent.

The Unit 3 bedroom window on the south elevation is separated by 1.5 m to the south boundary. The windows do not have a sill height of 1.7 m nor any screening. As such it is recommended that this window be screened to a height of 1.7 m above finished floor level. A condition to this effect is recommended.

Overall in regards to the above two points, the proposal is assessed as complying with the performance criteria and meeting the standard.

Part E: Codes

The following codes of the Scheme apply to this proposal:

E5.0 Road and Rail Assets Code

E.5.5.1A3 Existing Road Accesses and Junctions

The proposal does not meet the Acceptable Solution in E5.5.1 A3 which is as follows:

- *The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.*

The proposal therefore relies on the related Performance Criteria:

E.5.1P3 Existing Road Accesses and Junctions

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

- (a) the increase in traffic caused by the use;*
- (b) the nature of the traffic generated by the use;*

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

Comment

Through discussion with Council's Development Engineer and with reference to the NSW Department of Transport Guide to Traffic Generating Developments, it is expected that there would be an increase in annual average daily traffic (AADT) vehicular movements of up to 59 per day, which exceeds the 40 vehicular movements of the Acceptable Solution.

- a) The increase in traffic generated by the development is expected to be up to 59 vehicle movements per day. This peak traffic generation is considered unlikely to have any detrimental impacts on traffic efficiency or safety of the existing access to Carnegie Street.
- b) Traffic generated by the development is residential. This traffic would be compatible with existing traffic in the surrounding, residential road network.
- c) The existing access is a driveway that currently services two residential properties. The driveway operates at a high level of service due to the very low volume of traffic currently utilising it. The additional traffic generated by the proposed development during peak periods will not have any significant adverse impacts on traffic efficiency of the access and its junction with Carnegie Street.
- d) Carnegie Street is a local residential road that carries a low traffic volume and has relatively low speeds.
- e) The speed limit of Carnegie Street is 50 km/hr. This provides a relatively safe operating speed environment for traffic entering and leaving the subject site.
- f) No alternative access is considered possible nor proposed for the site.
- g) The residential use is in accordance with the General Residential Zone for the subject site and arises from the planning proposal.
- h) A traffic impact assessment was not requested on this occasion to investigate the impacts associated with traffic generation from the proposal.
- i) Council's Development Engineer is in support of the proposal.

In regards to the above it is considered that the performance criteria are achieved. The application was referred to Council's Development Engineer who has advised that the performance criteria is achieved.

E6.0 Parking and Access Code

The application proposes a total of 18 parking spaces, which is two per dwelling and two visitor parking spaces. This satisfies the parking requirement of the Acceptable Solution A1 of Clause E6.6.1. The proposal accords with the relevant Acceptable Solutions as demonstrated in the attached Appendix C. For further comments please refer to the Engineering Assessments under the Referrals section later in this report.

E7.0 Stormwater Management Code

The proposal accords with the relevant Acceptable Solutions demonstrated in the attached Appendix. No discretions are relied upon to demonstrate accordance with the Code. To comply with the acceptable solution A2 a stormwater treatment system will incorporate water sensitive urban design measures.

For further comments please refer to the Engineering Assessments under the Referrals section later in this report.

PART F: Specific Area Plans

No SAP applies.

INTERNAL REFERRALS

Development Engineer

The proposal is to construct eight (8) units with frontage to Carnegie Street Claremont. The allotment is fully serviced.

E5.0 Road and Railway Assets Code

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

The development has reciprocal rights over an existing concrete driveway servicing 32B and 32C Carnegie Street.

A representation was received during the statutory advertising period expressing concerns related to the existing driveway access and potential impact to their property if widening was proposed to accommodate pedestrian access to the proposed development. The existing driveway referred to in the representation is actually a public road and therefore no upgrade to this existing carriageway is proposed.

E6.0 Parking and Access Code

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

E7.0 Stormwater Management Code

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

The report by Aldanmark, dated 31/08/20, and other drawings submitted as part of the application demonstrated that the WSUD design proposed will achieve the acceptable stormwater quality and quantity targets stated in Table E7.1 of the Glenorchy Interim Planning Scheme 2015, for the treatment of stormwater.

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

It has not been demonstrated that the minor stormwater system has been designed to accommodate an ARI of 20 years, therefore stormwater detention has been proposed to maintain the post-development flow rate to a pre-development stage.

Other

E3.0 Landslide Code

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

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

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

E15.0 Inundation Prone Areas Code

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

Waste Management Officer

Waste management services to the proposed multiple dwelling development at 34a Carnegie Street would be Councils shared bin service, collected weekly. The wheelie bins should be stored in a bin enclosure within the property boundary and are not to

be taken to individual units. All wheelie bins should be placed on the existing kerbside for collection.

EXTERNAL REFERRALS

TasWater

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

TasNetworks

No objection was raised to the proposal.

REPRESENTATIONS

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

1. (Driveway, pedestrian access and vehicle movements)

The representor is concerned about the driveway access width, pedestrian access from Carnegie Street to the proposed development, and increased vehicle movements.

Planner's Comment:

This issue has been previously addressed in the Development Engineers' internal referral response.

The representor's property at 34 Carnegie Street contains a front yard with an embankment alongside the the 36 m long portion of Carnegie Street that connects to the right of way shared by 34A, 32B and 32C. This public road entry will not be modified as a result of this proposal. Nor are works alongside the public road proposed in any other form, such as a pedestrian footpath or any other widening.

CONCLUSION

The proposal relies on performance criteria for compliance with the standards for 10.4.2 Setback and Building Envelope, 10.4.3 Site Coverage and Private Open Space, 10.4.6 Privacy for all dwellings, and E5.5.1 Existing road accesses and junctions.

The proposal is assessed as satisfying the performance criteria and complies with the standards. The proposal is assessed as complying with all other use and development standards in the General Residential Zone, as well as the applicable standards of the Road and Railway Assets Code, Parking and Access Code, and Stormwater Management Code. The application was publicly advertised for the statutory 14-day period and one representation was received. It is concluded that the proposal is consistent with the requirements of the Scheme and is satisfactory.

Recommendation:

That a permit be granted for the proposed use and development of Multiple Dwellings (8) at 34a Carnegie Street Claremont subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-21-080 and drawings submitted on 29/03/2021 and 7/5/2021, 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 2021-00292-GCC, dated 9/3/2021, form part of this permit.
3. The south-facing bedroom window of Unit 3 must be screened or made opaque to a height of 1.7 m above floor level to prevent overlooking of the adjoining lot. This requirement must be shown on plans submitted in association with a building application and must then be installed prior to occupancy and remain for the duration of the use.
4. A fence to clearly define the area of private outdoor space required for Unit 3 must be shown on plans submitted in association with a building application. The fence must be erected prior to occupancy and remain for the duration of the use.

Engineering

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

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

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

6. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
7. The design and construction of the accesses must generally comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004, to the satisfaction of the Council's Development Engineer. Drawings showing the design of the driveway must be submitted with the Building Application or prior to the commencement of works on site (whichever comes first) for approval by Council's Development Engineer. The proposed driveway and parking area must comply with the following-:
 - a) Be constructed to a sealed finish and the finished gradient must not exceed the maximum gradient of 25%;
 - b) The twenty eighteen (18) car parking spaces are to be clearly marked and must be provided in accordance with the approved plan and kept available for these purposes at all times;
 - c) Vertical alignment shall include transition curves (or straight sections) to the Australian Standard, Parking facilities - Part 1: Off-Street Carparking AS 2890.1 - 2004, Clause 2.5.3 (d) at all grade changes greater than 12.5%;
 - d) All runoff from paved and driveway areas must be discharged into Council's stormwater system;
 - e) Minimum carriageway width is to be no less than 3.0 metres.

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

8. No civil works related to or associated with the use or development approved by this permit are to occur on or external to the site unless these works are in accordance with engineering drawings that have been approved by Council's Development Engineer. Changes to the design and/or location of civil works will require the submission of amended engineering drawings prepared by a licensed civil engineer for approval by Council's Engineer.
9. Provide written certification from a licensed civil engineer certifying that all civil works have been completed in accordance with the engineering drawings approved by Council's Development Engineer and to the applicable Australian Standards prior to the commencement of the use or within 20 days of completion of the works whichever occurs first.

10. Arrange a compliance inspection with Council of the civil works that have been approved by Council's Development Engineer prior to the commencement of the use or within 20 days of completion of the works whichever occurs first. Note that a minimum of five (5) business days notice must be given to Council for a compliance inspection.
11. Adequate on-site stormwater detention must be provided so that stormwater discharged from the site does not exceed the pre-development stormwater runoff for 1 in 20 ARI (5% AEP) storm event. A detailed design must be submitted with the Building Application prepared by a qualified professional engineer for approval by Council's Senior Civil Engineer and installation completed prior to a Certificate of Occupancy being issued for the new dwellings.
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.
13. The development must incorporate the nominated Water Sensitive Urban Design (WSUD) element(s) or equivalent prior to a Certificate of Occupancy being issued for the new dwellings. The WSUD design must achieve the acceptable stormwater quality and quantity targets stated in Table E7.1 of the Glenorchy Interim Planning Scheme 2015, for the treatment of stormwater discharging from the development and be submitted and approved in association with a Building Permit Application.
14. Prior to the commencement of works, a WSUD Maintenance Scheme must be submitted for approval, to the satisfaction of Council's Hydraulic Engineer, defining the maintenance method and frequency for each WSUD elements incorporated in the treatment train. The future body corporate managing the site must comply with the WSUD Maintenance Scheme once it is accepted by Council, and any changes to this Scheme must first be approved by Council.
15. Upon approval of the WSUD Maintenance Scheme, and in association with a Building Application, the applicant must enter into a registered agreement with Council, at the sole expense of the applicant, pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993*, for the area which is subject to this permit. The Owner and all successors in title must advise any subsequent successor in title of the existence of the Agreement and its terms and conditions. The Part 5 agreement must require the Owner and all successors in title to covenant and agree with Council the following:
 - (a) All works outlined in the WSUD Maintenance Scheme submitted by the applicant and approved by Council, including the maintenance method and frequency for individual WSUD elements, must be implemented and managed by the Owner and all successors in title at their sole expense;

- (b) The Owner must keep the maintenance records in an accessible form (either printed or electronic) for five years from the date of the work was carried out to prove that the maintenance of each WSUD element has been conducted in accordance with the WSUD Maintenance Scheme;
 - (c) Repair and replace all the WSUD elements at the sole expense of the Owner and all successors in title so that the WSUD functions (stormwater quality and quantity control) in a safe and efficient manner.
 - (d) Permit the Council from time to time and upon giving reasonable notice (but in the case of an emergency, at any time and without notice) to enter and inspect the WSUD elements for compliance with the requirements of this agreement;
 - (e) Comply with the terms of any written notice issued by the Council in respect of the requirements of this agreement within the time stated in the notice.
 - (f) In the event that Owner fails to comply with its obligations under this Agreement, Council may arrange for its employees, agents or contractors to enter upon the Land and undertake all works necessary to ensure that the obligations of this Agreement are met and all required works are performed in full;
 - (g) The reasonable costs of all works undertaken pursuant to the clause above (including GST) will constitute a debt due and owing to the Council immediately upon demand, by the owner of the land upon which such works were undertaken and, if not paid to Council within 14 days of receipt of a demand for payment by Council, are recoverable by Council in a court of competent jurisdiction along with interest calculated.
16. The landscaping within the parking and circulation areas must be provided. A landscape design is to be submitted for approval of the Senior Statutory Planner prior to the commencement of any works on-site. The approved landscape works are to be completed prior to the occupancy of the dwellings.
17. Lighting is to be provided to all car parking and driveways areas in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car parks" of AS/NZ 1158.3.1: 2005. The illumination of the proposed light standards is to be activated prior to the occupancy.

Waste Services

18. The design for the bin enclosure must comply with the following:
- (a) it must be built on a flat surface with a concrete base/pad and surround of a brick or painted block enclosure or other suitable material to Councils approval,

- (b) it must have concrete at the entrance to the bin enclosure;
 - (c) it must suit 9 X 240L wheelie bins of size 1100 height x 600mm wide x 800mm deep and must allow for 300mm space in between each bin;
 - (d) recommended minimum height of the enclosure is 1200mm and minimum recommended depth is 930mm;
 - (e) the front of the enclosure may face the internal access driveway, and be left open throughout the length of the bin enclosure to enable the bins to be removed, and returned in a safe and efficient manner;
 - (f) there must be no lip on the concrete slab of the bin enclosure;
20. Prior to occupancy of any dwelling the bin enclosure must be constructed to the satisfaction of Council's Waste Services Co-ordinator. The Bin enclosure is to be shown on Building plans.

Advice to Applicant

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

Engineering

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

Waste Services

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

- The bins would be stored in a bin enclosure. The bin enclosure should be built within the property boundary preferably at the entrance of the property allowing a 4.5 metre distance from the entrance to prevent impacting on sight distances for vehicles leaving the site.
- It is recommended that no bin enclosure be built closer than a minimum of 5.5 metres to any residence to avoid odour and nuisance issues arising.
- Council's Waste Services Contractor would not enter the property to collect and empty bins. All wheelie bins should be placed on the existing kerbside for collection.

Other Permits

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

Attachments/Annexures

- 1 GPA Attachments - 34A Carnegie Street Claremont



APPENDIX A**10.0 General Residential Zone**

Standard	Acceptable Solution	Proposed	Complies?
10.3 Use Standards			
10.4 Development Standards for Residential Buildings and Works			
10.4.1 Residential density for multiple dwellings	A1 Multiple dwellings must have a site area per dwelling of not less than: (a) 325m ² ; or (b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.	Land 3332m ² /8 = 416.5m ² per dwelling	Yes
10.4.2 Setbacks and building envelopes for all dwellings	A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or (b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or (c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or (d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.	Unit 1 is closest to the frontage to the public road, setback exceeds 4.5m at 18.9m from lot frontage	Yes
	A2 A garage or carport must have a setback from a primary frontage of at least: (a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or	The closest garage (Unit 1) is setback more than 5.5m from the frontage.	Yes

	<p>(b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or</p> <p>(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.</p>		
	<p>A3 A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must:</p> <p>(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:</p> <p>(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</p> <p>(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</p> <p>(b) only have a setback within 1.5 m of a side boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or</p> <p>(ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).</p>	<p>Setback North: 6.1m Setback West: 2.7m Setback Southwest: 2.64m Setback East: 4.5m A retaining wall is proposed at the southwest and rear boundaries therefore the proposal relies on performance criteria P3.</p>	No – see report
<p>10.4.3 Site coverage and private open space for all dwellings</p>	<p>A1 Dwellings must have:</p> <p>(a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and</p> <p>(b) for multiple dwellings, a total area of private open space of not less than 60 m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(c) a site area of which at least 25% of the site area is free from impervious surfaces.</p>	<p>a) Total roofed area = 942.6m² , therefore site coverage = 28.3% b) Each units has access to more than 60m² of private open space each, calculating c) Approximately 47% free from impervious surface</p>	Yes
	<p>A2 A dwelling must have an area of private open space that:</p> <p>(a) is in one location and is at least:</p> <p>(i) 24 m²; or</p>	<p>Units 1 and 2: 24m² deck with minimum 4mx6m, directly accessible from living space, orientated to the north (comply with (e)). Comply with (f) and (g) – Overall complies with A2.</p>	No – see report

	<ul style="list-style-type: none"> (ii) 12 m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (b) has a minimum horizontal dimension of: <ul style="list-style-type: none"> (i) 4 m; or (ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and (d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and (e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and (f) has a gradient not steeper than 1 in 10; and (g) is not used for vehicle access or parking. 	Units 3-8: 23m ² decks do not comply. Directly accessible from living space, Comply with (f) and (g) – Overall, do not comply with A2.	
10.4.4 Sunlight and overshadowing of all dwellings	A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).	Units all comply with A1.	Yes
	A2 A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c): <ul style="list-style-type: none"> (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B): <ul style="list-style-type: none"> (i) at a distance of 3 m from the window; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. 	Complies. All units are 3m< apart.	Yes

	<p>(c) That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"> (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling. 		
	<p>A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c):</p> <ul style="list-style-type: none"> (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C): <ul style="list-style-type: none"> (i) at a distance of 3 m from the northern edge of the private open space; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: <ul style="list-style-type: none"> (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling. 	Complies as all nominated private open space for all units is 3m< from all dwellings.	Yes
10.4.5 Width of openings for garages and carports for all dwellings	<p>A1 A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).</p>		
10.4.6 Privacy for all dwellings	<p>A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:</p>	All units have decks which have suitable separation distances. Unit 4 has a screen attached as Unit 5 has a habitable room window within 6.0m.	Yes

	<ul style="list-style-type: none"> (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary; and (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4 m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m: <ul style="list-style-type: none"> (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site. 		
	<p>A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <ul style="list-style-type: none"> (a) The window or glazed door: <ul style="list-style-type: none"> (i) is to have a setback of at least 3 m from a side boundary; and (ii) is to have a setback of at least 4 m from a rear boundary; and (iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site. (b) The window or glazed door: <ul style="list-style-type: none"> (i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or (c) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%. 	<p>Unit 3 has a south facing window above 1.0m above the natural ground level, <3m from the side boundary. Condition recommended.</p> <p>Unit 5 has a habitable room window within 6.0m of the private open space of Unit 4.</p> <p>All other units comply with (a) as no windows to habitable rooms are located within 6.0m of each other. Floor layout plans have been oriented to accord with A2.</p>	No – see report.

