

GLENORCHY PLANNING AUTHORITY MEETING

AGENDA

WEDNESDAY, 20 APRIL 2022



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: 4.00 p.m.

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1. PLANNING AUTHORITY DECLARATION

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 21 March 2022 be confirmed.

**5. PROPOSED USE AND DEVELOPMENT - ELECTROLYSIS PLANT
(CELLHOUSE) - (MANUFACTURING AND PROCESSING) - 300
RISDON ROAD LUTANA**

Author: Planning Officer (Sylvia Jeffreys)

Qualified Person: Planning Officer (Sylvia Jeffreys)

Property ID: 7855159

REPORT SUMMARY

Application No.:	PLN-21-506
Applicant:	ERA Planning & Environment
Owner:	Nyrstar Hobart Pty Ltd
Zone:	General Industrial
Use Class	Manufacturing and processing
Application Status:	Discretionary
Discretions:	Level 2 Activity (EMPCA) 19.4.1 P1 Building Height C2.5.1 P1 Car parking numbers (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	Yes
Representations	Two
42 Days Expires:	14 May 2022
Existing Land Use:	Zinc works (Manufacturing and Processing)
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The application proposes a new Electrolyses Plant (Cellhouse) to replace an existing Cellhouse at the Nyrstar zinc refinery in Lutana. The proposed development includes the Cellhouse building and ancillary structures such as spent cooling towers, cooling water towers and pipe bridges. The building would have a roofed area of 6,932m², with a height between 11m and 22.3m. The maximum height of the ancillary structures are the spent cooling towers with a height of 20.5m. The application does not include additional parking spaces. There would be no change in the number of employees.

The Cellhouse will be constructed predominantly of concrete. Roof and wall cladding will be constructed from lightweight sheeting, such as UV resistant ultra-heavy duty Polyvinyl Chloride or fibre-reinforced plastic. Protective coating will be applied to protect the building structure against corrosion.

Preparatory works such as demolition of minor structures, roadworks and earthworks have been approved with a separate planning permit. The decommissioning, demolition, and rehabilitation of the area of the existing Cellhouse will be subject to a separate future application.

The use is classed Manufacturing and Processing, which is a permitted use within the General Industrial Zone. The application is discretionary as it is a Level 2 Activity and relies on the performance criteria for maximum height and number of parking spaces. The site plan is shown in Figure 1.

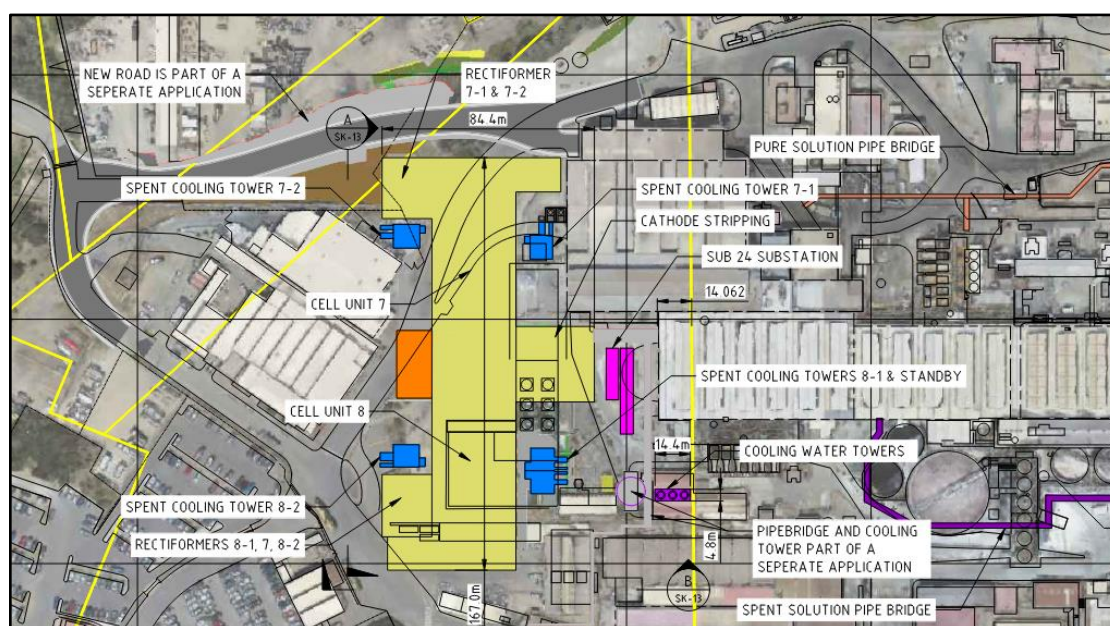


Figure 1: Site Plan - Nyrstar

The isometric plan is shown in Figure 2.



Figure 2: Isometric Plan - Nyrstar

SITE and LOCALITY

Nyrstar is located on the western bank of the River Derwent and is known as 300 Risdon Road, Lutana. The site is over 100ha in area and is occupied by a zinc smelter which comprises numerous large industrial buildings and associated infrastructure. The site is accessed from Derwent Park Road and Risdon Road, with the latter being the main entry. The proposed building would be located east of the existing cellhouse and the casting building.

The Nyrstar site comprises thirty titles. However, the proposed development would be contained within the land of the following titles: CT123530/1, CT148502/01 and CT128862/1.

The subject site and title areas are shown in Figure 3.

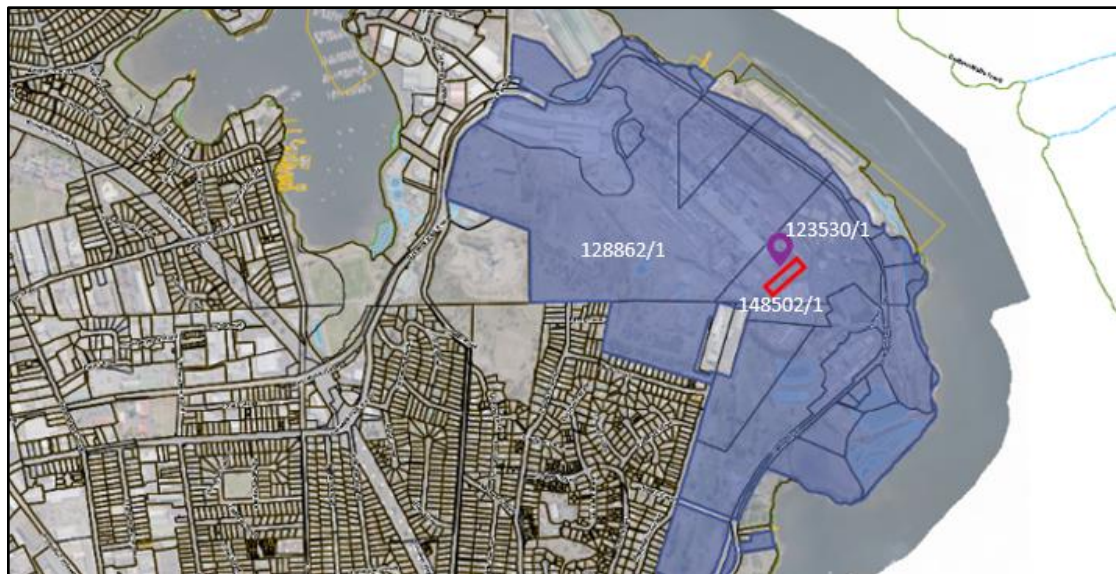


Figure 3: Subject Site with the Area of the Proposed Building in Red and Affected Titles

The area next to the Cellhouse site comprises the existing Cellhouse and other large buildings, as shown in Figure 4.



Figure 4: GCC GIS Corporate Imagery 2013 and Cellhouse Location

The locality outside the Nyrstar site is characterised by heavy industrial development to the north and residential development to the south. There are areas of open space, separating the industrial development from the residential areas. The proposed Cellhouse building is near the Risdon Transend Substation at 112 Ashbolt Crescent.

ZONE

The subject site is within the General Industrial Zone that adjoins the Open Space Zone to the south and the Port and Marine Zone to the north. The zoning map is shown in Figure 4.

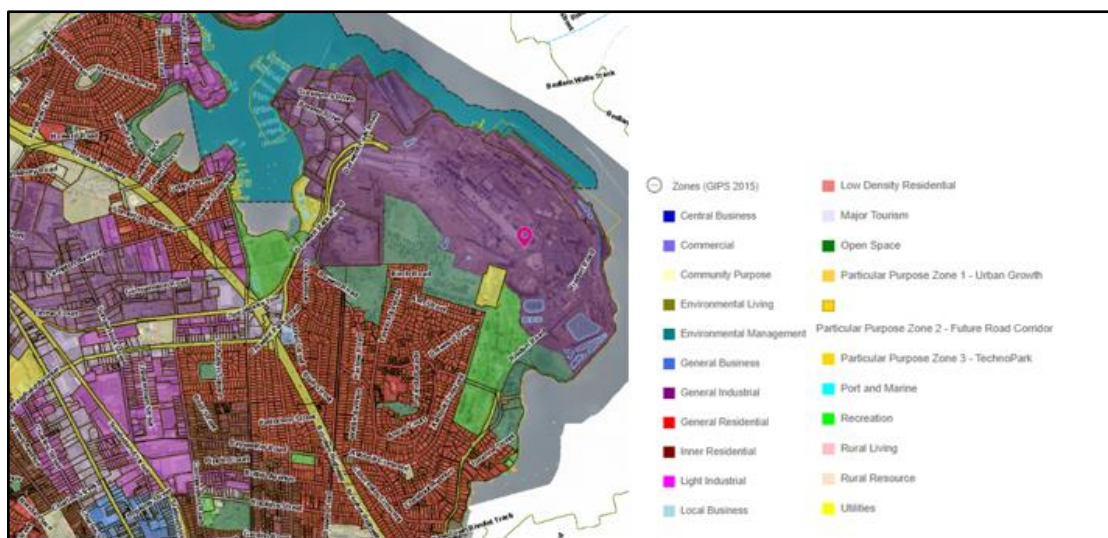


Figure 5: Zoning Map - theList

BACKGROUND

Nyrstar

Nyrstar is a large-scale zinc smelter in Lutana and has operated for over 100 years and celebrated its centenary in 2016. According to Nyrstar, the site is one of the world's largest zinc producers with an annual production of 280,000 tonnes of marketable metal. The existing electrowinning electrolyses plant has been in part built in 1920 and faces inherent limits to technical improvements and major resources required for maintenance, hence the proposal for a replacement Cellhouse. The proposed design of the replacement plant is based on the latest technology as implemented in modern super jumbo cellhouses with expected capacity of 300,000 tonnes per annum, according to Nyrstar. The new plant will result in significant improvements on site. The plant will mitigate groundwater contamination risks, reduce controlled wastes, improve air quality, lower acoustics impacts, improve safety outcomes, result in higher production, and reduced operating costs. The new facility uses the Roast, Leach, Electrolyses (RLE) process for zinc production and would operate around the clock. Once the new Cellhouse is commissioned in June 2024, according to the proposal schedule, the existing Cellhouse will be demolished, and the area rehabilitated as a standalone project separate to this proposal.