	<p>A3</p> <p>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:</p> <p>(a) 2.5 m; or</p> <p>(b) 1 m if:</p> <p>(i) it is separated by a screen of at least 1.7 m in height; or</p> <p>(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.</p>	<p>Units 3-8 comply with (a) as the north elevations have been designed to accord with a 2.5m separation to the shared driveway.</p> <p>Units 1 and 2 have obscured, opaque glazing to windows 1m< from the shared driveway and accord with (b) (ii)</p>	Yes
<p>10.4.7</p> <p>Frontage Fences for all dwellings</p>	<p>A1</p> <p>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:</p> <p>(a) 1.2 m if the fence is solid; or</p> <p>(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).</p>	No front fence proposed.	Yes
<p>10.4.8</p> <p>Waste Storage for multiple dwellings</p>	<p>A1</p> <p>A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m² per dwelling and is within one of the following locations:</p> <p>(a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</p> <p>(b) in a communal storage area with an impervious surface that:</p> <p>(i) has a setback of at least 4.5 m from a frontage; and</p> <p>(ii) is at least 5.5 m from any dwelling; and</p> <p>(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.</p>	A communal waste storage space is proposed that complies with (b)	Yes

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

Standard	Acceptable Solution	Proposed	Complies?
5.5 Use Standards			
E5.5.1 Existing road accesses and junctions	A1 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.		NA
	A2 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.		NA
	A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.	Estimated AADT = 59	NO
E5.5.2 Exiting Level Crossings	A1 Where use has access across part of a rail network, the annual average daily traffic (AADT) at an existing level crossing must not be increased by greater than 10% or 10 vehicle movements per day, whichever is the greater.		NA

Standard	Acceptable Solution	Proposed	Complies?
5.6 Development Standards			
E5.6.1 Development adjacent to roads and railways	A1.1 Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h: <ul style="list-style-type: none"> (a) new buildings; (b) other road or earth works; and (c) building envelopes on new lots. 		NA
	A1.2 Buildings, may be: <ul style="list-style-type: none"> (a) located within a row of existing buildings and setback no closer than the immediately adjacent building; or (b) an extension which extends no closer than: <ul style="list-style-type: none"> (i) the existing building; or (ii) an immediately adjacent building. 		NA
E5.6.2 Road accesses and junctions	A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h		NA

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

APPENDIX C**E6.0 Parking and Access Code**

Standard	Acceptable Solution	Proposed	Complies?
E6.6 Use Standards			
E6.6.1 Number of Car Parking Spaces	A1 The number of on-site car parking spaces must be: (a) no less than the number specified in Table E6.1 and no more than 10% greater than that number; except if: (i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (ii) this provision was not used in this planning scheme.	18 Proposed	YES
E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability	A1 Car parking spaces provided for people with a disability must: (a) satisfy the relevant provisions of the Building Code of Australia; (b) be incorporated into the overall car park design; (c) be located as close as practicable to the building entrance.	No requirement	NA
E6.6.3 Number of Motorcycle Parking Spaces	A1 The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.	No requirement	
E6.6.4 Number of Bicycle Parking Spaces	A1 The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.	No requirement	

Standard	Acceptable Solution	Proposed	Complies?
E 6.7 Development Standards			
E6.7.1 Number of Vehicle Accesses	A1 The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.	Existing approved access to be utilised	YES
E6.7.2 Design of Vehicular Accesses	A1 Design of vehicle access points must comply with all of the following: <ul style="list-style-type: none"> (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities. 		YES
E6.7.3 Vehicular Passing Areas Along an Access	A1 Vehicular passing areas must: <ul style="list-style-type: none"> (a) be provided if any of the following applies to an access: <ul style="list-style-type: none"> (i) it serves more than 5 car parking spaces; (ii) is more than 30 m long; (iii) it meets a road serving more than 6000 vehicles per day; (b) be 6 m long, 5.5 m wide, and taper to the width of the driveway; (c) have the first passing area constructed at the kerb; (d) be at intervals of no more than 30 m along the access. 	Passing bay proposed at junction with reciprocal right of way	YES
E6.7.4 On-Site Turning	A1 On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following: <ul style="list-style-type: none"> (a) it serves no more than two dwelling units; (b) it meets a road carrying less than 6000 vehicles per day. 		
E6.7.5 Layout of Parking Areas	A1 The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section		YES

Standard	Acceptable Solution	Proposed	Complies?
	2 "Design of Parking Modules, Circulation Roadways and Ramps" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 "Headroom" of the same Standard.		
E6.7.6 Surface Treatment of Parking Areas	A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following; <ul style="list-style-type: none"> (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed. 		YES
E6.7.7 Lighting of Parking Areas	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.	Conditioned	YES
E6.7.8 Landscaping of Parking Areas	A1 Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.	Conditioned	YES
E6.7.9 Design of Motorcycle Parking Areas	A1 The design of motorcycle parking areas must comply with all of the following: <ul style="list-style-type: none"> (a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) be located within 30 m of the main entrance to the building. 		NA
E6.7.10 Design of Bicycle Parking Facilities	A1 The design of bicycle parking facilities must comply with all the following;		NA

Standard	Acceptable Solution	Proposed	Complies?
	(a) be provided in accordance with the requirements of Table E6.2; (b) be located within 30 m of the main entrance to the building.		
	A2 The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.		NA
E6.7.11 Bicycle End of Trip Facilities	A1 For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.		NA
E6.7.12 Siting of Car Parking	A1 Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.		NA
E6.7.1.13 Facilities for Commercial Vehicles	A1 Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless: <ul style="list-style-type: none"> (a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site; (b) the use is not primarily dependent on outward delivery of goods from the site. 		NA
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements of the road authority.		YES

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

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

9. PROPOSED USE AND DEVELOPMENT - NEW MARKETS WITH UP TO 60 STALLS (GENERAL RETAIL AND HIRE) WEEKDAY AND WEEKEND OPTIONS - 374 MAIN ROAD GLENORCHY

Author: Planning Officer (Sylvia Jeffreys)

Qualified Person: Planning Officer (Sylvia Jeffreys)

Property ID: 2645478

REPORT SUMMARY

Application No.:	PLN-19-354
Applicant:	Glenorchy City Council
Owner:	Glenorchy City Council
Zone:	Central Business Zone
Use Class	General Retail and Hire
Application Status:	Discretionary
Discretions:	22.3.2 P1 Noise E6.6.1 P1 Number of Car Parking Spaces (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	22 May 2021
Existing Land Use:	Civic Centre (Community Meeting and Entertainment)
Representations:	2
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The application is for new markets with up to 60 stalls, with weekday and weekend options. Various options are proposed to enable flexibility in terms of potential days, operating modes, and maximum operating hours. It is not proposed to hold consecutive market days on all approved days, or necessarily utilise the maximum operating hours each time. Each market operator would be also be required to seek separate Council approval outside the planning process. The weekday market options would only operate within the Council forecourt on either Wednesday, Thursday or Friday from 3.30pm to 10.00pm. The weekend market option would also utilize the rear Council carpark and would potentially operate from 7:00am to 9:00pm on Saturday, Sunday and Public Holidays. Any entertainment would be located in the Council forecourt. The use of a market is classed General Retail and Hire, which is a permitted use within the Central Business Zone. The application is discretionary for noise levels and a parking shortfall. The proposed stall layouts are shown in Figure 1.



Figure 1: Proposed Stall Layout - GCC

SITE and LOCALITY

The subject property contains Council Chambers and is known as 374 Main Road, located in the Glenorchy Central Business District. The property is framed by Main Road, Terry Street, Barry Street and Tolosa Street. The Council building is situated centrally on the property and has a garden at the front and a carpark at the rear. There is commercial development to the north and east of the property, residential development to the rear, on the opposite side of Barry Street, and the bus mall to the west. The property is shown in Figure 2.



Figure 2: Subject Property - TheList - May 2021

ZONE

The subject property is situated within the Central Business Zone (medium blue) and adjoins the Inner Residential Zone (maroon) and the Community Purpose Zone (light yellow) at the rear.

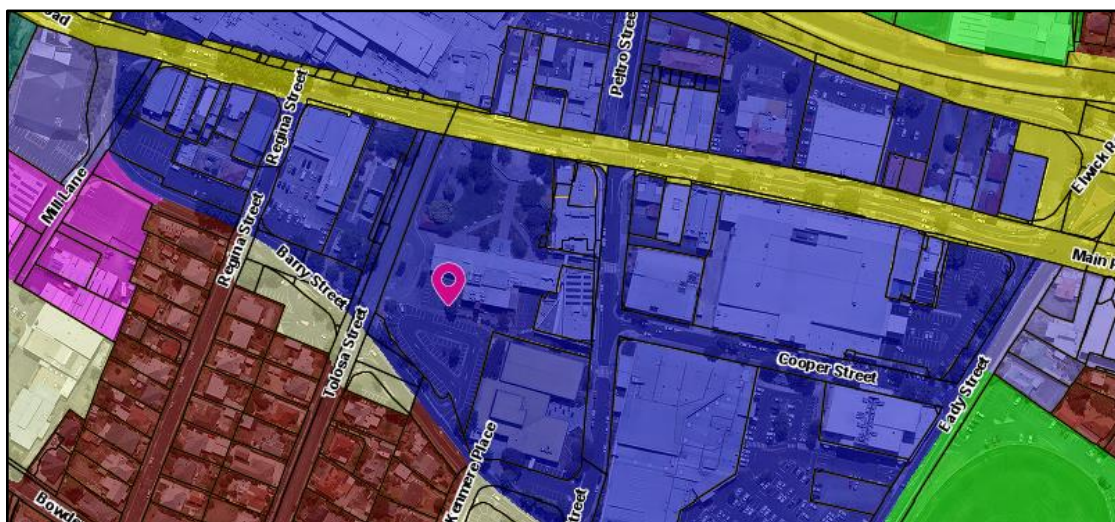


Figure 3: Zoning Map - TheList - May 2021

BACKGROUND

Supportive Documents

The following supportive documents were submitted:

- Traffic Impact Assessment by Midson Traffic Pty. Ltd. dated January 2021
- Noise Assessment by Peru Terts dated 25/04/2021

Planning Scheme

The application was valid on 25/11/2019 so that Version No 33 of the *Glenorchy Interim Planning Scheme 2015* applies, which is an earlier version prior to recent changes becoming effective on 22/02/2021.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil.

Limited Exemptions

Nil. There is no exemption for a market in clause 6.0 Limited Exemptions.

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

Specific Area Plan

The following specific area plan applies:

F9 Glenorchy Activity Centre Urban Design Specific Area Plan

Codes

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

E5.0 Road and Railway Assets Code

E6.0 Access and Parking Code

Use Class Description (Table 8.2):

The proposed use is an additional use to the existing Community Meeting and Entertainment use. The use of a market is classed General Retail and Hire. The use is defined in Table 8.2 Use Classes as follows:

General retail and hire

use of land for selling goods or services, or hiring goods. Examples include an adult sex product shop, amusement parlour, beauty salon, betting agency, commercial art gallery, department store, hairdresser, market, primary produce sales, shop, shop front dry cleaner, supermarket and video shop

Other relevant definitions (Clause 4.1):

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

market

means use of land to sell goods, including but not limited to foodstuffs, from stalls.

hours of operation

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

Discretionary Use or Development

The application is discretionary under Clause 8.8 as follows:

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

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

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

22.3.2 P1 Noise

E6.6.1 P1 Number of Car Parking Spaces

Part C: Special Provisions

There are no special provisions applicable.

Part D: Zones

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

Zone Purpose Statements

The purpose of the Central Business Zone in clause 22.1 is as follows:

- To provide for business, civic and cultural, community, food, hotel, professional, retail and tourist functions within a major centre serving the region or sub-region.
- To maintain and strengthen the principal activity centre providing for a wide range of services and facilities to serve the surrounding subregion, with a strong focus on the retail and commercial sector.
- To facilitate high density residential development and visitor accommodation within the activity centre above ground level and surrounding the core commercial activity centre.
- To ensure development is highly accessible by public transport, walking and cycling.
- To maintain and strengthen Hobart's Central Business District and immediate surrounds including, the waterfront, as the primary activity centre for Tasmania, the Southern Region and the Greater Hobart metropolitan area with a comprehensive range of and highest order of retail, commercial, administrative, community, cultural, employment areas and nodes, and entertainment activities provided.
- To provide a safe, comfortable and pleasant environment for workers, residents and visitors through the provision of high-quality urban spaces and urban design.
- To facilitate high density residential development and visitor accommodation within the activity centre above ground floor level and surrounding the core commercial activity centre.

Comment

The proposed use of a market is in accordance with the above zone purpose. A market would be a retail business, which is a preferred use within the zone. The location of the proposed market would be highly accessible by public transport and walking.

Use Table

The use class General Retail and Hire (Market) is a permitted use within the Central Business Zone in clause 22.2.

Use Standards

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

22.3.2 A1 Noise

The proposal does not accord with the acceptable solution in clause 22.3.2 A1 with respect to noise volume. Therefore, the application relies on the related performance criteria as follows:

22.3.2 P1 Noise

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

Comment

The main noise source would be from entertainment in the Council forecourt and from the early setup of stalls in the rear carpark. A noise assessment was submitted that recommends a 7:00am start for Saturday (instead of 6:00am) and requires noise monitoring of entertainment to ensure that certain limits are not exceeded. The Environmental Health Officer recommends conditions to ensure the proposal is in accordance with the above performance criteria. For further details please refer to the Environmental Health Assessment under the Referrals section later in this report.

Development Standards for Buildings or Works

These standards are not applicable as no development is proposed.

Part E: Codes

The following codes of the Scheme apply to this proposal:

E5.0 Road and Rail Asset Code

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

E6.0 Parking and Access Code***E6.6.1 A1 Number of Car Parking Spaces***

The proposal does not satisfy the Acceptable Solution in E6.6.1 A1 Number of Car Parking Spaces where the applicable rate in Table E.6.1 is as follows:

Use Class: General retail and hire

Market	2.5	for each stall.
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Therefore, the proposal relies on the related Performance Criteria as follows:

E6.6.1 P1 Number of Car Parking Spaces

The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:

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

Comment

There would be 33 stalls on weekdays and up to 60 stalls on a weekend. Whilst there would be no parking provided for the proposed markets, there would be limited spaces available in the rear Council carpark on a weekdays and a significant amount

of parking in the Council staff carpark in Terry Street on the weekend, which is in addition to any other parking in the vicinity. The applicant provided a Traffic Impact Assessment (TIA) that provides evidence that the parking demands of the proposed market meet the requirements of Performance Criteria P1 of Clause E6.6.1 of the Planning Scheme. The TIA includes a parking survey.

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

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

PART F: Specific Area Plans

F9 Glenorchy Activity Centre Urban Design Specific Area Plan

The Glenorchy Activity Centre Urban Design Specific Area Plan applies to the subject land in addition to the provisions under the Central Business Standards. However, none of the standards in the specific area plan are relevant to the proposal. There is one use standard that requires retail, business and community uses to be on the ground floor of buildings, which is not applicable. The development standards are not relevant as there is no development proposed.

INTERNAL REFERRALS

Development Engineer

Comments

The proposed market development involves the use of the Glenorchy Council carpark and forecourt area at 374 Main Road Glenorchy. The market will consist of market stalls, food vans, outdoor cinema, entertainment and musical performances.

It is proposed that the market will operate once per week.

It is proposed that the market will consist of up to sixty (60) stallholder, thirty three (33) on weekdays (Wednesday, Thursday and Friday 3.30pm -9pm) in the forecourt and twenty seven (27) in the Carpark at the rear of the Council Chambers on Saturdays, Sundays and Public Holidays.

E5.0 Road and Railway Assets Code

A Traffic Impact Assessment (TIA) was submitted with the application which investigated the traffic and parking impacts of the proposed market. The report indicated that the market would generate in the order of 1080 vehicles a day with a peak of 240 vehicles per hour.

The traffic generation associated with the market set up and pack up will occur from existing accesses at Main Road, Terry Street, Tolosa Street and Barry Street. The traffic generation at these accesses meets the requirements of Acceptable Solution A1 of Clause E5.5.1 of the Planning Scheme.

E6.0 Parking and Access Code

The market does not provide carparking on-site, it will rely on the utilisation of the existing carparking provisions in the immediate locality. The minimum parking demand of the market is likely to be 120 spaces.

Observations of the carparking areas located close to the subject site indicates low existing demands during weekday evenings and weekends.

Carpark management will be required to ensure that only vehicles associated with the proposed market can access the Council Chambers car park during the operation of the market.

The TIA provide evidence that the parking demands of the proposed market meet the requirements of Performance Criteria P1 of Clause E6.6.1 of the Planning Scheme.

E7.0 Stormwater Management Code

The proposal does not impact any Council stormwater infrastructure.

Other

E3.0 Landslide Code

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

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

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

E15.0 Inundation Prone Areas Code

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

Environmental Health Officer

This application is for a market (60 stalls approx.) to be held at 374 Main Road, Glenorchy. The site is zoned as Central Business with a residential zone in close proximity to the car park area.

The entertainment area (performance space) is proposed to be located on the grassed area in the Council forecourt. The location of the site is separated from the nearest residential zone by the Council Chambers and car park.

Further information was requested from the applicant to demonstrate that noise generated from the market would not unreasonably impact the residential amenity of the land within the residential zone. A Noise Assessment was prepared by Pearu Terts on 9 October 2020. The Noise Assessment provided required additional specific recommendations – therefore further information was requested. An amended Noise Assessment, dated 25 April 2021, developed by Pearu Terts was submitted.

The Noise Assessment, dated 25 April 2021, included a series of noise measurements which were conducted at the nearest boundary fence facing the Glenorchy City Council chambers (13 Tolosa Street) during weekdays and weekends and at various times during the day and the evening. Vehicular traffic was also counted. The weather conditions were good for noise measurements, that is, no strong winds and no rain. The Assessment included calculations to ascertain the sound level at the residential boundary by determining a suitable sound level to be emitted from the 'entertainment zone' of the market area.

The Noise Assessment determined that the noise limits recommended are unlikely to generate community complaints from people in the residential zone.

As a recommendation of the Noise Assessment large display (400mm wide), mains powered, wall mounted sound level meters could be mounted on the Council Chambers wall (near the corner) which is 28 m away from the centre of the entertainment area. However, for the sound level meter to be more visible, a distance of 36 m would be suitable, as it would be approximately halfway between the entrance and the end of the building. It is suggested that the maximum music noise level not exceed 76 dB(A) at 36 m and for the noise level at 127 m to not exceed $L_{max} = 65 \text{ dB(A)}$. This is to help monitor sound levels during market events. Additionally, the musicians do not need to possess expensive, professional, calibrated sound level meters. If they own a simple survey sound level meter to use as a guide, they can get a good indication of music noise levels by setting the meter response to 'slow'.

The hours of operation of the market, as recommended in the Noise Assessment, are within the acceptable solution A1 of 22.3.1 Hours of Operation. Although, the pack up of the market stalls falls outside of the stated hours, with pack up recommended to occur after 9pm but no later than 10pm. It is expected the hours of operation will not have an unreasonable impact upon the residential amenity of land in the residential zone.

In accordance with the Noise Assessment, dated 25 April 2021, the recommendations made in relation to specific noise levels and timings are recommended as conditions on the permit. the conditions are recommended to help ensure that noise emissions do not cause environmental harm and do not have unreasonable impact on residential amenity on land within the residential zone.

EXTERNAL REFERRALS

TasWater

Pursuant to the Water and Sewerage Industry Act 2008 (TAS) Section 56P(1) TasWater has determined that no referral is required.

REPRESENTATIONS

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

1. Lack of Consultation and Competition

The representor states that it is disappointing that the Council did not consult about the proposed markets with the Royal Agricultural Society who is the operator of a large indoor market at the Showgrounds. The Society would like to know who the operator of the market will be. The representation raises concerns about the viability of the Sunday market at the Showgrounds. Furthermore, that potential stall holders and food vendors may move to the new market and that the proposed market would cause a reduction of customers to the Showground market. It is feared that the proposal would have a detrimental impact on the business and employment level of the Showground market. Moreover, the Society would like to know what charges would be levied for power, water, waste, clean-up and so on, as it is feared that the stall holders might gain a competitive advantage relative to the Showground market.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application. In terms of consultation, the application was advertised in accordance with statutory requirements.

2. Traffic and Parking

The representor states that a current shortage of parking within the Glenorchy CBD will be exacerbated and that additional traffic would impact on efficient traffic flows. Another representation also raised concerns with parking, in particular with respect to the number of customers expected and that stall holder might take up two spaces having trailers as well. Furthermore, that traffic congestion in Barry Street would also be a problem.

Planner's Comment:

This issue has been previously addressed under the heading Referrals: Development Engineer. In summary, the applicant provided a Traffic Impact Assessment that satisfactorily addresses these issues.

3. Toilets

The representor states that there would not be enough toilets for the proposed market.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application. Certain events, depending on number of attendees and duration, may require an

event management plan to be approved by Council that will require a certain number of toilets to be provided.

4. Market Stall Design

The representation raises concerns about any design standards of the market stall 'gazebos', in particular with respect to wind loading, sandbag weights and public safety.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application. Any market is likely to require a Temporary Occupancy Permit issued by a Building Surveyor, which ensures accordance with regulations for market stalls.

5. Covid Management

The representation states that there have been significant costs involved in Covid management and would like to know how this issue would be handled at the proposed markets.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application. Any event is likely to require a COVID-19 Safety Plan to be approved by the Health Department and implementation to be checked by WorkSafe Tasmania.

6. Access to Council

The representation states that there would be concerns about access to the Council and safety issues with obstructions and the like with the weekday market.

Planner's Comment

This issue is not a planning issue that can be considered as part of this application. Nevertheless, Council would ensure that the market is run safely.

7. Lighting

The representor states that no additional lighting is required and that poor lighting for opening and closing of the market might represent a safety issue.

Planner's Comment

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

CONCLUSION

The application is for various market options to allow for flexibility when deciding on a market. The application is discretionary for noise levels and a parking shortfall. The Environmental Health Officer recommends conditions to ensure that noise levels do not unreasonably affect residential uses at the rear of the property or other market participants. In terms of the parking shortfall, the application was supported by a

Traffic Impact Assessment that found that there is sufficient parking available in the vicinity to accommodate the anticipated demand.

The application was advertised in accordance with statutory requirements and Council received two representations. The issues raised were a lack of consultation and competition; traffic and parking, number of toilets; market stall design; Covid management; access to Council and lighting. Only traffic and parking are planning issues and have been addressed satisfactorily. The application does not raise any other issues.

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

Recommendation:

That a permit be granted for the proposed use and development of New markets with up to 60 stalls (General Retail and Hire) weekday and weekend options at 374 Main Road Glenorchy, subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-19-354 and Drawing submitted on 09/01/20, except as otherwise required by this permit.
2. Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must be within the hours of:
 - a) 6.00 am to 10.00 pm Mondays to Saturdays inclusive;
 - b) 7.00 am to 9.00 pm Sundays and public holidays.

Engineering

3. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
4. Parking management will be required to facilitate the proposed operation of the market. Prior to the use of Council carpark a traffic management plan is to be submitted addressing:
 - a) Methodology to be utilised to vacate the carpark
 - b) Signage proposed to indicate that the carpark is not available during the market.
 - c) Traffic management at the carpark entry to allow to only enable entry of vehicles associated with the market.

Environmental Health

5. The noise level, when measured at 7 meters from the entertainment area or the stage should not exceed $Leq = 80 \text{ dB(A)}$ during the daytime (7am - 7pm) and not exceed $Leq = 70 \text{ dB(A)}$ and $L_{max} = 90 \text{ dB(A)}$ during the evening (7pm – 9pm).
6. The erection of market stalls on a Saturday must not start earlier than 7:00am. The dismantling of the stalls on a Saturday should begin at 9:00pm and the market area should be free of stall holders by 10:00pm, so as to accord with the following operating hours:
 - (a) 6.00 am to 10.00 pm Mondays to Fridays inclusive.
 - (b) 7.00 am to 9.00 pm Saturdays, Sundays and Public Holidays.

Advice to Applicant

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

Other Permits

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

Attachments/Annexures

- 1 GPA Attachments - 374 Main Road Glenorchy



APPENDIX

22.0 Central Business Zone

Standard	Acceptable Solution	Proposed	Complies?
22.3 Use Standards			
22.3.1 Hours of Operation	A1 Hours of operation of a use within 50 m of a residential zone must be within: (a) 6.00 am to 10.00 pm Mondays to Saturdays inclusive; (b) 7.00 am to 9.00 pm Sundays and Public Holidays. except for office and administrative tasks.	Weekdays 3:30 to 10pm Sat 7am to 10pm Sun/Public Holidays 7am to 9pm	Yes
22.3.2 Noise	A1 Noise emissions measured at the boundary of a residential zone must not exceed the following: (a) 55dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm; (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm to 7.00 am; (c) 65dB(A) (LAmx) at any time. Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness. Noise levels are to be averaged over a 15 minute time interval.		No – discretion
22.3.3 External Lighting	A1 External lighting within 50 m of a residential zone must comply with all of the following: (a) be turned off between 11:00 pm and 6:00 am, except for security lighting;	Not proposed	NA

Standard	Acceptable Solution	Proposed	Complies?
	(b) security lighting must be baffled to ensure they do not cause emission of light outside the zone.		
22.3.4 Commercial Vehicle Movements	A1 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must be within the hours of: (a) 6.00 am to 10.00 pm Mondays to Saturdays inclusive; (b) 7.00 am to 9.00 pm Sundays and public holidays.	Condition	Yes
<p style="text-align: center;">22.4 Development Standards for Buildings and Works</p> <p style="text-align: center;">Not applicable</p>			

APPENDIX**E5 Road and Railway Assets Code**

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

Standard	Acceptable Solution	Proposed	Complies?
	A2 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.		NA
	A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.		NA
E5.5.2 Exiting Level Crossings	A1 Where use has access across part of a rail network, the annual average daily traffic (AADT) at an existing level crossing must not be increased by greater than 10% or 10 vehicle movements per day, whichever is the greater.		NA
5.6 Development Standards Not applicable			

APPENDIX**E6.0 Parking and Access Code**

Standard	Acceptable Solution	Proposed	Complies?
E6.6 Use Standards			
E6.6.1 Number of Car Parking Spaces	A1 The number of on-site car parking spaces must be:	Parking shortfall, please refer to report	No -discretion

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>A1</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>		
E6.6.3 Number of Motorcycle Parking Spaces	<p>A1</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). 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>		
E6.6.4 Number of Bicycle Parking Spaces	<p>A1</p> <p>The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.</p>		
<p>E 6.7 Development Standards</p> <p>Not applicable</p>			

10. PROPOSED USE AND DEVELOPMENT - FIFTEEN MULTIPLE DWELLINGS - 25 THORNLEIGH STREET WEST MOONAH

Author: Planning Officer (Sylvia Jeffreys)

Qualified Person: Planning Officer (Sylvia Jeffreys)

Property ID: 9554765

REPORT SUMMARY

Application No.:	PLN-20-199
Applicant:	ERA Planning & Environment
Owner:	Department of Education (DoE)
Zone:	General Residential and Community Purpose
Use Class	Residential
Application Status:	Discretionary
Discretions:	E5.5.1 P3 Existing road accesses and junctions
	E6.6.1 P 1 Number of Car Parking Spaces
	F12.8.4.2 P3 Setbacks and building envelope for all dwellings
	10.4.3 P2 Site coverage and private open space for all dwellings
	F12.8.4.6 P3 Privacy for all dwellings
	F12.8.4.8 P1 Waste storage for multiple dwellings

	(The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	17/05/21
Existing Land Use:	Educational and Occasional Care
Representations:	0
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The application proposes fifteen single storey dwellings on a portion of land of the former Springfield Garden Primary School. The dwellings would be arranged on either side of an internal driveway with access off Thornleigh Street. All dwellings, except one, would be conjoined in pairs. Ten of the dwellings would have two bedrooms and open plan living areas and five dwellings would have three bedrooms and open plan living areas. Each dwelling would have a 12m² deck, as well as additional private outdoor space. The maximum height of the dwellings would be 4.89m. The setback of the decks on the northern boundary would be at least 3.41m and from the rear wall 6.521m. There would be 15 carports and a total of 34 carparking spaces. It is proposed to have a communal bin storage area off the internal driveway.

The application is discretionary for an increase of traffic, a shortfall of one parking space, building envelope, area and width of private outdoor space and front setback of bin enclosure. The site plan is shown in Figure 1.



Figure 1: Site Plan - Community Housing

SITE and LOCALITY

The subject site is known as 25 Thornleigh Street, Glenorchy, described in folio reference CT176094/1. The property is situated at the turning head of the cul-de-sac and adjoins the former Springfield Primary School at the rear. The land has an irregular shape with an area of 5545 m². A sports field and a footway occupy the otherwise vacant site. The site is reasonably level with embankments on either side. The property shares a boundary with nine residential lots and a school property. The residential lots all contain single dwellings, except for one that has four dwellings. The property and surrounds are shown in Figure 2.



Figure 2: Subject Property - TheList - May 2021

ZONE

The subject land is mostly situated within the General Residential Zone in red and has a small band Community Purpose zoning in light yellow over an existing footway. The zoning map is shown in Figure 3.

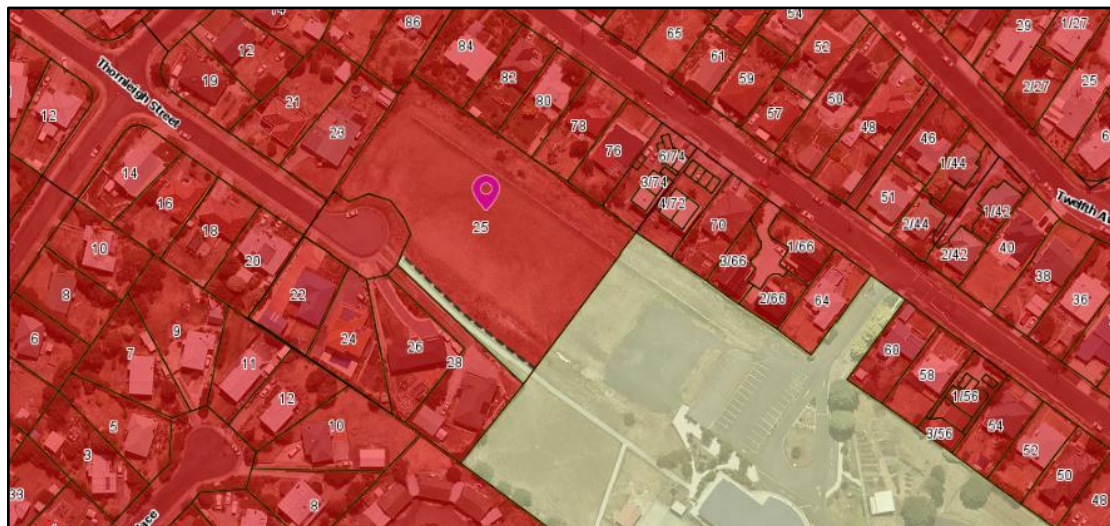


Figure 3: Zoning Map - TheList - May 2021

BACKGROUND

Subdivision and Address Change

The property used to be part of 62 Ashbourne Grove that was owned by the Department of Education. That property was subdivided with a Plan for the Crown to create one new lot. The new lot is the subject lot with folio reference CT 176094/1 that is now owned by the Director of Housing. The application was lodged under the address of 62 Ashbourne Grove, Glenorchy which has subsequently changed to 25 Thornleigh Street, Glenorchy, with the registration of the title on 10/07/20.

General Background

The subject site is part of the Housing Land Supply Orders under the new legislation (*Housing and Land Supply Act 2018*). Under the legislation the subject land was re-zoned from Community Purpose to General Residential and a new specific area plan was included in the planning scheme (F12 West Moonah Housing Land Supply Order). The planning scheme amendment became effective on 13/03/2019.

Planning Scheme

The application was valid on 27/05/20 so that Version No 33 of the *Glenorchy Interim Planning Scheme 2015* applies, which is an earlier version prior to recent changes becoming effective on 22/02/21.

Supporting Documents

The following supporting information was submitted:

Planning Report by ERA Planning received 16/04/21

Stormwater Report by Aldanmark dated 04/03/2021

Civil Drawings by Aldanmark received 15/02/21

Traffic Impact Assessment by Hubble Traffic, updated January 2021

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil.

Limited Exemptions

Nil.

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

Specific Areas Plan

F12 West Moonah Housing Land Supply Order Specific Area Plan
Codes

E5.0 Road and Railway Assets Code

E6.0 Access and Parking Code

E7.0 Stormwater Management Code

Use Class Description (Table 8.2):

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

Residential

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

Other relevant definitions (Clause 4.1):

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

Multiple Dwelling

means 2 or more dwellings on a site

Dwelling

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

Outbuilding

Means a non-habitable detached building of Class 10a of the Building Code of Australia and includes a garage, carport or shed.

Discretionary Use or Development

The application is discretionary under Clause 8.8 as follows:

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

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

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

E5.5.1 P3 Existing road accesses and junctions

E6.6.1 P 1 Number of Car Parking Spaces

F12.8.4.2 P3 Setbacks and building envelope for all dwellings

10.4.3 P2 Site coverage and private open space for all dwellings

F12.8.4.6 P3 Privacy for all dwellings

F12.8.4.8 P1 Waste storage for multiple dwellings

Part C: Special Provisions

There are no Special Provisions applicable.

Part D: Zones

The land is mostly within the General Residential zone, a small part of the site is within the Community Purpose zone that applies to a footway along the southwest boundary. There would be no development within the Community Purpose zone. Therefore, the provisions of the General Residential zone with respect to zone purpose statements applies. In addition, the purpose, use standards and development standards of the West Moonah Housing Land Supply Order Specific Area Plan apply.

Zone Purpose Statements

The purpose of the General Residential Zone in 10.1.1 is as follows:

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

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

To provide for the efficient utilisation of services

Comment

The proposal accords with the above purpose as it is for residential development utilising serviced land.

Use Table

The use class Residential (Multiple Dwellings) is 'permitted' within the General Residential Zone in 10.2 Use Table.

Use Standards

NA – The use standards of the specific area plan apply instead.

Development Standards for Residential Buildings & Works

NA - The development standards of the specific area plan apply instead.

Part E: Codes

The following codes of the Scheme apply to this proposal:

E5.0 Road and Railway Assets Code

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

E5.5.1 A3 Existing road accesses and junctions

The proposal does not accord with the acceptable solution in E5.5.1 A3 with respect to an increase in traffic. Therefore, the proposal relies on the related performance criteria as follows:

E5.5.1 A3 Existing road accesses and junctions

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

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

Comment

The proposed development is expected to increase vehicle movements, to and from the site, over 40 vehicle movements per day. The traffic generation was assessed by Councils' Transport Engineer who found that the additional traffic should not have any significant impact on the safety and efficiency of the road network and satisfies the above performance criteria. For further comments please refer to the Engineering Assessment under the Referrals section later in this report.

E6 Parking and Access Code

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

E6.6.1 A1 Number of Car Parking Spaces

The proposal does not satisfy the Acceptable Solution in E6.6.1 A1 Number of Car Parking Spaces where the applicable rate in Table E.6.1 is as follows:

Multiple dwelling containing 2 or more bedrooms (including all rooms capable of being used as a bedroom)	2	for each dwelling and: 1 dedicated visitor parking space per 4 dwellings (rounded up to the nearest whole number or if on an internal lot or located at the head of a cul-de-sac, 1 dedicated space per 3 dwellings (rounded up to the nearest whole number)
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Therefore, the proposal relies on the related Performance Criteria as follows:

E6.6.1 P1 Number of Car Parking Spaces

The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:

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

Comment

There is a shortfall of one parking space because of the rounding up in the calculations to the next higher number of units. The proposal provides for 34 spaces of which four

would be for visitors. The application is supported by a Traffic Impact Assessment that found that there is sufficient parking available in the vicinity to absorb a shortfall of one parking space. In addition, public transport is available. For further comments please refer to the Engineering Assessment under the Referrals section later in this report.

E7.0 Stormwater Management Code

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

PART F: Specific Area Plans

F12 West Moonah Housing Land Supply Order Specific Area Plan

The proposal is within an area where the *West Moonah Housing Land Supply Order Specific Area Plan* applies as shown in Figure 4.

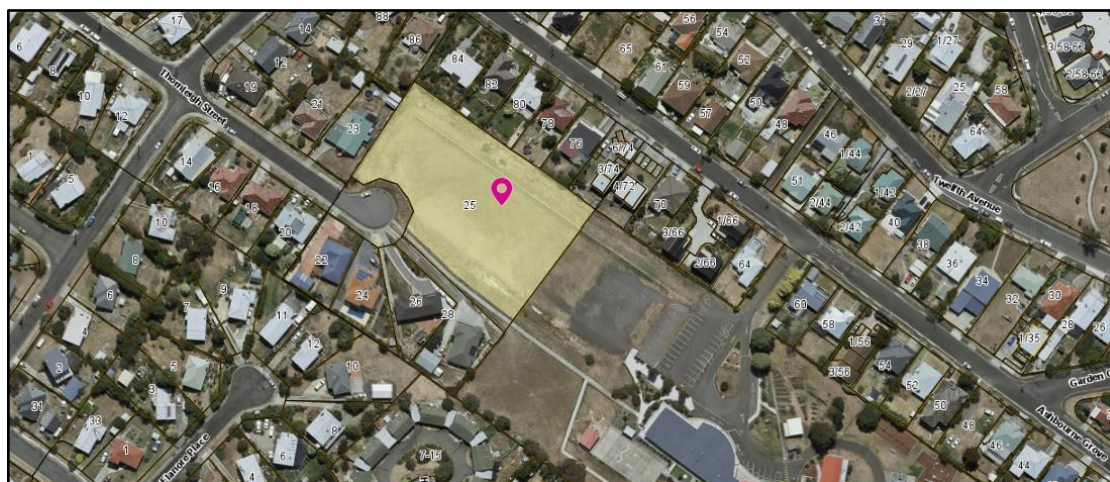


Figure 4: F12 West Moonah Housing Land Supply Order Specific Area Plan – TheList

F12.1 Purpose of Specific Area Plan

The purpose of this specific area plan in clause F12.1.1 is to provide for use and development of land in accordance with the Housing Land Supply Order (West Moonah) 2018.

Use Standards

There are no use standards applicable to the proposal because the standards in F12.8.3.1 Discretionary Uses only apply to discretionary uses.

Development Standards for Dwellings

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

F12.8.4.2 A3 Setbacks and building envelope for all dwellings

The proposal does not comply with the acceptable solution in F12.8.4 A1 with respect to the building envelope. Therefore, the proposal relies on the related performance criteria as follows:

F12.8.4.2 A3 Setbacks and building envelope 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 dwellings would generally comply with the building envelopes except for the decks on the northeastern side and side setbacks of Unit 1 and Unit 10. The decks would be between 3.431m and 3.901m from the rear boundary, whereas the acceptable solution requires 4m. The rear wall of Unit 1 to Unit 10 would actually be between 6.521m and 6.893m from the rear boundary. The side setback for Unit 1 and Unit 10 would be respectively 1.35m and 1.38m, whereas the acceptable solution requires 1.5m. Nevertheless, the proposal is considered to satisfy the above performance criteria for the following reasons:

- There would be no reduction of sunlight to a habitable room or overshadowing of private outdoor space of neighbouring properties as shadows would fall to the south. Any shadows would be contained within the subject property and the school property.

- In terms of visual impact, it is considered that the proposed dwellings are of modest proportions with a maximum height of 4.89m, so as not to have any unreasonable visual impact. Whilst the dwellings would sit on an embankment to be higher than the adjoining dwellings at the rear, there would be still considerable separation from the rear boundary as the rear wall of the dwellings would be at least 6.5m away from the rear boundary. In terms of side setbacks, it is only Unit 1 that adjoins a neighbouring residential property. The property at 23 Thornleigh Street, has a shed in the adjoining area, so that there would be no unreasonable impact.
- In terms of setbacks, side setbacks in the area are generally between 1.5 and 2, unless there is a driveway. It is not considered that proposed side setbacks would be inconsistent, as the setbacks would be only marginally less. The proposal complies with front setbacks. In terms, of rear setback there are dwellings in Ashbourne Grove that are 2.8 from the boundary. Overall, it is not considered that the decks along the rear boundary would be incompatible with setbacks of the area. In particular, as the decks would be still at least 3.4m from the boundary.

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

10.4.3 A2 Site coverage and private open space for all dwellings

The proposal does not comply with the acceptable solution in F12.8.4 A1 with respect to area of private outdoor space. Therefore, the proposal relies on the related performance criteria as follows:

10.4.3 P2 Site coverage and private open space for all dwellings

A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is:

- (a) conveniently located in relation to a living area of the dwelling; and*
- (b) orientated to take advantage of sunlight.*

Comment

The proposal provides for private outdoor space in the form of decks with an area of 12m² (3m x 4m). There is additional outdoor space surrounding the decks, which is not at the required grade or easily accessible for some of the dwellings, because the decks either overhang an embankment or have a steep raise adjacent. There would be also landscaped areas in front of the dwelling, that are reasonably level. The decks are facing northeast (Unit 1 to Unit 10) and southwest (Units 11 to Unit 15). The decks to the southwest would receive shadows to about 12.30pm and would then be free of shadows. The decks on the northeast side would be largely unaffected by shadows. Overall, it is considered that the proposed decks would serve as an extension to each

dwelling and would be sufficient in size for entertaining and recreation. Access would be conveniently located from the living areas and the decks would take advantage of sunlight. The additional areas open space, apart from the decks, would also be suitable for landscaping. The open space areas at the front might also be suitable for recreation as these areas would be level. Overall, the provision of outdoor space areas is considered acceptable.