Level 2 Activity

The proposed operations are classed a Level 2 Activity, which is assessed by the Environment Protection Authority (EPA) as a Class 2B assessment under the *Environmental Management and Pollution Control Act 1994* (EMPCA). Any application that is referred to the Board is discretionary under S24 (2) of the *Environmental Management and Pollution Control Act 1994*.

The Board has approved the Level 2 component of the application on 5 April 2022 subject to conditions.

The conditions approved by the Board are required to be included in any permit granted under the *Land Use Planning and Approvals Act 1993*, pursuant to Section 25(5) (a) (i) of the *Environmental Management and Pollution Control Act 1994*.

The zinc smelter currently operates under the Environmental Protection Notice (EPN) No 7043/5 as issued by the Environmental Protection Authority for its other activities.

Permits

There are numerous permits for the site, but the following permit is of particular relevance as it is associated with the proposed development:

- PLN-21-420 - Demolition, Earthworks and Addition of Pipe Bridge and Cooling Tower (Manufacturing and Processing) – Approved 22/12/2021

The above permit is for preparatory works for the proposed Cellhouse. The works included the following:

- Earthworks involving both cut (total of approximately 19,300 m³) and fill (total approximately 17,900 m³) preparing the site for the construction of a new cell house
- Realignment of a roadway involving the construction of a retaining wall
- Construction of pipe bridge (maximum height of 10.1 m)
- Construction of a new cooling tower (maximum height of 11.4m)
- New services corridor

The approved plan is shown in Figure 5.

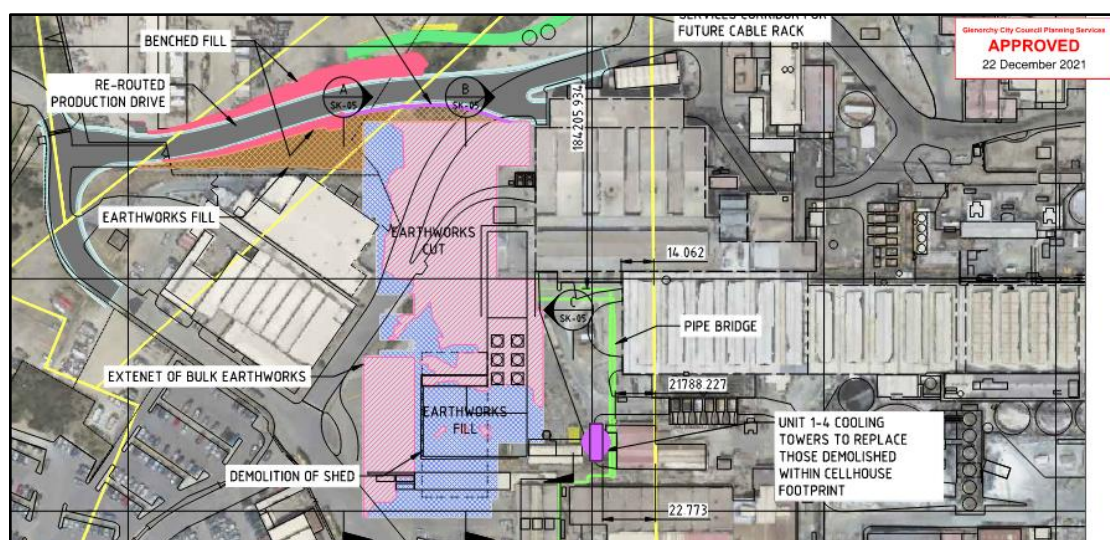


Figure 6: Approved Plan PLN-21-420

Supporting Information

The following supporting information was provided:

- Supporting Planning Report by ERA Planning & Environment dated 22/09/2021
- Environmental Impact Statement by Nyrstar HRT-450-00240 Rev 3, dated 28/07/2021
- Traffic Impact Assessment by Hubble Traffic dated December 2020
- Triennial Public Environment Report by Nyrstar 2018-2020
- Hobart Smelter Air Dispersion Model Report by Hatch, dated 22/11/2021

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.

TASMANIAN PLANNING SCHEME - GLENORCHY 2021

State Planning Provisions (SPP)

Administration

Exemptions (Tables 4.1 – 4.6)

Nil.

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

No general provisions or specific area plan apply. The following codes apply and prevail over the relevant Zone provisions if there is any conflict.

Codes

- C2.0 Parking and Sustainable Transport Code
- C3.0 Road and Railway Assets Code
- C4.0 Electricity Transmission Infrastructure Protection Code

Use Class Description (Table 6.2):

The application is for a for an electrolysis plant which is classed Manufacturing and Processing. The use is defined in Table 6.2 Use Classes as follows:

Manufacturing and Processing

use of land for manufacturing, assembling or processing products other than Resource Processing. Examples include boat building, brick making, cement works, furniture making, glass manufacturing, metal and wood fabrication, mineral processing and textile manufacturing.

Other relevant definitions (Clause 3.0):

The following meanings in 3.0 Planning Terms and Definitions are applicable:

Level 2 Activity

means as defined in the Environmental Management and Pollution Control Act 1994.

Environmental Management and Pollution Control Act 1994

S3: Level 2 activity means an activity specified in Schedule 2 and any development for the purposes of enabling such an activity to be carried out; ...

SCHEDULE 2 - Level 2 Activities

2. Manufacturing and Mineral Processing

(a) Cement Works: the conduct of works for the use of argillaceous and calcareous materials in the production of cement clinker or the grinding of cement clinker.

(b) Ceramic Works: the conduct of works for the production of any products such as bricks, tiles, pipes, pottery goods, refractories or glass that are manufactured or are capable of being manufactured in furnaces or kilns fired by any fuel, being works with a total capacity for the production of such products of 200 tonnes or more per year.

(c) Ferrous and Non-ferrous Metal Melting: the melting of ferrous or non-ferrous metal in a furnace or furnaces that alone or in aggregate have the capacity to melt 500 kilograms or more of metal in a working day of 8 hours.

(d) Metallurgical Works: the conduct of works at which ores are smelted or reduced to produce metal.

(e) Mineral Works: the conduct of works for processing mineral ores, sands or earths processing 1 000 tonnes or more per year of raw materials.

(f) Pulp and Paper Works: the conduct of works at which paper pulp or paper is manufactured or is capable of being manufactured.

(g) Wood Processing Works: the conduct of works (other than works at a builders supply yard, home improvement centre or firewood depot) at which timber is sawn, cut, compressed, milled, machined or kiln-dried, being works with a total production of 1 000 cubic metres or more per year.

(h) Textile Bleaching and Dyeing Factories: the works involving bleaching, dyeing or printing of yarns, threads, fabrics or other textiles and capable of consuming more than 100 kilolitres of water in a working day of 8 hours.

(i) Woodchip Mills: works involving processing of trees or parts of trees to form woodchips which have a production capacity of 1 000 tonnes or more per year, but excluding:

(i) mobile woodchippers while operating in the same forest harvest area from which the trees or parts of trees being processed were obtained; and

(ii) mobile woodchippers which are moved regularly from sawmill to sawmill to chip sawmill residues produced by those mills.

(iii)

Discretionary Use or Development

The application is discretionary under Clause 6.8.1 as follows:

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

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

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

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

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

- Level 2 Activity - S24 (2) of the *Environmental Management and Pollution Control Act 1994*.
- 19.4.1 P1 Building height
- C2.5.1 P1 Car parking numbers

General Provisions

No general provisions apply.

Zones

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

Zone Purpose Statements

The purpose of the General Industrial Zone is:

19.1.1

To provide for manufacturing, processing, repair, storage and distribution of goods and materials where there may be impacts on adjacent uses.

19.1.2

To provide for use or development that supports and does not adversely impact on industrial activity.

Comment

The proposed Cellhouse and ancillary development are consistent with the purpose of the General Industrial Zone. The proposal is in association with an existing largescale industrial activity for manufacturing and processing zinc. The proposed Cellhouse is assessed by the EPA Board and conditions are recommended to ensure any impacts on adjacent uses are to acceptable levels.

Use Table

The use class Manufacturing and Processing is permitted within the General Industrial Zone in 19.2 Use Table.

Use Standards

There are only use standards for discretionary uses. The use class of Manufacturing and Processing is permitted so that no use standards apply.

Development Standards for Buildings or Works

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

19.4.1 A1 Building Height

The proposal does not accord with the acceptable solution in clause 19.4.1 with respect to the maximum building height. Therefore, the proposal relies on the related performance criteria as follows:

19.4.1 A1 Building Height

Building height must be necessary for the operation of the use and not cause an unreasonable impact on adjoining properties, having regard to:

- (a) the bulk and form of the building;*
- (b) separation from existing use on adjoining properties; and*
- (c) any buffers created by natural or other features.*

Comment

The maximum height of the proposed Cellhouse would be 22.3m and that the cooling towers would be 20.5m. The acceptable solution states a height limit of 20m. Nevertheless, it is considered that the proposal accords with the above performance criteria for the following reasons:

- There would only be two small portions of the roof that exceed beyond the 20m height. There is a low gable roof over the long axis of the building where the apex rises to 22.3m and one of the side wings that is 20.1m in height on the southwestern side of the building. Therefore, it is not considered that the bulk and form of the building would be excessive due to the additional height. The building would sit amongst other large buildings and would present the narrow side to the river, which would minimise any visual impacts. There would also be cooling tower with a maximum height of 20.5m which would not significantly change the existing skyline of the site.
- The Cellhouse would be approximately 300m from the nearest residential property, which is significant in terms of separation in terms of visual amenity.
- There is a buffer of open space zoned land between the Nyrstar site and residential development in Lutana, which further reduces any visual impact.