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

F12.8.4.6 A3 Privacy for all dwellings

The proposal does not accord with the acceptable solution in clause F12.8.4.6 A3 with respect to driveway separation. Therefore, the proposal relies on the related performance criteria as follows:

F12.8.4.6 P3 Privacy for all dwellings

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

Comment

Two-bedroom windows of Unit 10 and Unit 11 would have separation from the turning head of 2m and 1.6m respectively, whereas the acceptable solution requires 2.5m. All other dwellings would otherwise comply. The design of the front wall of Unit 10 and Unit 11, where relevant windows are, includes a concrete column which would create a shadow for the windows, which would reduce vehicular light intrusion. There is also sufficient area for landscaping if screening plants would be required. Therefore, it is considered that the dwellings are designed to minimise vehicular light intrusion. It is considered that the separation would be reasonable in terms of noise intrusion, given that the number of vehicles turning would be low, as most vehicles would turn in the parking spaces, except for visitor spaces.

F12.8.4.8 A1 Waste storage for multiple dwellings

The proposal does not comply with the acceptable solution in F12.8.4 A1 with respect to the front setback of the bin enclosure. Therefore, the proposal relies on the related performance criteria as follows:

F12.8.4.8 P1 Waste storage for multiple dwellings

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

- (a) capable of storing the number of bins required for the site; and*
- (b) screened from the frontage and dwellings; and*

- (c) *if the storage area is a communal storage area, separated from dwellings on the site to minimise impacts caused by odours and noise.*

Comment

The proposal would have a communal bin enclosure that would be aligned with the internal driveway. The bin enclosure would be 5.9m in from the start of the driveway, although only between 2.8m and 0.45m from the front boundary due to the curve of the cul-de-sac frontage. The proposed bin enclosure would be at least 26m from the nearest residence. The bin enclosure opens to the internal road and would be screened on three sides, including the side that faces the frontage. There is some opportunity for landscaping in front of the bin storage, which would further screen the area from public view. The bin storage area would need to be enlarged to accommodate the bins required by waste management but can still comply with screening requirements and separation from residences. A condition for screening and landscaping is recommended.

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

INTERNAL REFERRALS

Transport Engineer

Comments:

Introduction

The developer proposes to construct 15 units with 10 being two-bedrooms and 5 being three-bedrooms at the end of a cul-de-sac in Thornleigh Street. The number of proposed car parking spaces is 34 spaces with four of these being for visitors.

The assessment below is based on the Traffic Impact Assessment (TIA) undertaken by Hubble Traffic dated January 2021.

Traffic Generation

The traffic generated by the development is expected to be 82 trips per day and 8 trips during peak hour based on medium density residential units from the RMS Guide (Roads and Maritime Services) Road Traffic Authority NSW Guide to Traffic Generation Development. Based on this the Acceptable Solution is not met for clause E5.5.1 A3 of the planning scheme, as there is currently no vehicles accessing the site. A TIA has been undertaken to address the performance criteria.

Thornleigh Street is a local residential street which is wide enough for two-way traffic movements and kerb side parking. The closest intersection with Thornleigh Street is Reiby Street in which traffic modelling was undertaken in the TIA to determine the impact of the additional 8 trips during peak hour. The modelling showed that the development will have no adverse impact on the traffic efficiency of the intersection.

The current road traffic volumes in Thornleigh Street from Reiby Street to the end of the cul-de-sac is approximately 78 vehicles per hour during the morning peak. The additional 8 trips during peak hour, will still mean that the volume of traffic in the local street is well below the acceptable of 200 vehicles per hour.

The crash history in the last five years of Thornleigh Street from Reiby Street to the end of the cul-de-sac shows that there has been one reported property damage crash to Police, due to a vehicle failing to give way on Reiby Street. This is not considered significant or represents an issue in the network.

The TIA is accepted, and it can be concluded that the additional traffic should not have a significant impact on the safety and efficiency of the road network. The performance criteria E5.5.1 P3 is met.

Parking Supply

The development is proposing to have 34 car parking spaces as part of the development of which four will be visitor parking spaces. The planning scheme under E6.6.1 required 35 car parking spaces, with five of these being for visitors due to the development located at the head of a cul-de-sac requiring 1 space per 3 dwellings compared to the normal 1 space per 4 dwellings.

The requirement of 35 parks differs to that stated as required in the TIA under the planning scheme as being 34. Due to this the acceptable solution is not met for E6.6.1. The TIA notes that the development is close to bus stops, along with the development catering for affordable housing in which households that qualify for social housing have lower income which usually translates to a lower rate of car ownership.

Based on the above and that the development is in a local residential area where properties have off street parking, a shortfall of one car parking space is accepted and that there is adequate parking for the development. The performance criteria for E6.6.1 is met.

Driveway Access and Internal Road Layout

The development is proposing to use an existing driveway crossover to the site located on the northern side of Thornleigh Street alongside the adjoining property. The driveway access will provide for two-way traffic movements in and out of the site.

The sight distances required at the driveway under the planning scheme to meet the acceptable solution under E5.6.4 for a 50km/h road is 80m. This is met, noting that to the east of the driveway is the cul-de-sac where the speed of vehicles leaving their driveways would be relatively low.

The units will be off a single internal access roadway being 5.8m wide with a turning head at the end. It is recommended as a condition that the turning head area be shown to work for a standard garbage truck to be able to turn and be signed with No Parking, so drivers do not park at this location from the street.

The roadway will be shared by vehicles and pedestrians due to it being a low speed and volume environment. However, there will be a pedestrian path from Thornleigh Street to the internal main roadway to avoid conflicts when vehicles are turning into and out of the driveway.

At the entrance of the roadway, there is proposed two indented visitor parking spaces. On the main access roadway, it is proposed to place two visitor parking spaces which will still leave enough room for a car to travel through. It is recommended that the location of the visitor parking spaces on the main access road be moved slightly to the south-east to allow better turning movement of cars accessing the driveways on the opposite side of the roadway. It is also recommended that these visitor parking spaces are line marked and stated as visitor parking.

Based on the TIA it is accepted that the proposed access is safe and will not unreasonably impact on the efficiency of the road.

Footpaths / Laneways

There is an existing laneway near the southern boundary of the site which connects Thornleigh Street to the school. This will be owned and maintain by the developer. This laneway should be open to the public to access the school.

Access to the laneway is from the footpath on the southern side of Thornleigh Street. There is a small section of footpath approximately 2m in length, between the laneway and adjoining property to the south where there is no footpath which should be rectified.

On the northern side of Thornleigh Street, the footpath finishes outside the adjoining property and does not continue around the cul-de-sac to the laneway. The developer should continue this footpath for at least approximately 10m to connect to their internal footpath alongside the driveway.

Representations

Four representations were received with the traffic and parking comments summarised below:

- Concerns about the entry/exit of the driveway as near a crest in the road and accompanied with school children movements and day-care at 26 Thornleigh Street
- Increase in traffic and parking, near a school area and complying with the road rules
- More public transport and services required
- Road not in good condition and trucks on it will damage it further

The driveway meets the required standards including sight distance to be able to see vehicles and pedestrians when entering and leaving the driveway. The driveway will

allow two-way traffic movements in and out of the site and the public footpath will be extended along the driveway.

There is currently no footpath outside the frontage of the proposed development. Due to the slope of the land a footpath at this location is not recommended. The developer will be connecting a small section of footpath at the end of the cul-de-sac to link the laneway to the footpath on the southern side of Thornleigh Street. Pedestrians, including school kids using the laneway should then use the southern footpath on Thornleigh Street.

The TIA detailed that the increase in traffic of 82 trips per day and 8 trips during peak hour can be accommodated safely in the current road network. It is viewed that the additional traffic should not have a significant impact on the safety and efficiency of the road network and meets the requirements of the planning scheme.

The on-street parking within Thornleigh Street is for all residents and visitors, including from the school to use. If there are issues in the future with on-street parking and/or parking complying with the road rules, Council can look at putting in parking restrictions. However, this is not envisaged to be an issue with 34 car parking spaces provided for the 15 units.

Buses currently operate along nearby streets of Caversham Road, Stansbury Street and Barossa Road. If demand increases, then Metro would assess this and act accordingly. There are also good footpath connections in the area to allow people to walk to and from destinations.

Thornleigh Street not being in good condition is outside of the planning scheme. If trucks going to the development damage the road due to normal wear and tear, then this would be picked up by Council when we assess the condition of our roads and priorities work accordingly.

CONCLUSION

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

1. The laneway to the south of the site remaining open to the public to access the school.
2. Footpath shall be constructed on the northern side of Thornleigh Street from existing footpath to the pedestrian access to the site alongside the driveway and on the southern side of Thornleigh Street from existing footpath to the laneway. The footpaths shall be constructed to TSD-R11-v3 prior to the commencement of use.

3. Turning movements shall be undertaken to show that a garbage truck is able to turn at the turning head onsite and No Parking signage erected at the turning head to ensure that vehicles do not park there, prior to the commencement of use.
4. Turning movements shall be undertaken to show that vehicles can access their parking spaces with the two-visitor parking spaces on the access road and all four visitor parking spaces shall be line marked and stated as visitor parking, prior to the commencement of use.

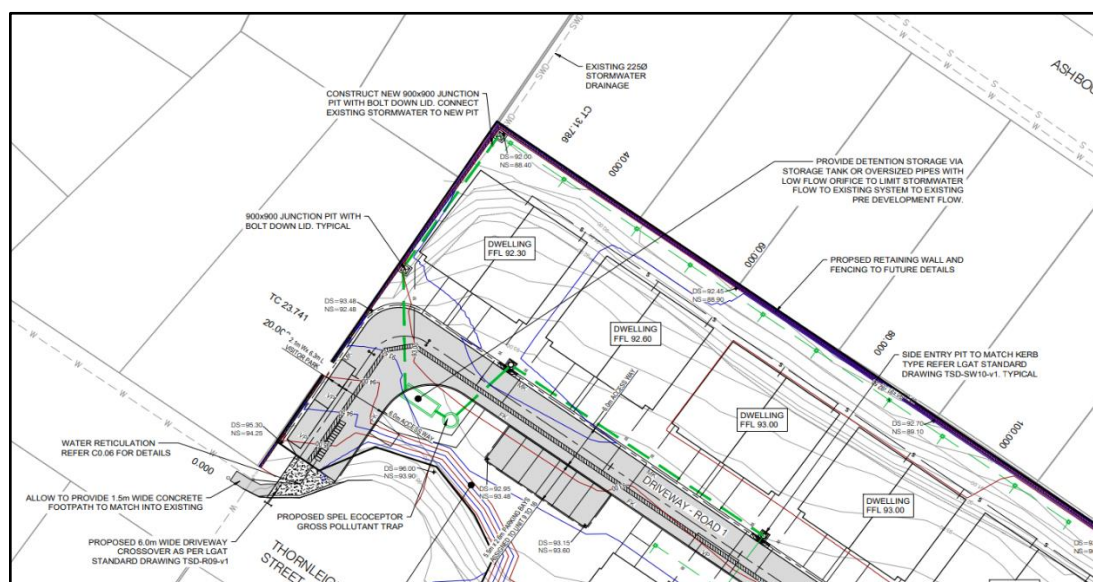
Development Engineer

Comments

The application seeks an approval to redevelop a vacant part of the land used by Springfield Gardens Primary School with affordable housing to construct 15 single-storey dwellings with 10 being two-bedrooms and 5 being three-bedrooms at the end of a cul-de-sac in Thornleigh Street.

The application was referred to Council's Senior Civil Engineer and Council's Traffic Engineer who provided comments and recommended conditions in the Hydraulics and Traffic Referral documents.

The Traffic Impact Assessment (TIA) undertaken by Hubble Traffic dated January 2021, the Stormwater Report prepared by Aldenmark consulting engineers submitted on the 4 March 2021 and engineering drawing by Aldenmark are part of the application as supporting documents. The extract below shows the access and stormwater works proposed at the developer's cost.



The assessment and recommendations from officers are based on the TIA and the Stormwater report submitted.

E5.0 Road and Railway Assets Code

The proposed development is expected to increase vehicle movements, to and from the site, over 40 vehicle movements per day and therefore the development application is unable to meet the Acceptable solution A3 of E5.5.1 and the assessment against the performance criteria, P1, is triggered. A TIA has been undertaken to address the performance criteria. Based on the current traffic volume and the capacity of Thornleigh Street, Council's Traffic Engineer agrees with the TIA that the additional traffic should not have a significant impact on the safety and efficiency of the road network. The performance criteria E5.5.1 P3 is met. Detailed assessment of the Traffic generation can be found in Traffic Engineer Referral document.

The site can be accessed off the existing vehicle crossing via Thornleigh Street frontage and no new access is proposed; this complies with A1 and A2, E5.6.2. Sight distances on both directions at the access comply with the Acceptable solution, A1 E5.6.4.

Therefore, it is considered that the development complies with the Code and the local traffic conditions are not expected to be significantly affected.

E6.0 Parking and Access Code

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

The site can be accessed off the existing vehicular access onto the driveway, parking space and garage. The requirement under the E6.6.1, A1 requires the total of 35 car parking spaces which are 2 spaces per dwelling plus 5 spaces as visitor parking spaces. The applicant proposes to provide two (2) car parking spaces per dwelling and four (4) visitor car parking spaces. For units 1 to 9 the parking arrangement is one space in a single garage and another abutting it; for units 10 to 15 a single garage is proposed for 1 space while the second parking for these units are located at the open space opposite units 3 and 4. Due to this the acceptable solution is not met for E6.6.1 and the parking shortfall for 1 visitor parking shall be addressed against the performance criteria. The TIA states that the development is close to a bus route along Stansbury Street and Barossa Road, along with the development catering for affordable housing in which usually translates to a lower rate of car ownership. Considering the parking demand, the proximity and frequency of the public transport, the situation of a 1 visitor car parking shortfall is not expected to result in regular parking overspill. And therefore, the performance criteria, P3 is considered satisfy.

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 proposing a two-way traffic with sufficient width, turning area and passing bays. The surface treatment of the driveway is proposed to be asphalt. These comply with the

acceptable solutions. The parking design and construction including landscaping and lighting aspects are considered able to meet the acceptable solution and will be conditioned in the permit.

E7.0 Stormwater Management Code

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

Stormwater runoff from the new driveway is proposed to be collected by side entry pits, along with runoff from each of the new units. The piped stormwater drainage will connect via gravity to the existing 225mm main. Therefore, the SW arrangement is considered comply with the acceptable solution, A1.

The proposed development requires a stormwater system to incorporate water sensitive urban design for treatment, as the size of the new impervious area is greater than 600 m². and there are more than 6 car parking spaces proposed as part of the development. The developer proposes a Spel Ecoceptor and Spel Hydroceptor. This has been modelled in MUSIC and shown to be achieve the state stormwater targets and to satisfactory of Council's senior civil engineer. Therefore, A2 is met.

The increased amount of runoff generated by the proposal must be retained to the pre-existing condition to comply with the acceptable solution, A3. The stormwater report calculated that the post development flow is 67 L/s greater that the permissible site discharge and therefore on-site detention (OSD) is required.

The underground storage tank is therefore proposed to limit stormwater flow to the existing system to the existing pre-development flow. Therefore, A3 is met.

Post development overland flow paths is not expected to be significantly affected, with the new driveway capturing flows to outlet. Therefore, A4 is met.

Therefore, the development is considered meet the requirements in Stormwater Management Code.

Other

E3.0 Landslide Code

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

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

Not applicable.

E15.0 Inundation Prone Areas Code

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

Representations

Four representations were received during the advertisement raising concerns on the traffic and parking grounds. Council's Transport Engineer has provided comments within that assessment.

Hydraulics Engineer*Referenced Documents*

- Stormwater Report, 62 Ashbourne Grove, West Moonah Tas 7009, Raghib Bactor, Aldanmark Reference: 20 E 99 – 64, Version 2
- Aldanmark Civil Drawings_REV D_22 Dec 2021
- SPEL SWMP_R2_12 Jan 2021

*Stormwater Drainage and Disposal***E7.7.1 A1/P1 Stormwater Drainage and Disposal**

Stormwater from the new driveway will be collected by side entry pits, along with runoff from each of the new units. The piped stormwater drainage will connect via gravity to the existing DN225 pipe coming from Ashbourne Grove. Therefore, A1 is met.

E7.7.1 A2/P2 Stormwater Drainage and Disposal

The proposed development requires stormwater treatment in accordance with A2. The site has:

- More than 600 m² of new impervious areas
- More than 6 new carparking spaces

Due to site limitations, a Spel Ecoceptor and Spel Hydroceptor are proposed. This has been modelled in MUSIC and shown to be achieve the state stormwater targets. Therefore, A2 is met.

E7.7.1 A3 Stormwater Drainage and Disposal

The additional impervious areas has resulted in an increased amount of runoff generated by the site. The consultant has prepared a detention model to determine the Site Storage Requirement. It was shown that the post development flow is 67 L/S greater than the permissible site discharge. The model simulated:

- 22,500L (15m2X 1.5m deep) detention tank with a 25mm low flow orifice connected to remaining units and driveway drainage – Storage #1
- 2400L (2000Lx900Wx1480H) Tanktec Slimline rainwater tanks with 25mm low flow orifices to Units 1 to 10 -Storage #2
- Remaining pervious areas discharge directly to stormwater system

By providing the On-Site Detention, runoff from the site will be in accordance with Council's Stormwater Runoff Management Policy. Therefore, A3 is met.

E7.7.1 A4 Stormwater Drainage and Disposal

Post development overland flow paths will be similar to pre-existing, with the new driveway capturing flows from the southern side of the site and will be conveyed along the eastern boundary. The remainder of the overland flow paths will remain the same. Therefore, A4 is met.

Conclusion and Conditions

In summary I have no objections with the proposal from a hydraulics proposal, subject to recommended conditions.

Waste Management Officer

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

Wheelie bins may be collected from the internal bin collection point. A Deed of Release must be signed prior to start of bin collection.

EXTERNAL REFERRALS

TasWater

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

REPRESENTATIONS

The application was advertised for the statutory 14-day period with two representation(s) being received. The application was advertised twice because the address and ownership had changed during the process. The plans were largely the same, except for some minor detail. The advertising periods were from 21/04/21 to 04/05/21 and 17/03/21 to 30/03/21. There were four representations during the first advertisement, however two of the representations were not re-confirmed during the second advertisement. Nevertheless, the concerns of all four representations were included below. The issues raised are as follows:

1. Privacy

The representor states that there are concerns about loss of privacy and overlooking from Units 1 and 2 along the northeast boundary. In particular, the dwellings would be higher up than representors dwelling. These concerns were also raised by another

representor that directly adjoins at the rear, who was also conserved about overlooking from the decks.

Planner's Comment

The properties on the northeast have decks within four metres from the rear boundary. The applicant has since agreed to install screens up to a height of 1.7m on the decks to address the privacy concerns. A condition to this effect is also recommended.

2. Density

The representor states that the density of the proposed development is not consistent with existing development in the area.

Planner's Comment:

The planning scheme has a standard for maximum density within the General Residential Zone, which is 325m² per dwelling. The proposal complies in this respect as demonstrated in the attached appendix.

3. Safety of Property Access

The representor states that there are concerns about the entry/exit of the driveway as near a crest in the road and accompanied with school children movements and day-care at 26 Thornleigh Street. This issue was also raised by another representation.

Planner's Comment:

This issue has been previously addressed under the heading Referrals within the Transport Engineer's assessment. In summary, the access accords with the relevant sight distance requirements and a footpath will need to be extended to allow for pedestrian access to the school laneway.

4. Loss of Parking

The representor states that parking would be reduced in the cul-de-sac because of the proposed development.

Planner's Comment:

This issue has been previously addressed under the heading E6.6.1 A1 Number of Car Parking Spaces and further in the referral of the Transport Engineer. In summary, there would be a shortfall of one carparking space, which can be easily accommodated within existing on-street parking in the vicinity.

5. Public Transport

The representor states that more public transport and services would be required as a result of the proposed development.

Comment

This issue has been previously addressed under the heading Referrals within the Transport Engineer's assessment. In summary, there are existing Metro Services operating in the vicinity and any increase demand would be assessed by Metro.

6. Deterioration of Road

The representor states that the road is not in very good condition and that construction vehicles would further deteriorate the road.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application. In general, Council regularly assess conditions of roads and priorities works accordingly.