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

Codes

The following codes of the Scheme apply to this proposal:

C2.0 Parking and Sustainable Transport Code

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

C2.5.1 A1 Car parking numbers

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

C2.5.1 P1.1 Car parking numbers

The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to:

- (a) the availability of off-street public car parking spaces within reasonable walking distance of the site;*
- (b) the ability of multiple users to share spaces because of:*
 - (i) variations in car parking demand over time; or*
 - (ii) efficiencies gained by consolidation of car parking spaces;*
- (c) the availability and frequency of public transport within reasonable walking distance of the site;*
- (d) the availability and frequency of other transport alternatives;*

(e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;

(f) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;

(g) the effect on streetscape; and

(h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development.

Comment

The proposal does not accord with the acceptable solution as there would be no additional parking be provided. There would be a new building with a floor area of 6,932m², which would require 35 spaces based on floor area pursuant to Table C2.1 Parking Space Requirement. There are 394 parking spaces on site. There would be no additional employees. Employees work in three shifts. The existing Cellhouse will be eventually demolished but the demolition is not part of this application so that there is no reduction in the parking requirements at present. Nevertheless, given that there would be no extra employees it is considered that the existing parking meets the needs of the use. Any parking for construction workers is managed with a Construction Management Plan as it does not relate to the use of the new building.

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

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

C3.0 Road and Railway Assets Code

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

C4.0 Electricity Transmission Infrastructure Protection Code

The proposed cellhouse building is near the Risdon Transend Substation at 112 Ashbolt Crescent and is within a small corner of the 65m substation facility buffer area as shown in Figure 6.



Figure 7: Substation Facility Buffer Area - theList

The proposal accords with the relevant acceptable solutions of the Electricity Transmission Infrastructure Protection Code as demonstrated in the attached Appendix. Furthermore, TasNetworks is in contact with the applicant regarding any TasNetworks requirements. Nyrstar's EIS (p26) suggests that upgrades to the Risdon substation would be required, including 3 new transformers.

C9.0 Attenuation Code

The proposal is exempt from the Attenuation Code pursuant to clause C9.4.1 (a) as it is assessed as a Level 2 Activity.

C14.0 Potentially Contaminated Land Code

The proposal is exempt from the Potentially Contaminated Land Code, pursuant to clause C14.4 (e) as it is assessed by the EPA.

Glenorchy Local Provisions Schedule (GLPS)

Local Area objectives

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

Particular Purpose Zones

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

Specific Area Plans

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

GLE-Site Specific Qualifications

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

GLE-Code lists

No code lists of the Scheme apply to this proposal.

GLE-Applied, Adopted and Incorporated Document

Nil.

INTERNAL REFERRALS

Development Engineer

Comments

The development application seeks an approval for new cell units and cooling towers at the subject site known as Nyrstar.

It is proposed that there will be no change to the number of employees; subsequently there is no change to the existing parking and access arrangement. The Traffic Impact Assessment (TIA) by Hubble Traffic dated December 2020 is submitted as a supporting document with the application addressing the traffic safety and trip generations.

The General Manager's consent to interfere with stormwater infrastructure is not required for the scope of the work as the development site is not connected to the public stormwater system for stormwater drainage.

C3.0 Road and Railway Assets Code

The site can be accessed off the existing vehicle crossing, and no new access is proposed. The TIA estimated the current traffic as 1,020 trips per day and stated that the project has the potential to generate up to 280 trips per day on the weekdays at peak construction caused by temporary building contractors. The additional traffic after the construction period is expected to be lower. The proposed development and use are therefore not expected to increase vehicle movements over 20% of the current traffic at the subject site. The temporary additional trips during construction can be dealt with under the Construction management plan. However, the TIA has addressed the performance criteria providing the project timeframe for construction is anticipated at 18 to 24 months. The TIA concluded that due to the nature and efficiency of the access into Nyrstar with a large radius roundabout, most of the addition traffic are expected to be the construction vehicles and the low traffic flow of speed limit, the amount of traffic generated is considered to be relatively low and there is sufficient capacity within the current road network to absorb the additional traffic. Therefore, the proposed development complies with the code requirements.

C2.0 Parking and Sustainable Transport Code

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

There are no changes proposed to the existing parking and driveway arrangements. Based on the TIA the site currently provides 394 car parking spaces for staff and visitor which are generally fully occupied therefore the temporary parking areas will be required for the contractors during the construction phase. The TIA suggested that it is expected 180 temporary parking spaces will be required. According to the planning scheme the proposed development will result in additional car parking spaces due to the addition to the proposed floor area; however, considering the use and the numbers of employees are not proposed to be changed nor increased the development is considered satisfy the performance criteria for number of car parking space. The TIA stated that the additional temporary parking spaces can be created within the development site to meet the expected peak demand and cause no overspill to the Council public street network. This will be conditioned in the permit.

Other

C15.0 Landslide Code

Parts of the site are subjected to the landslide overlay identified through Council's records however it is unlikely to affect the application providing the scope of works and the medium landslide hazard.

C7.0 Natural Assets Code

There is no new stormwater point of discharge to the waterways. Therefore, the acceptable solution is met.

C12.0 Flood-Prone Areas Hazard Code

The development is on the Flood Prone area, however; providing the scope of works, it is not likely the development will cause or increase the flood risk. This has been accepted by Council's Engineers.

Environmental Health Officer

Due to the historic and ongoing use of the site as a zinc smelter the site is deemed contaminated and therefore triggers the Potentially Contaminated Land Code C14.4 of The Scheme.

This application is also for a Level 2 Activity as defined in Schedule 2 of EMPCA and therefore was referred to the EPA for assessment.

As the EPA have agreed to undertake assessment of this application. This application therefore meets exemption C14.4 (e) of The Scheme in that:

C14.4 Use or Development Exempt from this Code

C14.4.1 The following use or development is exempt from this code

(e) any use or development that operates in accordance with an approval granted as a result of an assessment of that use or development by the Board of the Environment Protection Authority.

Environmental Health do not have any recommended conditions to apply to the permit.

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.

TasNetworks

The following comment was received on 08/02/2022 (Georgie Coleman):

Based on the information provided, the development is likely to adversely affect TasNetworks' operations.

However, I can advise that TasNetworks has already met with the proponent and is aware of the requirements for the development.

REPRESENTATIONS

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

Visual Impact and Pollution

The representor states that the proposed substantial upgrade would result in the presence of the plant for another 100 years or so and that there would be the continuation of an eyesore that exhaust itself into the natural beauty of the municipality and impact on surrounding residents.

Planner's Comment:

This issue has been previously addressed under the heading Building Height. In summary, the maximum height of the Cellhouse that exceeds the height of the acceptable solution of 20m marginally, is not considered to result in significant visual impact. In particular, given the separation distance and open space buffer separating the building from any residential uses. In terms of air pollution, the new plant would reduce emissions and is within acceptable limits as assessed by the EPA.

Economic Contribution

The representor states that in support of the proposal, the investment gives confidence in Nyrstar's ongoing commitment to the site and Tasmania's economic future. In particular, regarding Nyrstar's economic contributions as a large employer and interconnections to many other businesses and services. The new plant will improve working conditions and safety, improve environmental outcomes as well as increase production.

Planner's Comment:

The representation is in support so that no further comments are required.

CONCLUSION

The application is for a new Electrolyses Plant (Cellhouse) to replace an existing Cellhouse at the Nyrstar zinc refinery in Lutana. The proposed development includes the Cellhouse building and ancillary structures such as spent cooling towers, cooling water towers and pipe bridges.

The use is classed Manufacturing and Processing, which is a permitted use within the General Industrial Zone. The application is discretionary as it is a Level 2 Activity under EMPCA and as it relies on performance criteria for building height and number of parking spaces.

The EPA Board has approved the Level 2 component of the application on 05/04/2022 and requires that their Permit Part B to be included in any planning permit granted. A condition is recommended accordingly.

The discretion for a building height of 22.3m meets the performance criteria as it would not result in a reduction of visual amenity for adjacent properties.

The discretion of the number of parking spaces comes about as the new building and the demolition of the old building are not part of the same application. However, whilst there would be additional floor area there would not be any extra employees. Therefore, it is considered that the proposal caters for the expected demand.

The application was advertised in accordance with the EPA's requirements for 28-days. Two representations were received. One representation was in support of the application, especially for the economic contribution of the proposal. The second application was concerned about visual impact and ongoing pollution. As discussed previously, the extra building height is not considered to result in significant visual impact. The proposed Cellhouse is expected to reduce air pollution according to Environmental Impact Statement by Nyrstar. The issue of air pollution was assessed by the EPA and is conditioned to be within acceptable levels.

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

Recommendation:

That a permit be granted for the proposed use and development of 300 Risdon Road Lutana subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-21-506 and Drawings submitted on 27/09/2021 (8 pages), except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2021/01864-GCC, dated 05/11/2021, form part of this permit.
3. The person responsible for the activity must comply with the conditions contained in Schedule 2 of Permit No. 10449, which the Board of the Environment Protection Authority has required the Planning Authority to include in the permit, pursuant to section 25(5) of the *Environmental Management and Pollution Control Act 1994*, dated 5 April 2022.
4. Any materials stored or handled within the site and within 65m of the substation must not become airborne contaminants which could transmit into the nearby substation facility.

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 in accordance with the approved Construction and Environmental management plan (CEMP) 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) and Construction and Environmental management plan (CEMP) 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.

The design and construction of the temporary driveway, parking and turning areas must be to the satisfaction of the Council's Development Engineer. Drawings showing the temporary driveway and parking areas details, and the removal and remediation methods once no longer required must be 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 be constructed to an all-weather surface and runoff from the surface be discharged to existing stormwater system. All works required by this condition must be installed prior to the commencement of the works.

Advice to Applicant

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

Other Permits

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

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

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.