7. Construction Management

The representor would like to know what will be done to ensure minimal disturbance during construction.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application. Any construction site would need to be operated in accordance with a construction management plan and in accordance with standard operating hours, which would ensure public safety and limited amenity impacts.

8. Property Values

The representor states that placing this amount of public housing adjacent to one-million-dollar homes is totally unjustified. Another representation is also concerned that there would be a loss of property values.

Planner's Comment:

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

9. Noise

The representor states that low income housing brings with it a number of concerns, such as loud tenants, parties and extra vehicles in school areas.

Planner's Comment:

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

CONCLUSION

The application proposes fifteen single storey dwellings on vacant land. The application is discretionary for an increase of traffic, a shortfall of one parking space, building envelope, area and width of private outdoor space and front setback of bin enclosure. The discretions were addressed in detail within the report and satisfy the relevant performance criteria. The application was advertised twice and received four

representations during the first advertisement, of which two were upheld during the second advertisement. The issues raised were privacy, density, safety of access, parking, public transport, deterioration of road, construction management, property values and noise. The planning issues relating to the representation are traffic, parking, privacy and density. The proposal accords in terms of density. Traffic can be accommodated within the road network and a parking shortfall of one space can also be accommodated. In terms of privacy, it is now proposed to install privacy screens for the decks on the rear, which would address the concerns. The application does not raise any other issues, apart from requiring a Part 5 Agreement with respect to Water Sensitive Urban Design and On-site Detention of stormwater.

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

Recommendation:

That a permit be granted for the proposed use and development of Fifteen Multiple Dwellings at 25 Thornleigh Street, West Moonah, subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-20-199 and Drawing submitted on 19/04/21, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2020/00826-GCC, dated 17/03/21, form part of this permit.
3. A permanently fixed screen must be attached to the northeast and southeast side of the decks for Units 1 to 10. The screens must be to a height of 1.7m above the finished surface of the deck, with a uniform transparency of not more than 25%. This requirement must be shown on plans submitted in association with a Building application to the satisfaction of Council's senior Statutory Planner.
4. The bin enclosure must be installed to the requirements of waste management and must be screened from the frontage and from dwellings. In addition, landscaping must be planted in front of the bin enclosure to minimise the view from the street. The landscaping must be planted prior to the issue of a Certificate of Occupancy for the first dwelling.

Engineering

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

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

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

6. All internal hydraulic service works required for the development must be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor. Any alterations or works to Council mains must be approved by Council and undertaken at the developer's cost.
7. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
8. Prior to the commencement of the use or development, a new stormwater connection to Council's public stormwater system onto the property boundary must be installed in accordance with the approved plans. The stormwater connection(s) must be constructed by a suitably qualified person to the satisfaction of Council. To ensure the connections constructed to Council's satisfaction, the applicant must contact Council, by completing the Stormwater Connection Request Form, to arrange the visual inspection by Council for any alterations or works to Council's public stormwater network. A copy of the Stormwater Connection Request Form can be obtained via Council's Customer Service or via Council's website <https://www.gcc.tas.gov.au/planning-and-development/plumbing/plumbing-forms.aspx>, which outlines the process and conditions for stormwater connections.

9. The vehicle crossing must be upgraded and widened to a 6.0m wide concrete driveway and 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 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. Advice: A Property Access Works Application must be completed prior to any work being undertaken. The application is available from Council's planning department or available from Council's website at: <https://www.gcc.tas.gov.au/residents/living-in-glenorchy/driveways>
10. The design and construction of the parking, access and turning areas must generally comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, 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 must not exceed the maximum gradient of 20%;
 - (b) The total of 34 clearly marked car parking spaces (2 spaces per each dwelling plus 4 visitor parking spaces) must be provided in accordance with the approved plan received by Council and kept available for these purposes at all times;
 - (c) The visitor parking spaces must be located to provide for sufficient turning area for the adjacent units, be clearly line-marked and kept available for these purposes at all times;
 - (d) Vertical alignment must include transition curves (or straight sections) to the Australian Standard, Parking facilities - Part 1: Off-Street Carparking AS 2890.1 - 2004, Clause 2.5.3 (d) at all grade changes greater than 12.5%;
 - (e) All runoff from paved and driveway areas must be discharged into Council's stormwater system;
 - (f) Be incorporated the WSUD and landscaping into the parking areas of the development;
 - (g) Be clearly line-marked or physically separated to each space in accordance with the approved plan;
 - (h) Landscaping of parking and circulation areas must be provided and must be no less than 5 percent of the area of the car park;

- (i) Lighting in accordance with clause 3.1, AS1158.3.1:2005 must be installed;
- (j) The gradient of any parking areas must not exceed 5%; and
- (k) Minimum carriageway width is to be no less than 3.0 metres.

All works required by this condition must be installed prior to the occupancy of the dwelling(s).

Hydraulics

11. The development must be designed to ensure overland flow formed in any major flood events (e.g.1% AEP) can pass the site in a controlled manner, without causing risk to properties or users of the site, to the satisfaction of the Senior Civil Engineer. Any flood mitigation proposed onsite must not impede overland flood or increase flood risks to neighbouring properties in any major flood events.
12. The development must incorporate the On-Site Detention (OSD) as part of the development as presented in Version 2 of the STORMWATER REPORT, 62 Ashbourne Grove, WEST MOONAH TAS 7009, prepared by Aldanmark. The onsite detention element and its associated components must be designed and constructed to the satisfaction of the Council's Senior Civil Engineer and completed prior to a Certificate of Occupancy being issued for any of the dwellings. OSD modelling results must be provided along with the detailed engineering design, to the satisfaction of Council's Senior Civil Engineer, in association with a Building Application.
13. The development must incorporate the nominated Water Sensitive Urban Design (WSUD) element(s) or equivalent, as presented in the Stormwater Management Plan for 62 Ashbourne Grove, West Moonah, TAS prepared by SPEL, and other drawings approved as part of this permit. The WSUD design must achieve the acceptable stormwater quality and quantity targets stated in Table E7.1 of the Glenorchy Interim Planning Scheme 2015, for the treatment of stormwater discharging from the development and be submitted and approved in association with a Building Application.
14. WSUD modelling results shall be provided along with the detailed engineering designs, to the satisfaction of Council's Senior Civil Engineer, in association with a Building Application. The WSUD elements must be installed and completed prior to a Certificate of Occupancy being issued for any of the dwellings.

15. In association with a Building Application, a WSUD and OSD Maintenance Scheme must be submitted for approval, to the satisfaction of Council's Senior Civil Engineer, defining the maintenance method and frequency for each WSUD or OSD element incorporated in the development. The Owner and all successors in title must ensure ongoing compliance with the approved WSUD and OSD Maintenance Scheme for the duration of the approved use. Council must first approve any changes to the approved WSUD and OSD Maintenance Scheme.
16. Upon approval of the WSUD and OSD Maintenance Scheme, and in association with a Building Permit Application, the applicant must enter into a registered agreement with Council, at the sole expense of the applicant, pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993*, for the area which is subject to this permit. The Owner and all successors in title must advise any subsequent successor in title of the existence of the Agreement and its terms and conditions. The Part 5 agreement shall require the Owner and all successors in title to covenant and agree with Council the following:
 - (a) All works outlined in the WSUD and OSD Maintenance Scheme submitted by the applicant and approved by Council, including the maintenance method and frequency for individual WSUD and OSD elements, must be implemented and managed by the Owner and all successors in title at their sole expense;
 - (b) The Owner must keep the maintenance records in an accessible form (either printed or electronic) for five years from the date of the work was carried out to prove that the maintenance of each WSUD and OSD element has been conducted in accordance with the WSUD and OSD Maintenance Scheme;
 - (c) Repair and replace all the WSUD and OSD elements at the sole expense of the Owner and all successors in title so that the WSUD and OSD functions (stormwater quality and quantity control) in a safe and efficient manner.
 - (d) Permit the Council from time to time and upon giving reasonable notice (but in the case of an emergency, at any time and without notice) to enter and inspect the WSUD and OSD elements for compliance with the requirements of this agreement;
 - (e) Comply with the terms of any written notice issued by the Council in respect of the requirements of this agreement within the time stated in the notice.

Traffic

17. The laneway to the south of the site must remain open to the public to access the school.

18. A footpath must be constructed on the northern side of Thornleigh Street from existing footpath to the pedestrian access to the site alongside the driveway and on the southern side of Thornleigh Street from existing footpath to the laneway. The footpaths must be constructed to TSD-R11-v3 prior to the commencement of use.
19. Prior to the commencement of use, the turning head on site must be designed and constructed to provide sufficient turning area for a garbage truck to be able to turn onsite. The turning area must be clearly line-marked, signed and kept available for these purposes at all times. Detailed design drawing must be submitted for approval by Council's Transport Engineer prior to commencement of work on site.

Advice to Applicant

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

Other Permits

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

Waste Management

As per Council's Waste Management Policy, prior to waste collection services being provided to the site or prior to occupancy of any of the units, whichever occurs first, the Developer/Owner and Council must enter into a Deed of Release to indemnify Council and the Waste Services Contractor from any claim for damages and/or wear and tear arising from waste collection trucks accessing the property.

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

- a) it must be built on a flat surface with a concrete base/pad and surround of a brick or painted block enclosure or other suitable material to Council's approval,
- b) it must have concrete at the entrance to the bin enclosure;
- c) it must suit 15 X 240L wheelie bins of size 1100 height x 600mm wide x 800mm deep and must allow for 300mm space in between each bin;
- d) recommended minimum height of the enclosure is 1200mm and minimum recommended depth is 930mm;

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

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

Attachments/Annexures

- 1** GPA Attachments - 25 Thornleigh Street West Moonah



APPENDIX

F12.8.4 Development Standards for Dwellings

Standard	Acceptable Solution	Proposed	Complies?
10.4 Development Standards for Residential Buildings and Works			
F12.8.4.1 Residential density for multiple dwellings	A1 Multiple dwellings must have a site area per dwelling of not less than 325m ² .	Site area 5545m ² / 15 = 369m ²	Yes
F12.8.4.2 Setbacks and building envelope for all dwellings	A1 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 is from a secondary 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 is from a secondary frontage, of any existing dwelling on the site; (c) if for a vacant site and there are existing dwellings on adjoining properties, the setback must be not less than the equivalent frontage of the dwellings on the adjoining sites on the same frontage; (d) if located above a non-residential use at ground floor level, not less than 4.5m.	Frontage setback 12m (Unit 15) Frontage setback 22m (Unit 2)	Yes
	A2 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 used for parking; (c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1:1.	Carport setback: more than 5.5m	Yes
	A3	Side setback NW: Unit 1 1.35m- No Side setback SE: Unit 10: 1.398m – No	No Discretion

	<p>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 F12 and F13) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, 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 above existing ground level at the side and rear boundaries 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</p> <p>(i) does not extend beyond an existing building built on or with the adjoining property; or</p> <p>(ii) does not exceed a total length of 9m or one third the lot length (whichever is the lesser).</p>	<p>Rear Setback: Units 1-10 between 3.431m and 3.901m – No</p> <p>Side setback SW Units 11-15 between 5.36m and 9.383m – Yes</p>	
10.4.3 Site coverage and private open space for all dwellings	<p>A1</p> <p>Dwellings must have:</p> <p>(a) a site coverage of not more than 50% (excluding eaves up to 0.6m above existing ground level); and</p> <p>(b) for multiple dwellings, a total area of private open space of not less than 100m² and not less than 1.8m above the finished ground level (excluding carports and entry foyers).</p>	<p>a) Site coverage 32%</p> <p>b) POS more than 63.84%</p> <p>c) Impervious free area 44.74%</p>	Yes
	<p>A2</p> <p>A dwelling must have private open space that:</p> <p>(a) is in one location and is not less than:</p> <p>(i) 24m²; or</p> <p>(ii) 12m², if the dwelling is a multiple dwelling with a finished floor 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 carport or entry foyer;</p> <p>(c) is located between the dwelling and the frontage only if the frontage is not less than 4m;</p> <p>(d) has a gradient not steeper than 1 in 10.</p>	See report	No – Discretion

F12.8.4.4 Sunlight to private open space of multiple dwellings	A1 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 F12.8.4.3, must satisfy (a) or (b), unless excluded by (c): (a) the multiple dwelling is contained within a line projecting (see Figure 12.8.4.3) (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 the top of the dwelling; or (b) the multiple dwelling does not cause 50% of the private open space to be lost; or (c) this Acceptable Solution excludes that part of a multiple dwelling covered by (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 building.	No dwellings are located to the north of POS of another dwelling	Yes
F12.8.4.5 Width of openings for garages and carports for all dwellings	A1 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).	There are no carports within 12m of a frontage	Yes
F12.8.4.6 Privacy for all dwellings	A1 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 than 1.7m above the finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a: (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 3m from the side boundary; (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 (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m: (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or	<u>Northeast Boundary</u> Units 1 to 10 would have a deck at the rear that would be more than 1m above NGL. The decks would be between 3.431m and 3.91m from the rear boundary. The deck of Unit 1 and Unit 10 would be more than 3m from the respective side boundaries. All of the decks would have a privacy screen to 1.7m in height at the rear and on the eastern side, which complies with the acceptable solution. <u>Southwest boundary</u> Units 11 to 15 would have decks more than 3m from all boundaries, although the decks would not be more than 1m above NGL.	Yes

	(ii) from a balcony, deck, roof terrace or the private open space of the other dwelling on the same site.		
	<p>A2</p> <p>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"> (i) is to have a setback of at least 3 m from a side boundary; and (ii) is to have a setback of at least 4 m from a rear boundary; and (iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site. <p>(b) The window or glazed door:</p> <ul style="list-style-type: none"> (i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or <p>(c) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.</p>	The dwellings do not have a floor level more than 1m above NGL. The ground level is relatively flat where the dwellings will be located and then drops away/raises where the decks will be and there are embankments.	Yes
	<p>A3</p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to</p>	There would be separation of more than 2.5m for all dwellings except for Unit 10 and Unit 11 hat the turning	No- Discretion

	<p>a habitable room of a multiple dwelling by a horizontal distance of at least:</p> <p>(a) 2.5 m; or</p> <p>(b) 1 m if:</p> <p>(i) it is separated by a screen of at least 1.7 m in height; or</p> <p>(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.</p>	area, which have respectively 2m and 1.6m for a bedroom window.	
F12.10.4.7 Frontage fences for all dwellings (2)	<p>A1</p> <p>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:</p> <p>(a) 1.2 m if the fence is solid; or</p> <p>(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).</p>	No fences greater than 1.2m proposed	Yes
F12.8.4.8 Waste storage for multiple dwellings	<p>A1</p> <p>A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m² per dwelling and is within one of the following locations:</p> <p>(a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</p> <p>(b) in a communal storage area with an impervious surface that:</p>	The communal storage area is located within 4.5m of the front boundary, which does not accord with the acceptable solution.	No-Discretion

	<ul style="list-style-type: none"> (i) has a setback of at least 4.5 m from a frontage; and (ii) is at least 5.5 m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2 m above the finished surface level of the storage area. 		
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APPENDIX**E5 Road and Railway Assets Code**

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

Standard	Acceptable Solution	Proposed	Complies?
	A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.	Over 40 vpd increased in traffic is expected. Due to the road capacity and nature of the development it is considered PC is satisfied with.	No
E5.5.2 Exiting Level Crossings	A1 Where use has access across part of a rail network, the annual average daily traffic (AADT) at an existing level crossing must not be increased by greater than 10% or 10 vehicle movements per day, whichever is the greater.		NA
5.6 Development Standards			
E5.6.1 Development adjacent to roads and railways	A1.1 Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h: <ul style="list-style-type: none"> (a) new buildings; (b) other road or earth works; and (c) building envelopes on new lots. 		NA

Standard	Acceptable Solution	Proposed	Complies?
	A1.2 Buildings, may be: <ul style="list-style-type: none"> (a) located within a row of existing buildings and setback no closer than the immediately adjacent building; or (b) an extension which extends no closer than: <ul style="list-style-type: none"> (i) the existing building; or (ii) an immediately adjacent building. 		NA
E5.6.2 Road accesses and junctions	A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h		NA
	A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.		Yes
E5.6.3 New Level Crossings	A1 No Acceptable Solutions.		NA

Standard	Acceptable Solution	Proposed	Complies?
E5.6.4 Sight distance at accesses, junctions and level crossings	A1 Sight distances at: <ul style="list-style-type: none"> (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia. 		Yes

APPENDIX

E6.0 Parking and Access Code

Standard	Acceptable Solution	Proposed	Complies?
E6.6 Use Standards			
E6.6.1 Number of Car Parking Spaces	A1 The number of on-site car parking spaces must be: <ul style="list-style-type: none"> (a) no less than the number specified in Table E6.1 and no more than 10% greater than that number; except if:		No – but 1 visitor parking shortfall is acceptable.

Standard	Acceptable Solution	Proposed	Complies?
	<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>		
<p>E6.6.2</p> <p>Number of Accessible Car Parking Spaces for People with a Disability</p>	<p>A1</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>		N/A
<p>E6.6.3</p> <p>Number of Motorcycle Parking Spaces</p>	<p>A1</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). 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>		N/A

Standard	Acceptable Solution	Proposed	Complies?
E6.6.4 Number of Bicycle Parking Spaces	A1 The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.		N/A
E 6.7 Development Standards			
E6.7.1 Number of Vehicle Accesses	A1 The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.		Yes
E6.7.2 Design of Vehicular Accesses	A1 Design of vehicle access points must comply with all of the following: <ul style="list-style-type: none"> (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and 		Yes

Standard	Acceptable Solution	Proposed	Complies?
	Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.		
E6.7.3 Vehicular Passing Areas Along an Access	<p>A1</p> <p>Vehicular passing areas must:</p> <ul style="list-style-type: none"> (a) be provided if any of the following applies to an access: <ul style="list-style-type: none"> (i) it serves more than 5 car parking spaces; (ii) is more than 30 m long; (iii) it meets a road serving more than 6000 vehicles per day; (b) be 6 m long, 5.5 m wide, and taper to the width of the driveway; (c) have the first passing area constructed at the kerb; (d) be at intervals of no more than 30 m along the access. 		Yes
E6.7.4 On-Site Turning	<p>A1</p> <p>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:</p> <ul style="list-style-type: none"> (a) it serves no more than two dwelling units; (b) it meets a road carrying less than 6000 vehicles per day. 		Yes
E6.7.5	A1		

Standard	Acceptable Solution	Proposed	Complies?
Layout of Parking Areas	The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same Standard.		Yes
E6.7.6 Surface Treatment of Parking Areas	<p>A1</p> <p>Parking spaces and vehicle circulation roadways must be in accordance with all of the following;</p> <ul style="list-style-type: none"> (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, <p>unless the road from which access is provided to the property is unsealed.</p>		Yes
E6.7.7 Lighting of Parking Areas	<p>A1</p> <p>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.</p>		Yes
E6.7.8	A1		Yes

Standard	Acceptable Solution	Proposed	Complies?
Landscaping of Parking Areas	Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.		
E6.7.9 Design of Motorcycle Parking Areas	<p>A1</p> <p>The design of motorcycle parking areas must comply with all of the following:</p> <ul style="list-style-type: none"> (a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) be located within 30 m of the main entrance to the building. 		N/A
E6.7.10 Design of Bicycle Parking Facilities	<p>A1</p> <p>The design of bicycle parking facilities must comply with all the following;</p> <ul style="list-style-type: none"> (a) be provided in accordance with the requirements of Table E6.2; (b) be located within 30 m of the main entrance to the building. 		N/A
	A2		

Standard	Acceptable Solution	Proposed	Complies?
	The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.		
E6.7.11 Bicycle End of Trip Facilities	A1 For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.		N/A
E6.7.12 Siting of Car Parking	A1 Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.		Yes
E6.7.1.13 Facilities for E7 s	A1 Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless:	N/A	N/A

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

APPENDIX

E7.0 Stormwater Management Code

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

Standard	Acceptable Solution	Proposed	Complies?
	(b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots.		
	A3 A minor stormwater drainage system must be designed to comply with all of the following: <ul style="list-style-type: none"> (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed; (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure. 		Yes
	A4 A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.		Yes

**11. PROPOSED USE AND DEVELOPMENT - STAGED SUBDIVISION
(ONE NEW LOT) AND TWO MULTIPLE DWELLINGS
(RESIDENTIAL) – 11 FIFTH AVENUE & 10 SEVENTH AVENUE,
WEST MOONAH**

Author: Senior Statutory Planner (Vanessa Tomlin)

Qualified Person: Senior Statutory Planner (Vanessa Tomlin)

Property ID: 5424232

REPORT SUMMARY

Application No.:	PLN-20-465
Applicant:	G Hills & Partners Architects
Owner:	A E Di Venuto and O J Di Venuto
Zone:	General Residential Zone
Use Class	Residential
Application Status:	Discretionary
Discretions:	10.4.2 P3, 10.4.3 P1, 10.6.1 P4, 10.6.3 P1 and E6.6.1 P1. (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	17 May 2021
Existing Land Use:	Residential (single dwelling on both properties)
Representations:	1
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The application is for a staged subdivision and multiple dwelling development. The application involves the realignment of the existing rear boundaries of 11 Fifth Avenue and 10 Seventh Avenue to create a new internal lot through Fifth Avenue. The internal lot is to be developed with two multiple dwellings. The proposal is to be staged, with the subdivision (two boundary realignments and one new lot creation) as Stage 1 and two multiple dwellings to be built on the new internal lot as Stage 2, as shown in Figure 1 and 2 below.