Attachments/Annexures

- 1** GPA Attachments - 300 Risdon Road Lutana




APPENDIX**19.0 General Industrial**

Standard	Acceptable Solution	Proposed	Complies
19.3 Use Standards			
19.3.1 Discretionary uses	A1 No Acceptable Solution.	The use of Manufacturing and Processing is permitted	NA
19.4 Development Standards for Buildings and Works			
19.4.1 Building Height	A1 Building height must be no more than: 20m.	Maximum height: Cellhouse 22.3m Cooling tower: 20.5m	No - Discretion
19.4.2 Setback	A1 Buildings must have setback from a frontage of: (a) not less than 10m; (b) not less than existing buildings on the site; or (c) not more or less than the maximum and minimum setbacks of the buildings on adjoining properties.	Frontage setback: 200m from Risdon Rd (behind other buildings)	Yes

Standard	Acceptable Solution	Proposed	Complies
19.4.3 Landscaping	<p>A1</p> <p>If a building is set back from a road, landscaping treatment must be provided along the frontage of the site:</p> <p>(a) to a depth of not less than 6m; or</p> <p>(b) not less than the frontage of an existing building if it is a lesser distance.</p>	<p>The cellhouse is behind other buildings and not directly setback from a road so that this standard is not applicable.</p>	NA

APPENDIX

E8.0 Electricity Transmission Infrastructure Protection Code

Standard	Acceptable Solution	Proposed	Complies?
8.6 Use Standards			
E8.6.1 Sensitive Use Within 65m of a Substation Facility	A1 No Acceptable Solution.	Not sensitive use	NA
E8.6.2 Use Other Than Sensitive Use Within 65m of a Substation Facility	A1 A use must not result in materials stored or handled within the site becoming airborne contaminants which transmit into a substation facility.	Condition	Yes
E8.7 Development Standards for Buildings and Works			
E8.7.1 Development within the Electricity Transmission Corridor	A1 Development is not within: (a) an inner protection area; or (b) a registered electricity easement.	No easements apply, not within inner protection area 	Yes

Standard	Acceptable Solution	Proposed	Complies?
E8.7.2 Development for Sensitive Uses Within 65m of a Substation Facility	A1 No acceptable solution.	Not sensitive use	NA
E8.7.3 Development for Uses Other Than Sensitive Uses Within 65m of a Substation Facility	A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h	Roadworks have been approved separately	NA
E8.7.4 Development Within 55m of a Communication Station	A1 No part of the development: (a) is located less than: (i) 5 m to any security fence associated with a communications station or the boundary of a site within which a communications station is located; or (ii) 20 m to the communications station; whichever is the lesser; (b) has a building height more than the height of the facility's antennae/disk when measured in horizontal plane.		NA

APPENDIX

C2.0 Parking and Sustainable Transport Code

Standard	Acceptable Solution	Proposed	Complies?
C2.5 Use Standards			
C2.5.1 Car parking numbers	A1 The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if: <ul style="list-style-type: none"> (a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (b) the site is contained within a parking precinct plan and subject to Clause C2.7; (c) the site is subject to Clause C2.5.5; or (d) it relates to an intensification of an existing use or development or a change of use where: <ul style="list-style-type: none"> (i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or 	No change to existing parking arrangement, extra floor area	No – Discretion

Standard	Acceptable Solution	Proposed	Complies?
	<p>(ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:</p> <p>$N = A + (C - B)$</p> <p>N = Number of on-site car parking spaces required</p> <p>A = Number of existing on site car parking spaces</p> <p>B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1</p> <p>C = Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.</p>		
<p>C2.5.2 Bicycle parking numbers</p>	<p>A1</p> <p>Bicycle parking spaces must:</p> <p>(a) be provided on the site or within 50m of the site; and</p> <p>(b) be no less than the number specified in Table C2.1.</p>	<p>Not required</p>	<p>NA</p>

Standard	Acceptable Solution	Proposed	Complies?
C2.5.3 Motorcycle parking numbers <i>This applies to:</i> <i>Business and Professional Services;</i> <i>Community Meeting and Entertainment;</i> <i>Custodial Facility;</i> <i>Crematoria and Cemeteries;</i> <i>Educational and Occasional Care;</i> <i>Food Services;</i> <i>General Retail and Hire;</i> <i>Hospital Services;</i> <i>Hotel Industry;</i> <i>Pleasure Boat Facility;</i> Residential if for a communal residence, multiple dwellings or hostel use; <i>Sports and Recreation; and</i> <i>Tourist Operation.</i>	A1 The number of on-site motorcycle parking spaces for all uses must: <ul style="list-style-type: none"> (a) be no less than the number specified in Table C2.4; and (b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained. 	Not required	NA
C2.5.4 Loading bays <i>This applies to:</i> <i>Bulky Goods Sales;</i> <i>General Retail and Hire;</i> <i>Manufacturing and Processing; and</i> <i>Storage.</i>	A1 A loading bay must be provided for uses with a floor area of more than 1000m ² in a single occupancy.		NA

Standard	Acceptable Solution	Proposed	Complies?
C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential Zone <i>This applies to:</i> <i>Business and Professional Services;</i> <i>Community Meeting and Entertainment;</i> <i>Educational and Occasional Care;</i> <i>Emergency Services;</i> <i>Food Services;</i> <i>General Retail and Hire;</i> <i>Sports and Recreation; and</i> <i>Utilities, if not for minor utilities.</i>	A1 Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for: (a) Food Services uses up to 100m ² floor area or 30 seats, whichever is the greater; and (b) General Retail and Hire uses up to 100m ² floor area, provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone.	Not required	NA
C2.6 Development Standards for Building Works			
C2.6.1 Construction of parking areas	A1 All parking, access ways, manoeuvring and circulation spaces must: (a) be constructed with a durable all weather pavement; (b) be drained to the public stormwater system, or contain stormwater on the site; and (c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space		NA