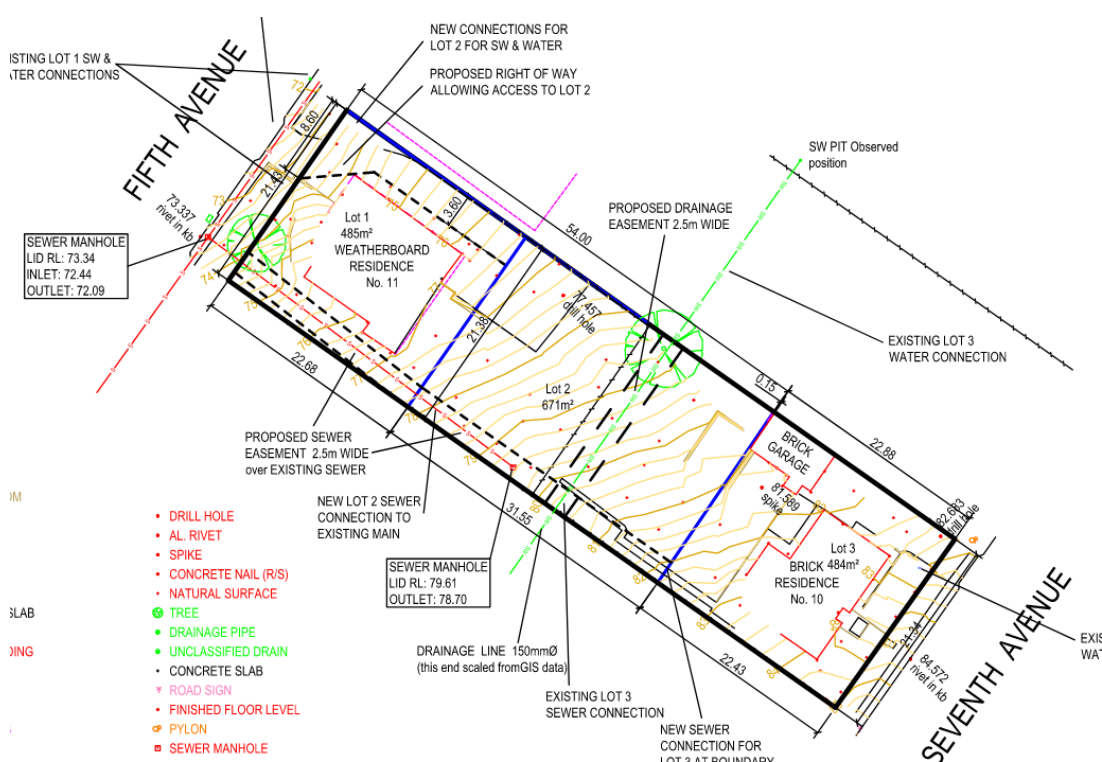


Figure 1: Proposed Plan of Subdivision (Proposed internal lot shown as blue marking)

The Plan of Subdivision shows Lot 1 which will remain as 11 Fifth Avenue, to have an area of 485m² and frontage of approximately 30m. The lot will include a 3.6m wide right of way which will service Lot 2. Proposed lot 1 is to have its own access adjacent to the proposed right of way.

Lot 2 is proposed to be an internal lot which would be accessible from Fifth Avenue. The internal lot is to have an area of 671m² and will comprise of a 2.5m wide drainage and sewer easement. Lot 3 will remain as 10 Seventh Avenue with an area of 484m².

Lots 1 and 3 consist of a single dwelling each which will be retained as part of this application.

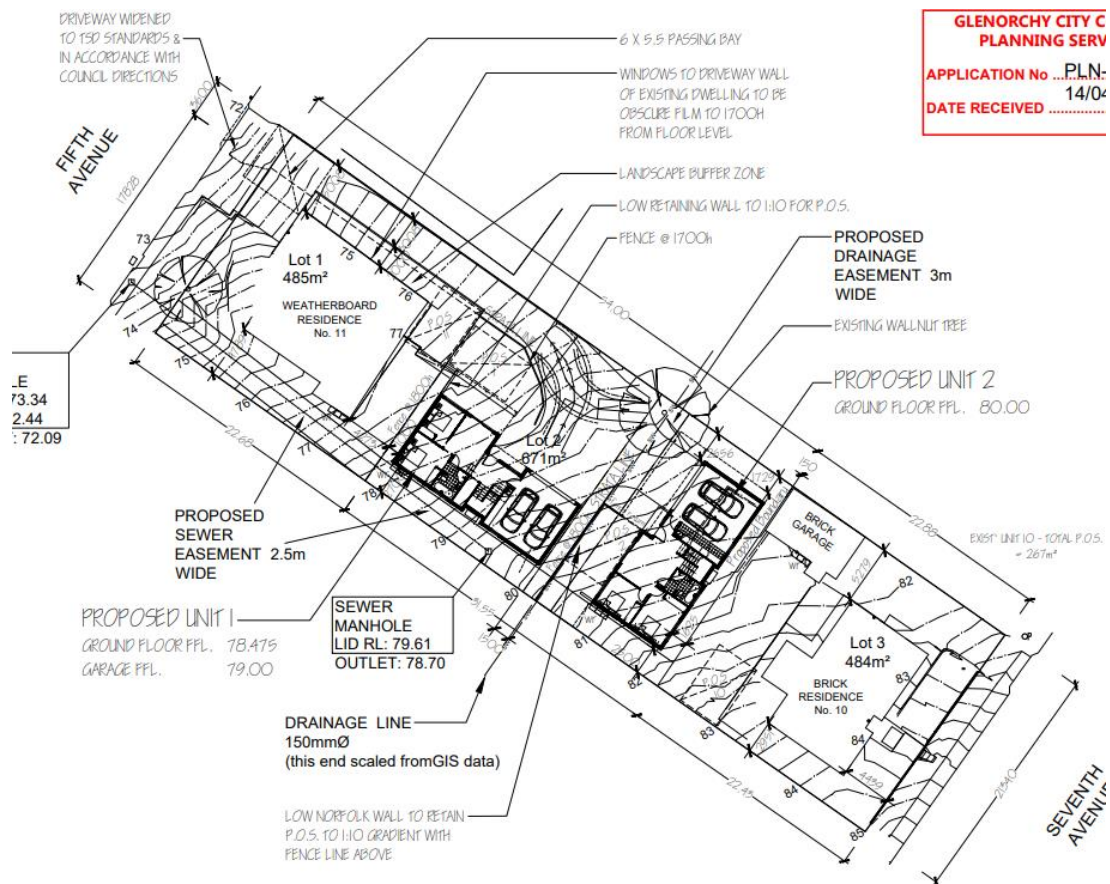


Figure 2: Proposed site plan showing two multiple dwellings within the proposed internal lot.

The proposed internal lot is to be developed with two double storey dwellings. The proposed dwellings (annotated as Unit 1 and 2 on plans) are to be accessed through a Right of Way from Fifth Avenue.

The proposed Unit 1 and the existing two-bedroom dwelling at 11 Fifth Avenue are to be divided by a 1.8m high fence and separated by 5.27m. Proposed unit 1 is to contain two bedrooms, a bathroom, rumpus, double garage (and laundry) and entry with stairs leading to the first floor. The first floor is to consist of one bedroom, bathroom, study, and open plan kitchen/dining/living area with access to an east facing deck. This dwelling is to have a maximum height of 7.55m. Proposed unit 1 shares a driveway/turning area with proposed unit 2. Proposed unit 2 is a similar layout to unit 1, with a double garage (laundry), two bedrooms, a bathroom, rumpus, and entry with stairs to the first floor. The first floor is to have an open plan kitchen/living/dining area with access to a north-west facing deck, a study, a bedroom, and bathroom. This dwelling is to have a maximum height of 6.44m. Proposed unit 1 and 2 are divided by a 1.8m high fence and separate by 5.5m.

Proposed unit 2 is to be separated from the existing dwelling at 10 Seventh Avenue by approximately 9m. This existing dwelling contains a bedroom, living room, kitchen, and storage areas. The laundry is shared with the first floor, which contains three

bedrooms, a bathroom, sunroom, kitchen/dining room and a lounge room. Two parking spaces are proposed for this dwelling and two parking spaces are proposed for the other existing dwelling at 11 Fifth Avenue.

The proposal relies on performance criteria to comply with 10.4.2 Setbacks and building envelopes for all dwellings P3, 10.4.3 Site coverage and private open space for all dwellings P1, 10.6.1 Lot Design P4, 10.6.3 Ways and Public Open Space P1 and E6.6.1 Number of Car Parking Spaces P1.

SITE and LOCALITY

The site is formed by two lots, 11 Fifth Avenue and 10 Seventh Avenue, West Moonah. The frontage to 11 Fifth Avenue is 21.34m, with a depth of 38.4m and is 819m². This lot is directly opposite the intersection with Fifth Avenue and Springfield Avenue and slopes up from the frontage to the rear of the lot with a gradient of approximately 1 in 6. The frontage to Seventh Avenue is 21.34m, with a depth of 38.4 and an area of 819m². This lot is approximately 18m north-east of Eleventh Avenue, West Moonah and slopes up toward the frontage, with a gradient of approximately 1 in 5 (Figure 3).



Figure 3. An aerial view of the site and surrounds.

A drainage easement (stormwater) extends along the rear boundary of 10 Seventh Avenue and sewerage infrastructure dissects the southern side boundary of 11 Fifth Avenue.

The locality is characterised by single and multiple dwellings that are predominantly one to two storeys, in response to the sloping land. Public open space, known as Third Avenue Reserve, is a walkable distance from the site, approximately 150m. A public way is situated to the east of the site and is separated from it by a residential allotment.

ZONE

The site is located within the General Residential zone (Fig. 4).



Figure 4. A view of the zoning in the locality.

BACKGROUND

11 Fifth Avenue

PLN-08-0246 - Boundary Adjustment - Withdrawn

PLN-13-144 - One (1) additional dwelling unit with variation to vehicular manoeuvring and parking standards – Approved – 07/02/2014 (lapsed)

10 Seventh Avenue

PLN-02-01599 - Unit behind existing dwelling – Approved – 24/08/2006 (lapsed)

PLN-08-0246 - Boundary Adjustment – Withdrawn

Assessment

This application was submitted and validated prior to 22 Feb 2021 and therefore assessment is based on Version 33 of *Glenorchy Interim Planning Scheme 2015*.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil

Limited Exemptions

Nil

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

No SAP applies.

Codes E5.0, E6.0 and E7.0 apply which override the zone provisions in an instance of a conflict.

Use Class Description (Table 8.2):

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

Other relevant definitions (Clause 4.1):

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

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

Building means as defined in the Act.

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

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

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

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

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

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

Internal lot means a lot:

- (a) lying predominantly behind another lot; and
- (b) having access to a road by an access strip, private road or right of way.

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

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

Part C: Special Provisions

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

9.7 Subdivision

9.7.1 A permit is required for development involving a plan of subdivision.

9.7.2 A permit for development involving a plan of subdivision is discretionary unless:

- (a) for adjustment of a boundary in accordance with clause 9.3.1;*
- (b) the subdivision is prohibited in accordance with clause 8.9; or*
- (c) the plan of subdivision must not be approved under section 84 Local Government (Building and Miscellaneous Provisions) Act 1993.*

Comment:

The proposed subdivision is discretionary because it is neither a boundary adjustment in accordance with clause 9.3.1 or prohibited in accordance with clause 8.9, nor is it recommended to not be approved under section 84 *Local Government (Building and Miscellaneous Provisions) Act 1993*.

Part D: Zones

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

Zone Purpose Statements

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

The proposal involves the creation of lots at suburban densities and offers different dwelling types, ranging from two to four-bedroom dwellings. The proposal is to efficiently utilise existing infrastructure. The proposal is taken to be consistent with the purpose of the zone.

Use Table

Multiple dwellings are permitted within the zone and single dwellings are no permit required use and development within the General Residential zone. However, the application requires discretionary consideration because the proposal is relying on performance criteria to comply with applicable standards.

Additionally, subdivision is discretionary development, in accordance with clause 9.7.

Use Standards

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

Development Standards for Residential Buildings & Works

10.4.2 Setbacks and building envelopes for all dwellings P3

The proposed multiple dwellings extend outside the building envelope as shown in Diagram 10.4.2D for internal lots as required by subclause 10.4.2 A3(a); and the existing garage associated with the single dwelling at 10 Seventh Avenue extends within the 4m rear boundary setback, as required by Diagram 10.4.2A.

The performance criteria require the siting and scale of a dwelling to:

- (a) not cause unreasonable loss of amenity by:
 - (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or

- (ii) overshadowing the private open space of a dwelling on an adjoining lot; or
 - (iii) overshadowing of an adjoining vacant lot; or
 - (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and
- (b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.

Shadow diagrams were provided to demonstrate the extent of potential shadow cast by the proposed multiple dwellings onto the adjoining properties. The shadow diagrams show that 13 Fifth Avenue and 3 Seventh Avenue would be in shadow cast by the proposed multiple dwellings at 9am, with the shadow retracting by midday, so that these adjoining properties would not be unreasonably overshadowed for the afternoon. Accordingly, those adjoining dwellings and the associated private outdoor space would receive more than three hours of sunlight on 21 June (Fig. 5 & 6).

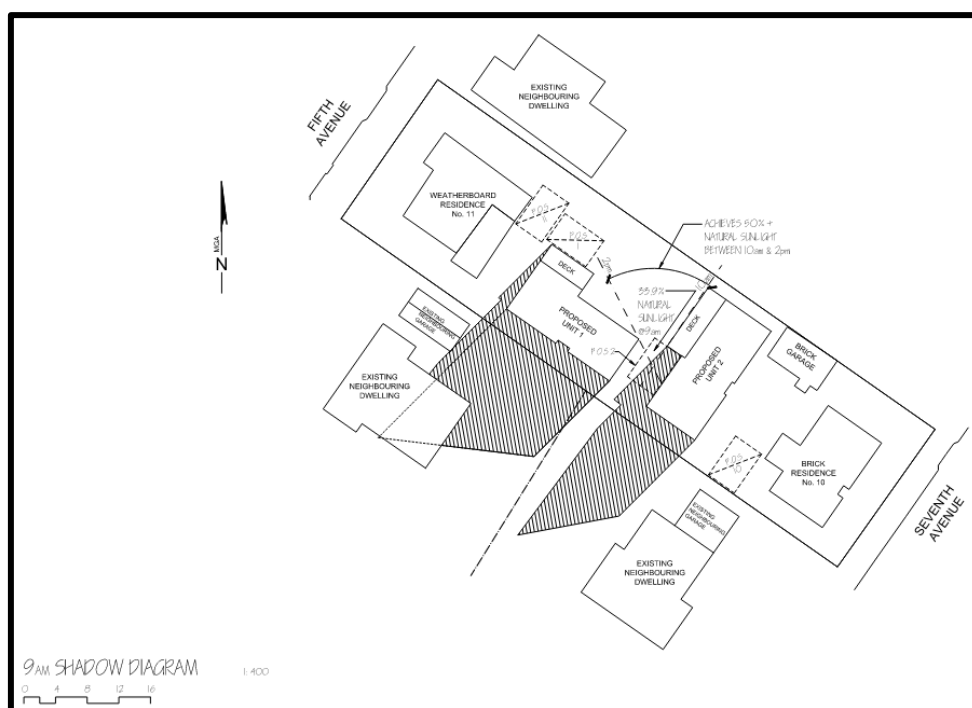


Figure 5. The shadow diagram for 9am showing the extent of the shadow cast by the proposal onto the adjoining properties.

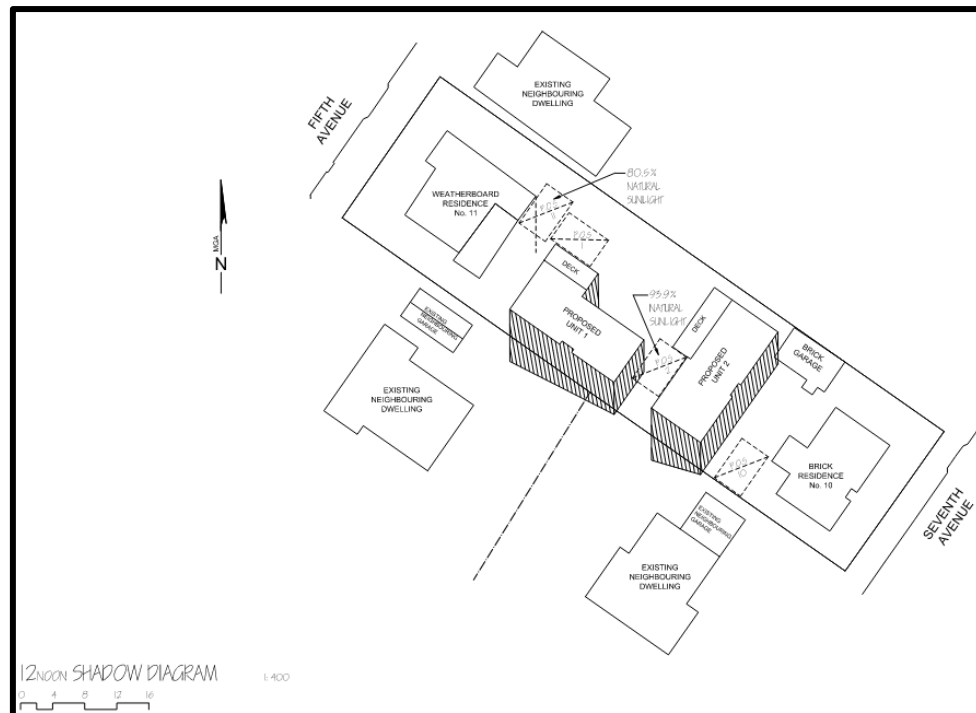


Figure 6. The shadow diagram for 12 noon showing the extent of the shadow cast by the proposal onto the adjoining properties.

The shadow diagrams show that some shadow would be cast on the adjoining lot at 10 Seventh Avenue by the proposed multiple dwellings. However, this adjoining property would receive at more than three hours of sunlight in the morning and early afternoon on 21 June (Fig. 7).

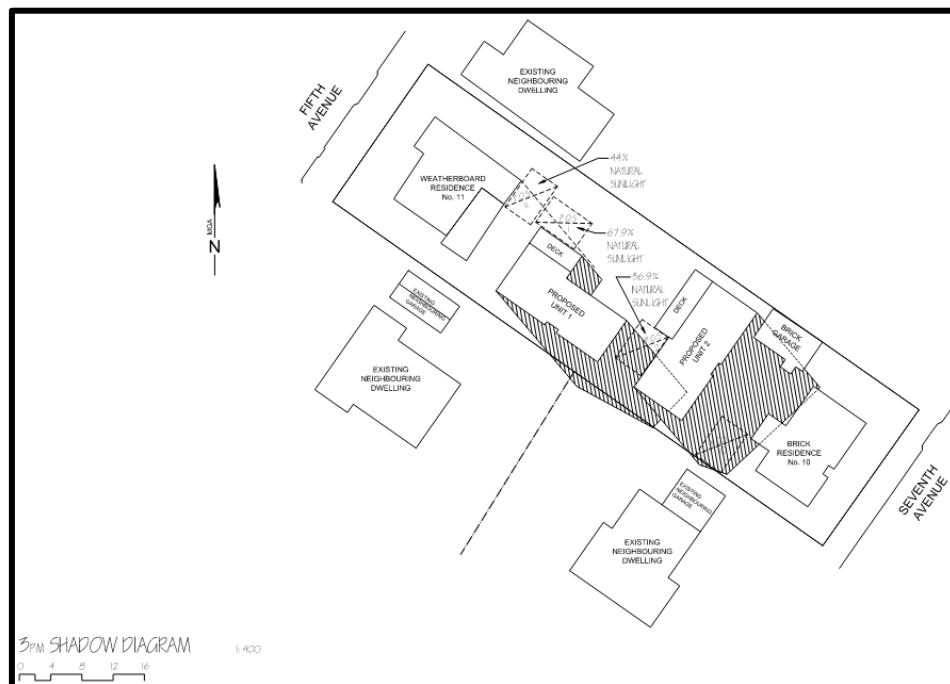


Figure 7. The shadow diagram for 3pm showing the extent of the shadow cast by the proposal onto the adjoining properties.

The existing garage at 10 Seventh Avenue is relatively modest in scale and increases in height in response to the slope of the land. The existing garage is expected to cast minor shadows onto proposed lot 2 in the morning, with that shadow retracting and being clear of that lot by midday. The visual impact of the north-western elevation of that garage from the adjoining lot with the most sensitive interface (proposed lot 2) is taken to be reasonable given the siting and scale of the building.

The proposed multiple dwellings like many other dwellings in the locality are to be double storey and the sloping site is to be reshaped (cut and filled) to enable the dwellings to sit into the hill side. This effectively reduces the perceived bulk of the buildings and reduces visual impacts to adjoining properties. The visual impact when viewed from adjoining lots is taken to be reasonable for those reasons.

The separation distances between dwellings range between 9m to 3m and the proposal is assessed as being compatible with this pattern of separation between dwellings in the locality.

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

10.4.3 Site coverage and private open space for all dwellings P1

Proposed lot 2 and 3 are to have less than 25% of the site free from impervious surfaces. The performance criteria require dwellings to have:

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

Each dwelling on the site proposes to have more than 60m² of private outdoor space dedicated to each dwelling. These areas are assessed as being adequate in size and orientate to take advantage of sunlight, to enable future occupants to enjoy outdoor recreation and serve their projected operational needs. The areas of private outdoor space are taken to provide reasonable space for gardening and landscaping, as shown in the landscape plan (Fig. 8).

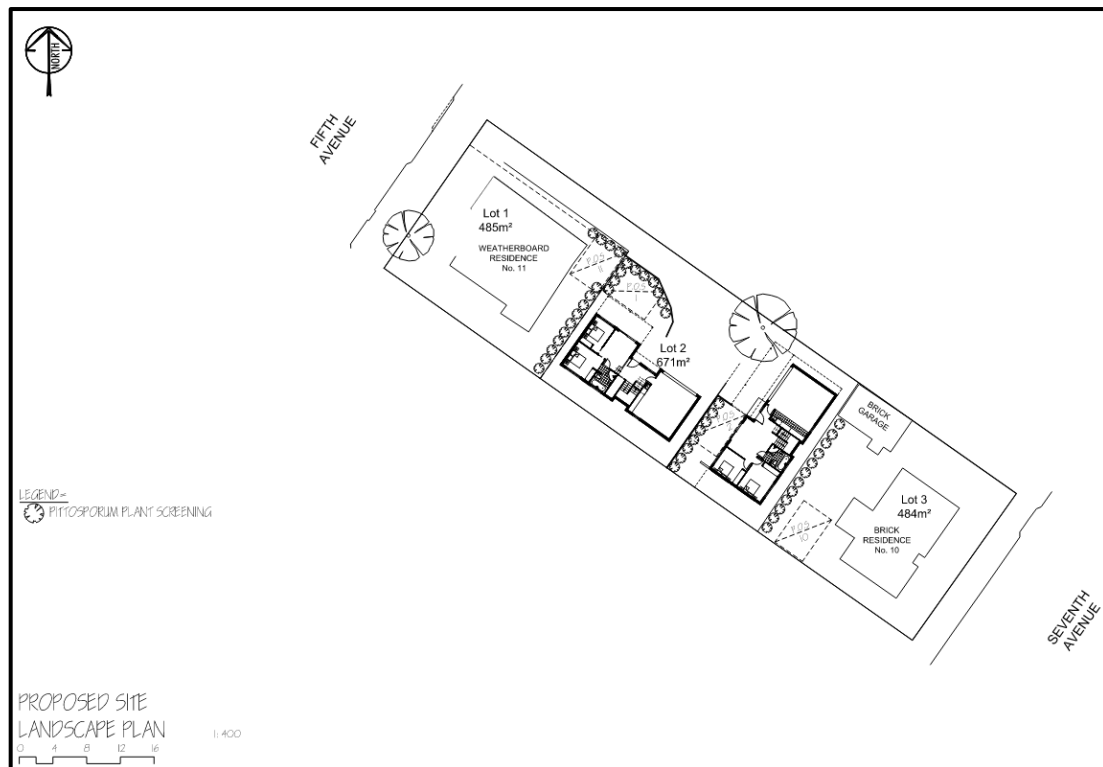


Figure 8. The landscape plan showing the areas of private outdoor space available for gardening and outdoor recreation for each dwelling.

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

Development Standards for Subdivisions

10.6.1 Lot Design P4

Proposed lot 2 is an internal lot. Considering there is no acceptable solution for this standard, the performance criteria is relied on. The performance criteria require an internal lot to satisfy all of the following:

- (a) the lot gains access from a road existing prior to the planning scheme coming into effect, unless site constraints make an internal lot configuration the only reasonable option to efficiently utilise land;
- (b) it is not reasonably possible to provide a new road to create a standard frontage lot;
- (c) the lot constitutes the only reasonable way to subdivide the rear of an existing lot;
- (d) the lot will contribute to the more efficient utilisation of residential land and infrastructure;
- (e) the amenity of neighbouring land is unlikely to be unreasonably affected by subsequent development and use;

- (f) the lot has access to a road via an access strip, which is part of the lot, or a right-of-way, with a width of no less than 3.6m;
- (g) passing bays are provided at appropriate distances to service the likely future use of the lot;
- (h) the access strip is adjacent to or combined with no more than three other internal lot access strips and it is not appropriate to provide access via a public road;
- (i) a sealed driveway is provided on the access strip prior to the sealing of the final plan.
- (j) the lot addresses and provides for passive surveillance of public open space and public rights of way if it fronts such public spaces.

The site is constrained by width and the siting of existing dwellings, such that an internal lot configuration is only reasonable option to efficiently utilise the rear of existing lots. The proposed lot is to be accessed by a 3.6m wide right of way and represents an efficient use of residential land and infrastructure, by subdividing to suburban densities. The amenity of the locality is not expected to be unreasonably affected by the subsequent residential development, given the proposed multiple dwellings are assessed as satisfying the applicable amenity standards of the zone.

The site does not front public open space or public right of ways other than the road reservation.

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

10.6.3 Ways and Public Open Space P1

Considering there is no acceptable solution for this standard, the performance criteria is relied on. The performance criteria require the arrangement of ways and public open space within a subdivision to satisfy all of the following:

- (a) connections with any adjoining ways are provided through the provision of ways to the common boundary, as appropriate;
- (b) connections with any neighbouring land with subdivision potential is provided through the provision of ways to the common boundary, as appropriate;
- (c) connections with the neighbourhood road network are provided through the provision of ways to those roads, as appropriate;
- (d) convenient access to local shops, community facilities, public open space and public transport routes is provided;
- (e) new ways are designed so that adequate passive surveillance will be provided from development on neighbouring land and public roads as appropriate;

- (f) provides for a legible movement network;
- (g) the route of new ways has regard to any pedestrian & cycle way or public open space plan adopted by the Planning Authority;
- (h) Public Open Space must be provided as land or cash in lieu, in accordance with the relevant Council policy.
- (i) new ways or extensions to existing ways must be designed to minimise opportunities for entrapment or other criminal behaviour including, but not limited to, having regard to the following:
 - (i) the width of the way;
 - (ii) the length of the way;
 - (iii) landscaping within the way;
 - (iv) lighting;
 - (v) provision of opportunities for 'loitering';
 - (vi) the shape of the way (avoiding bends, corners or other opportunities for concealment).

The application proposes the creation of one new residential lot and no roads or ways are proposed or considered appropriate for this type of subdivision.

The relevant Council policy is the 'Subdivisions – Public open space Acquisitions and Contributions Policy'. Council's Co-ordinator Public Open Space has confirmed that while a land contribution is not required, a cash contribution is, in accordance with the policy. This is because there is public open space within 500m of the site that is not fully developed.

A condition is recommended for a cash contribution of 5% of the unimproved value of the whole area shown on the plan of subdivision.

Part E: Codes

The following codes of the Scheme apply to this proposal:

E5.0 Road and Railway Assets Code

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

E6.0 Parking and Access Code

E6.6.1 Number of Car Parking Spaces P1

The parking arrangement for the existing dwelling at 11 Fifth Avenue is proposed to be reduced from two to one space, while the proposed multiple dwelling and the other

existing dwelling are to have two parking spaces per dwelling. The proposal relies on performance criteria for a one space shortfall.

The performance criteria require the number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:

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

The existing dwelling at 11 Fifth Avenue is a two-bedroom dwelling. One parking space is to be provided in the single garage that is under the main living area of that dwelling. The driveway is not quite long enough to accommodate another parking space and if a car was to park there it would overhang the road reservation (but would not unreasonably obstruct the foot path). Council's Development Engineer has reviewed the proposal and has concluded that the proposal is capable of meeting the

reasonable needs of all users of the site, taking into account the level of parking available on or off the site and the access afforded by other modes of transport.

The proposal satisfies the performance criteria and complies with the standard.

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

E7.0 Stormwater Management Code

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

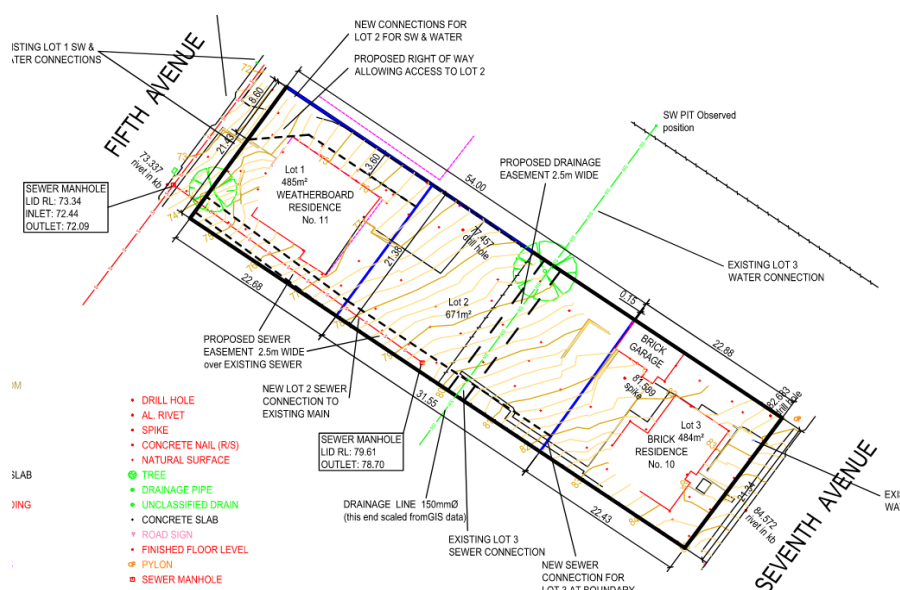
PART F: Specific Area Plans

No SAP applies.

INTERNAL REFERRALS

Development Engineer

The application is for a staged subdivision and multiple dwelling development. The application involves the realignment of the existing rear boundaries of 11 Fifth Avenue and 10 Seventh Avenue to create a new internal lot through Fifth Avenue. The internal lot is to be developed with two multiple dwellings as part of Stage 2 of the development. The proposal is therefore for the creation of three lots (2 boundary realignments and 1 new lot creation) as part of Stage 1 and two multiple dwellings to be built on the proposed internal lot as part of Stage 2.



E5.0 Road and Railway Assets Code

The development complies with Code E5 Road and Railway Assets Code; and the safety and efficiency of the road is not expected to reduce by the proposed

development. The development is not expected to increase vehicle movements, to and from the site, over 40 vehicle movements and therefore complies with the Acceptable solution A3 of E5.5.1. The new lot will be accessed off the widened existing vehicle crossing; this complies with A1 and A2 under the Clause E5.6.2.

E6.0 Parking and Access Code

The proposed subdivision will create a shortfall in parking for the existing house at No. 11 Fifth Avenue. An assessment of the immediate locality indicated that there were sufficient on-street parking spaces available to meet the needs of users therefore Performance Criteria E6.6.1 P1 is considered to comply.

The Seventh Avenue property has sufficient space to accommodate two (2) vehicles on the site.

The proposal for the new multiple dwellings provides for garages that will accommodate two (2) undercover parking spaces for each unit therefore complies with the Acceptable solution A1 of E6.6.1.

E7.0 Stormwater Management Code

The development meets the requirements in the Stormwater Management Code. There is a proposal to upgrade and separate the existing service connections to the property with new connections to the existing Council infrastructure. All runoff from the new impervious area will be discharged by gravity to those new connections. The development is considered to comply with the Acceptable Solution E7.7.1 Clause A1 .

Other

E3.0 Landslide Code

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

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

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

E15.0 Inundation Prone Areas Code

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

Waste Management Officer

Waste Services to the proposed multiple dwelling development at 11 Fifth Avenue West Moonah, 10 Seventh Avenue West Moonah would be Council's standard bin service collected fortnightly.

- The Council's Standard Bin Service includes one (1) x 140L wheelie bin for Waste, one (1) x 240L wheelie bin for recycling and (1) x 240L FOGO bin to each of the dwelling, collected fortnightly.
- Please note that this property would have a total of six (6) bins, two (2) Waste bins and two (2) Recycling Bins, and two (2) FOGO bins.
- This property has an existing kerbside/nature strip area for placement of the bins therefore the dwellings would have their own individual bins.
- All bins are to be placed on the kerbside for collection.
- Council's Waste Management Contractor collection trucks will not enter the property to collect and empty the wheelie bins.

Property officer

After a desktop assessment, we have identified there is open space within 500m at Third Avenue Reserve.

In accordance with section 11 of the policy, we don't require a land contribution however we would like to request a cash in lieu contribution.

EXTERNAL REFERRALS

TasWater

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

REPRESENTATIONS

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

1. Noise

The representor states that there will be an increase in the number of vehicles travelling past the neighbouring dwellings. This would increase the noise pollution to that dwelling considering the proposed driveway is only 1.8m from that dwelling's windows. Also, the dwellings will potentially house an additional 10 or more people within this area. Noise from day-to-day living will be increased, affecting the outdoor living and potentially indoor living amenity.

Planner's Comment:

Vehicle noise or vehicle light intrusion is dealt with under 10.4.6 Privacy for all dwellings. However, this only involves the consideration of multiple dwellings on the same site where a driveway is shared between those dwellings. The increase in vehicle movements is found to be acceptable under E5.5.1 Existing road accesses and junctions.

The purpose of the General Residential zone encourages a range of dwelling types at suburban densities. The proposed infill development with multiple dwellings is consistent with the purpose of the zone.

Noise generated by a residential use is not a consideration under the planning scheme and is dealt with separately under the Environmental Management and Pollution Control Act or is a policing matter.

2. Privacy

The representor states that private outdoor space will be compromised as decks of dwelling 2 and 3 will look directly into the backyard of the neighbouring dwelling.

Planner's Comment:

The proposal is assessed as being appropriately designed and sited to comply with the acceptable solution of the privacy standards. No discretion is being exercised in assessing the proposal against the applicable privacy standards.

3. House prices

The representor states that the proposal will cause the depreciation of the current value of 9 Fifth Avenue. And will decrease the rental value and appeal of 9 Fifth Avenue.

Planner's Comment:

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

CONCLUSION

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

The application was publicly advertised for the statutory 14-day period and one representation was received. The matters raised by the representor have been taken into consideration as part of the assessment of the application.

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

Recommendation:

That a permit be granted for the proposed use and development of Multiple dwellings (Residential) and three lots Subdivision at 11 Fifth Avenue West Moonah and 10 Seventh Avenue West Moonah subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-20-465 and Drawings submitted on 17 March 2021 (subdivision), 14 April 2021 (landscaping, floor plan and elevations for unit 1, elevation unit 2, civil plan, existing dwellings and garage, and shadow diagrams), and 20 April 2021 (site plan, floor plan for unit 2, remaining elevation unit 2), except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2020/01839-GCC, dated 25/03/2021, form part of this permit.
3. All works associated with the subdivision (Stage 1) must be completed and titles issued prior to the lodgement of a building application for the Multiple Dwellings (Stage 2).
4. Council having determined not to require the subdivider to increase areas of open space before approving the plan of subdivision, requires payment of an amount to Council in accordance with Section 117 of the *Local Government (Building & Miscellaneous Provisions) Act 1993*, to the equivalent of five percent of the unimproved value of the whole area shown on the plan of subdivision as determined by a registered valuer engaged by the subdivider.
5. An original and two copies of each of the Plan of Subdivision and Schedule of Easements must be submitted to Council for sealing.
6. The Plan of Survey and accompanying Schedule of Easements must describe all existing easements and any additional easements required, including the 3.6m wide right of way in favour of lot 2.

Engineering

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

and other materials entering the local stormwater system, roadways or adjoining properties.

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

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

8. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
9. The construction details of specific components of the works must comply with LGAT Standard Drawings and accord with Tasmanian Subdivision Guidelines 2013, the developer must appoint a qualified and experienced engineer who will be required to certify practical completion of subdivision construction works. The appointed supervising engineer must be the primary contact person on matters concerning the subdivision.
10. The design and construction of the access to the new lot must generally comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004, to the satisfaction of the Council's Development Engineer. Drawings showing the design of the driveway must be submitted with the Building Application or prior to the commencement of works on site (whichever comes first) for approval by Council's Development Engineer. The proposed driveway and parking area must comply with the following:-
 - a) Be constructed to a sealed finish and the finished gradient must not exceed the maximum gradient of 25%;
 - b) The four (4) car parking spaces (two per dwelling) for the multiple dwellings must be provided in accordance with the approved plan and kept available for these purposes at all times;
 - c) Vertical alignment shall include transition curves (or straight sections) to the Australian Standard, Parking facilities - Part 1: Off-Street Carparking AS 2890.1 - 2004, Clause 2.5.3 (d) at all grade changes greater than 12.5%;
 - d) All runoff from paved and driveway areas must be discharged into Council's stormwater system;
 - e) Minimum carriageway width is to be no less than 3.0 metres and must be constructed as part of stage 1.

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

11. The proposed extension of the driveway to service the new units is to be constructed in accordance with Municipal Standard Drawing TSD-R09-v3.
12. Adequate on-site stormwater detention must be provided so that stormwater discharged from the site does not exceed the pre-development stormwater runoff for 1 in 20 ARI (5% AEP) storm event. A detailed design must be submitted with the Building Application prepared by a qualified professional engineer for approval by Council's Development Engineer and completed prior to a Certificate of Occupancy being issued for the multiple dwellings.
13. Private sewer, stormwater and water services/connections are to be entirely separate to each lot in order to ensure that they are contained entirely within the lots served. Power and telephone connections must also be contained within their respective lots. A detailed services plan showing both the existing and the proposed (or as built) private services, Council mains and access to all lots on the site must be prepared by a civil engineer or a qualified designer and submitted to the Council for approval prior to the sealing of the final plans. In particular, the developer must confirm the position of any services that may be affected by the subdivision.
14. The applicant must pay Council the amount of \$205.00 (incl. GST) per lot on the diagram to complete the measure up and record 'as constructed' data for all assets to be taken over by council prior to the sealing of a Final Plan. This amount is subject to annual adjustment with the Council Fees and Charges Register.
15. The developer is to liaise with the relevant agency and to make provision for the installation of communication cabling to service each lot of the development.
16. Prior to the sealing of a Final plan, evidence must be provided to Council's Development Engineer that the development meets the requirements of TasWater.
17. A detailed estimate for the subdivision works must be provided and payment of the engineering assessment fee must be made prior to the issuing of Council's approval of the engineering design for each stage. Under the current Council Resolution, the engineering assessment fee is 2% of the value of works or a minimum of \$300.00. This amount is subject to annual adjustment in accordance with the Council fees and charges register. Construction must not commence until the approved engineering plans have been issued.

18. Prior to sealing of the plan of subdivision, all approved subdivision infrastructure works must be completed in accordance with the approved engineering plans and the requirements of Council's Development Engineer. Financial guarantees covering the cost of the uncompleted and unsecured works prior to the completion of approved Council infrastructure will not be permitted to be lodged.
19. All internal hydraulic service works required for the unit development shall be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor.
20. The developer must provide underground electrical reticulation for power. Underground TasNetwork cables must be used subject to any underground cables in joint use trenches complying with Council's Development Engineer and TasWater codes.
21. Detailed designs of the proposed retaining structure (Norfolk Wall) and the proposed fence between the proposed units is to be submitted for approval of the Council's Development Engineer. Plans will need to demonstrate those structures will not impact the existing 150dia. Council stormwater main.
22. No civil works related to or associated with the use or development approved by this permit are to occur to existing Council infrastructure unless these works are in accordance with engineering drawings that have been approved by Council's Development Engineer. Changes to the design and/or location of civil works will require the submission of amended engineering drawings prepared by a licensed civil engineer for approval by Council's Engineer.
23. Provide written certification from a licensed civil engineer certifying that all civil works have been completed in accordance with the engineering drawings approved by Council's Development Engineer and to the applicable Australian Standards prior to the commencement of the use or within 20 days of completion of the works whichever occurs sooner
24. Arrange a compliance inspection with Council of the civil works that have been approved by Council's Development Engineer prior to the commencement of the use or within 20 days of completion of the works whichever occurs sooner. Note that a minimum of five (5) business days notice must be given to Council for a compliance inspection.
25. 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 Councils satisfaction, Council may elect to reinstate or rectify any defects and recover the expenses reasonably incurred in doing so from the property owner.

Advice to Applicant

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

Waste Management

Waste Services to the proposed multiple dwelling development at 11 Fifth Avenue West Moonah, 10 Seventh Avenue West Moonah would be Council's standard bin service collected fortnightly.

- The Council's Standard Bin Service includes one (1) x 140L wheelie bin for Waste, one (1) x 240L wheelie bin for recycling and (1) x 240L FOGO bin to each of the dwelling, collected fortnightly.
- Please note that this property would have a total of six (6) bins, two (2) Waste bins and two (2) Recycling Bins, and two (2) FOGO bins.
- This property has an existing kerbside/nature strip area for placement of the bins therefore the dwellings would have their own individual bins.
- All bins are to be placed on the kerbside for collection.
- Council's Waste Management Contractor collection trucks will not enter the property to collect and empty the wheelie bins.

Other Permits

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

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

Attachments/Annexures

- 1** GPA Attachments - 11 Fifth Avenue and 10 Seventh Avenue West

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APPENDIX**10.0 General Residential Zone**

Standard	Acceptable Solution	Proposed	Complies?
10.4 Development Standards for Residential Buildings and Works			
10.4.1 Residential density for multiple dwellings	A1 Multiple dwellings must have a site area per dwelling of not less than: (a) 325m ² ; or (b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.	Lot 2 is to have an area of 671m ² , excluding the access strip. The site area calculation excludes the access strip and therefore the site area per dwelling is more than 325m ² .	Yes
10.4.2 Setbacks and building envelopes for all dwellings	A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or (b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or (c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or (d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.	No change to existing frontage setbacks for existing dwellings at 11 fifth and 10 seventh Ave. No frontage requirement under this standard for the internal lot.	NA
	A2 A garage or carport must have a setback from a primary frontage of at least: (a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or (b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or	No new garage or carport is proposed within 5.5m of the frontage	NA

	<p>(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.</p> <p>A3 A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must:</p> <p>(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:</p> <ul style="list-style-type: none"> (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and <p>(b) only have a setback within 1.5 m of a side boundary if the dwelling:</p> <ul style="list-style-type: none"> (i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or (ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser). 	<p>The dwellings do not fit within the building envelope for proposed units 1 and 2 and existing garage at 10 seventh ave being within 4m of the new proposed rear boundary. The proposed dwellings are to be setback 2.5 and 2.7m respectively from the western side boundary and 2.6m from the eastern side boundary. This is similar to the existing dwellings on the site, with a side setback of 2.9m and 3.1m.</p>	No – see report
10.4.3 Site coverage and private open space for all dwellings	<p>A1 Dwellings must have:</p> <p>(a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and</p> <p>(b) for multiple dwellings, a total area of private open space of not less than 60 m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(c) a site area of which at least 25% of the site area is free from impervious surfaces.</p>	<p>(a) Site coverage Lot 1 = 24.3% Site coverage Lot 2 = 32.2% Site coverage Lot 3 = 31.7%</p> <p>(b) Proposed unit 1 = 138.6m² Proposed unit 2 = 139.7m² Existing dwelling at 11 Fifth – 249m² Existing dwelling at 10 Seventh – 267m².</p> <p>(c) Lot 1 = 27% Lot 2 = 11% Lot 3 = 19.6%</p>	<p>a) yes b) yes c) Lot 2 and 3 do not comply – see report</p>
	<p>A2 A dwelling must have an area of private open space that:</p> <p>(a) is in one location and is at least:</p> <ul style="list-style-type: none"> (i) 24 m²; or 	<p>Nominated POS for existing dwellings at 10 Seventh Avenue is not directly accessible. However, this is unchanged from the previously approved arrangement. The nominated POS for existing dwelling at 11 Fifth Avenue is to remain unchanged from the existing arrangement.</p>	Yes

	<ul style="list-style-type: none"> (ii) 12 m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (b) has a minimum horizontal dimension of: <ul style="list-style-type: none"> (i) 4 m; or (ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and (d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and (e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and (f) has a gradient not steeper than 1 in 10; and (g) is not used for vehicle access or parking. 	<p>The assessment of POS for the proposed multiple dwellings is:</p> <ul style="list-style-type: none"> a) 24m² is proved for each dwelling; b) With a minimum horizontal width of 4m; c) Is directly accessible from the ground floor rumpus of each dwelling; d) is not located to the south, south-east or south-west of the dwelling; e) is not located between the dwelling and the frontage; f) is to have a gradient not steeper than 1 in 10; and g) is not used for vehicle access or parking. 	
10.4.4 Sunlight and overshadowing of all dwellings	A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).		Yes
	A2 A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c): <ul style="list-style-type: none"> (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B): <ul style="list-style-type: none"> (i) at a distance of 3 m from the window; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. 	The units are not located to the north of another dwelling on the same site	NA

	<p>(c) That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"> (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling. 		
	<p>A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c):</p> <ul style="list-style-type: none"> (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C): <ul style="list-style-type: none"> (i) at a distance of 3 m from the northern edge of the private open space; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: <ul style="list-style-type: none"> (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling. 	<p>Unit 1 is partially located to the north of the nominated POS of Unit 2. Shadow diagram however shows that the POS will have a minimum of 3hrs of sunlight during winter solstice.</p>	Yes
10.4.5 Width of openings for garages and carports for all dwellings	<p>A1 A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).</p>	No garage or carport is proposed within 12m of the frontage.	NA
10.4.6 Privacy for all dwellings	<p>A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:</p>	<p>The deck for proposed unit 1 and 2 are to have a 1.7m high screen for the section within 3m of a side boundary and 4m of the rear boundary of 11 fifth ave. The deck for U2 is setback 6m from the bedroom windows of U1 and more than 6m of the deck of U1.</p>	Yes

	<ul style="list-style-type: none"> (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary; and (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4 m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m: <ul style="list-style-type: none"> (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site. 		
	<p>A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <ul style="list-style-type: none"> (a) The window or glazed door: <ul style="list-style-type: none"> (i) is to have a setback of at least 3 m from a side boundary; and (ii) is to have a setback of at least 4 m from a rear boundary; and (iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site. (b) The window or glazed door: <ul style="list-style-type: none"> (i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or (c) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%. 	<p>U1 sill height windows of 1.7m facing rear boundary of 11 fifth ave (north-west elevation); south-west elevation kitchen window is to have obscure glazing and study is to have window with 1.7m sill height; south-east elevation bedroom window 1.7m sill height. U1 habitable room windows and doors with floor level more than 1m above natural ground level complies with A2 b (ii) and (c). U2 is setback 6m from U1. U2 living room windows is 6m from the bedroom windows of U1. U1 is less than 6m from U2 POS – however, the sill height for U1 is 1.7m.</p>	Yes
	A3	The shared driveway along side the existing dwelling is to be 3m wide and a further 2m is to separate it from that dwelling.	Yes

	<p>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:</p> <p>(a) 2.5 m; or</p> <p>(b) 1 m if:</p> <p>(i) it is separated by a screen of at least 1.7 m in height; or</p> <p>(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.</p>	<p>It is noted that this is not a multiple dwelling. The first bedroom window sill of U1 is more than 1.7m above the shared driveway. The second bedroom window sill is to be less than 1.7m above the shared driveway. However, there is to be obscure film to a height of 1.7m above the floor line for this window.</p> <p>For proposed U1, it is assessed that the habitable rooms on the ground floor are separated from the shared driveway (turning area) by 2.5m.</p> <p>Proposed U2 is not applicable to this standard, as there is no habitable rooms within 2.m of the shared driveway.</p>	
10.4.7 Frontage Fences for all dwellings	<p>A1</p> <p>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:</p> <p>(a) 1.2 m if the fence is solid; or</p> <p>(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).</p>	No new frontage fence are proposed	NA
10.4.8 Waste Storage for multiple dwellings	<p>A1</p> <p>A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m² per dwelling and is within one of the following locations:</p> <p>(a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</p> <p>(b) in a communal storage area with an impervious surface that:</p> <p>(i) has a setback of at least 4.5 m from a frontage; and</p> <p>(ii) is at least 5.5 m from any dwelling; and</p> <p>(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.</p>	Waste storage for units 1 and 2 comply with A1 (a)	Yes
10.5 Development Standards for Non-dwelling Buildings and Works			
10.5.1 Non-dwelling Development	<p>A1</p> <p>Non-dwelling development must comply with all of the following acceptable solutions as if it were a dwelling:</p> <p>(a) 10.4.2 A1 and A3;</p> <p>(b) 10.4.3 A1 (a) and (c);</p> <p>(c) 10.4.7 A1</p>		NA
10.5.2	A1		NA

Non-residential Garages and Carports	Non-residential garages and carports must comply with all of the following acceptable solutions as if they were ancillary to the dwelling: (a) 10.4.2 A2; (b) 10.4.5 A1.		
10.5.3 Outdoor Storage Areas	A1 Outdoor storage areas must comply with all of the following: (a) Be located behind the building line; (b) All goods and materials stored must be screened from public view; (c) Not encroach upon car parking areas, driveways or landscaped areas.	No outdoor storage areas are proposed	NA
10.6 Development Standards for Subdivision			
10.6.1 Lot Design	A1 The size of each lot must comply with the minimum and maximum lot sizes specified in Table 10.1, except if for public open space, a riparian or littoral reserve or utilities.	Lot 1 = 485m ² Lot 2 = 671m ² Lot 3 = 484m ²	Yes
	A2 The design of each lot must provide a minimum building area that is rectangular in shape and complies with all of the following, except if for public open space, a riparian or littoral reserve or utilities: (a) clear of the frontage, side and rear boundary setbacks; (b) not subject to any codes in this planning scheme; (c) clear of title restrictions such as easements and restrictive covenants; (d) has an average slope of no more than 1 in 5; (e) the long axis of the building area faces north or within 20 degrees west or 30 degrees east of north; (f) is 10 m x 15 m in size.	Lot 1 and 3 are already developed by existing dwellings and Lot 2 proposes two dwellings as part of this application. The building area requirement for each lot is therefore not applicable.	NA
	A3 The frontage for each lot must comply with the minimum and maximum frontage specified in Table 10.2, except if for public open space, a riparian or littoral reserve or utilities or if an internal lot.	Lot 1 = 21.42 (the frontage includes the right of way of 3.6m. the remaining 17.82m is more than the 15m requirement) Lot 2 = internal lot (NA) Lot 3 = unchanged 21.34m	Yes
	A4 No lot is an internal lot.	Lot 2 is proposed to be an internal lot	No – see report
	A5 Subdivision is for no more than 3 lots.	No more than three lots are proposed	Yes

10.6.2 Roads	A1 The subdivision includes no new road.	No new road is proposed	Yes
10.6.3 Ways and Public Open Space	A1 No Acceptable Solution.		No
10.6.4 Services	A1 Each lot must be connected to a reticulated potable water supply.	Lot 1 and 3 will retain the existing connections and lot 2 is proposed to have a new connection.	Yes
	A2 Each lot must be connected to a reticulated sewerage system.	Lot 1 and 3 will retain the existing connections and lot 2 is proposed to have a new connection.	Yes
	A3 Each lot must be connected to a stormwater system able to service the building area by gravity.	The internal lot is to be developed with 2 dwellings as part of this application and therefore a building area was not required. The units and impervious surfaces would be connected to a stormwater system which will direct Stormwater to public infrastructure by gravity.	Yes
	A4 The subdivision includes no new road.	No new road proposed	NA

APPENDIX

E5 Road and Railway Assets Code

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

Standard	Acceptable Solution	Proposed	Complies?
	A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.	Estimated AADT = 14.80	YES
E5.5.2 Exiting Level Crossings	A1 Where use has access across part of a rail network, the annual average daily traffic (AADT) at an existing level crossing must not be increased by greater than 10% or 10 vehicle movements per day, whichever is the greater.		NA
5.6 Development Standards			
E5.6.1 Development adjacent to roads and railways	A1.1 Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h: (a) new buildings; (b) other road or earth works; and (c) building envelopes on new lots.		NA

Standard	Acceptable Solution	Proposed	Complies?
	A1.2 Buildings, may be: <ul style="list-style-type: none"> (a) located within a row of existing buildings and setback no closer than the immediately adjacent building; or (b) an extension which extends no closer than: <ul style="list-style-type: none"> (i) the existing building; or (ii) an immediately adjacent building. 		NA
E5.6.2 Road accesses and junctions	A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h		NA
	A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.	Existing access in fifth Avenue to be widened and utilised for unit development.	YES
E5.6.3 New Level Crossings	A1 No Acceptable Solutions.		NA

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

APPENDIX**E6.0 Parking and Access Code**

Standard	Acceptable Solution	Proposed	Complies?
E6.6 Use Standards			
E6.6.1 Number of Car Parking Spaces	A1 The number of on-site car parking spaces must be: (a) no less than the number specified in Table E6.1 and no more than 10% greater than that number; except if: (i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (ii) this provision was not used in this planning scheme.	The proposed Lot 1 (existing house 11 Fifth Avenue) does not comply with Acceptable Solution, but with the availability of on-street parking Performance Criteria is met.	NO
E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability	A1 Car parking spaces provided for people with a disability must: (a) satisfy the relevant provisions of the Building Code of Australia; (b) be incorporated into the overall car park design; (c) be located as close as practicable to the building entrance.	No requirement	NA
E6.6.3	A1	No requirement	NA

Standard	Acceptable Solution	Proposed	Complies?
Number of Motorcycle Parking Spaces	The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.		
E6.6.4 Number of Bicycle Parking Spaces	A1 The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.	No requirement	NA
E 6.7 Development Standards			
E6.7.1 Number of Vehicle Accesses	A1 The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.	No new accesses to be provided	YES
E6.7.2 Design of Vehicular Accesses	A1 Design of vehicle access points must comply with all of the following: (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.		YES
E6.7.3 Vehicular Passing Areas Along an Access	A1 Vehicular passing areas must: (a) be provided if any of the following applies to an access:	Passing bay proposed.	YES

Standard	Acceptable Solution	Proposed	Complies?
	<ul style="list-style-type: none"> (i) it serves more than 5 car parking spaces; (ii) is more than 30 m long; (iii) it meets a road serving more than 6000 vehicles per day; (b) be 6 m long, 5.5 m wide, and taper to the width of the driveway; (c) have the first passing area constructed at the kerb; (d) be at intervals of no more than 30 m along the access. 		
E6.7.4 On-Site Turning	<p>A1 On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following:</p> <ul style="list-style-type: none"> (a) it serves no more than two dwelling units; (b) it meets a road carrying less than 6000 vehicles per day. 	The access off Fifth Avenue will be widened to provide a double width driveway allowing separate entry and exit for each allotment.	Yes
E6.7.5 Layout of Parking Areas	<p>A1 The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same Standard.</p>		YES
E6.7.6 Surface Treatment of Parking Areas	<p>A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following;</p> <ul style="list-style-type: none"> (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed. 	Concrete paving proposed	YES
E6.7.7 Lighting of Parking Areas	<p>A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 “Basis of Design” and clause 3.6 “Car Parks” in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.</p>		NA

Standard	Acceptable Solution	Proposed	Complies?
E6.7.8 Landscaping of Parking Areas	A1 Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.		NA
E6.7.9 Design of Motorcycle Parking Areas	A1 The design of motorcycle parking areas must comply with all of the following: <ul style="list-style-type: none"> (a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) be located within 30 m of the main entrance to the building. 		NA
E6.7.10 Design of Bicycle Parking Facilities	A1 The design of bicycle parking facilities must comply with all the following; <ul style="list-style-type: none"> (a) be provided in accordance with the requirements of Table E6.2; (b) be located within 30 m of the main entrance to the building. 		NA
	A2 The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.		NA
E6.7.11 Bicycle End of Trip Facilities	A1 For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.		NA
E6.7.12 Siting of Car Parking	A1 Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located		NA

Standard	Acceptable Solution	Proposed	Complies?
	or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.		
E6.7.1.13 Facilities for Commercial Vehicles	A1 Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless: <ul style="list-style-type: none"> (a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site; (b) the use is not primarily dependent on outward delivery of goods from the site. 		NA
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements of the road authority.	Existing approved access	YES

APPENDIX

E7.0 Stormwater Management Code

Standard	Acceptable Solution	Proposed	Complies?
E7.7 Development Standards			
E7.7.1 Stormwater Drainage and Disposal	A1 Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.		YES
	A2 A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply: <ul style="list-style-type: none"> (a) the size of new impervious area is more than 600 m²; (b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots. 	New impervious area does not exceed 600m ²	NA
	A3 A minor stormwater drainage system must be designed to comply with all of the following: <ul style="list-style-type: none"> (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; 	On-site detention proposed and conditioned	YES

Standard	Acceptable Solution	Proposed	Complies?
	(b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.		
	A4 A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.		NA