Standard	Acceptable Solution	Proposed	Complies?
	Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.		
C2.6.2 Design and layout of parking areas	A1.1 Parking, access ways, manoeuvring and circulation spaces must either: (a) comply with the following: (i) have a gradient in accordance with <i>Australian Standard AS 2890 - Parking facilities, Parts 1-6</i> ; (ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces; (iii) have an access width not less than the requirements in Table C2.2; (iv) have car parking space dimensions which satisfy the requirements in Table C2.3; (v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces;		NA

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

Standard	Acceptable Solution	Proposed	Complies?
	<p>A2</p> <p>Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.</p>		NA
<p>C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone</p>	<p>A1</p> <p>In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roads and pedestrian paths serving 5 or more car parking spaces, which are used outside daylight hours, must be provided with lighting in accordance with Clause 3.1 “Basis of Design” and Clause 3.6 “Car Parks” in <i>Australian Standard/New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements</i>.</p>		NA
<p>C2.6.5 Pedestrian access</p>	<p>A1.1</p> <p>Uses that require 10 or more car parking spaces must:</p> <p>(a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by:</p> <p>(i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or</p> <p>(ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and</p>		NA

Standard	Acceptable Solution	Proposed	Complies?
	<p>(b) be signed and line marked at points where pedestrians cross access ways or parking aisles.</p> <p>A1.2</p> <p>In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.</p>		
C2.6.6 Loading bays	<p>A1</p> <p>The area and dimensions of loading bays and access way areas must be designed in accordance with <i>Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Off-street commercial vehicle facilities</i>, for the type of vehicles likely to use the site.</p>		Yes
	<p>A2</p> <p>The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward direction in accordance with <i>Australian Standard AS 2890.2 – 2002, Parking Facilities, Part 2: Parking facilities Offstreet commercial vehicle facilities</i>.</p>		
C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone	<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</p>		NA

Standard	Acceptable Solution	Proposed	Complies?
	<p>"Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.</p> <p>A2</p> <p>Bicycle parking spaces must:</p> <p>(a) have dimensions not less than:</p> <p>(i) 1.7m in length;</p> <p>(ii) 1.2m in height; and</p> <p>(iii) 0.7m in width at the handlebars;</p> <p>(b) have unobstructed access with a width of not less than 2m and a gradient not steeper than 5% from a road, cycle path, bicycle lane, shared path or access way; and</p> <p>(c) include a rail or hoop to lock a bicycle that satisfies <i>Australian Standard AS 2890.3-2015 Parking facilities - Part 3: Bicycle parking</i>.</p>		NA
C2.6.8 Siting of parking and turning areas	<p>A1</p> <p>Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas must be located behind the building line of buildings, excluding if a parking area is already provided in front of the building line.</p>		NA

Standard	Acceptable Solution	Proposed	Complies?
	A2 Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must: <ul style="list-style-type: none"> (a) have no new vehicle accesses, unless an existing access is removed; (b) retain an active street frontage; and (c) not result in parked cars being visible from public places in the adjacent roads. 		NA
C2.7 Parking Precinct Plan			
C2.7.1 Parking Precinct Plan	A1 Within a parking precinct plan, onsite parking must: <ul style="list-style-type: none"> (a) not be provided; or (b) not be increased above existing parking numbers. 		NA

Footnotes

[S35] Requirements for the number of accessible car parking spaces are specified in part D3 of the National Construction Code 2016.

APPENDIX**C3 Road and Railway Assets Code**

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

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

C3.6 Development Standards for Buildings and Works			
C3.6.1 Habitable buildings for sensitive uses within a road or railway attenuation area	A1 Unless within a building area on a sealed plan approved under this planning scheme, habitable buildings for a sensitive use within a road or railway attenuation area, must be: (a) within a row of existing habitable buildings for sensitive uses and no closer to the existing or future major road or rail network than the adjoining habitable building; (b) an extension which extends no closer to the existing or future major road or rail network than: (i) the existing habitable building; or (ii) an adjoining habitable building for a sensitive use; (c) located or designed so that external noise levels are not more than the level in Table C3.2 measured in accordance with Part D of the <i>Noise Measurement Procedures Manual, 2nd edition, July 2008</i> .		NA

C3.7 Development Standards for Subdivision			
C3.7.1 Subdivision for sensitive uses within a road or railway attenuation area	A1 A lot, or a lot proposed in a plan of subdivision, intended for a sensitive use must have a building area for the sensitive use that is not within a road or railway attenuation area.		NA

6. PROPOSED USE AND DEVELOPMENT - DEMOLITION AND THREE MULTIPLE DWELLINGS - 26 CLEBURNE STREET CLAREMONT

Author: Planning Officer (Sylvia Jeffreys)

Qualified Person: Planning Officer (Sylvia Jeffreys)

Property ID: 5311078

REPORT SUMMARY

Application No.:	PLN-21-592
Applicant:	Kunama Architects Pty Ltd
Owner:	J E Mcphee and P M Mcphee
Zone:	General Residential
Use Class	Residential
Application Status:	Discretionary
Discretions:	8.4.2 P2 Setbacks and building envelopes for all dwellings (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	Extension of time 20 Apr 2022
Existing Land Use:	Single Dwelling
Representations:	4
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The application is for demolition of an existing dwelling and outbuildings and three new multiple dwellings. The proposal is to be carried out in two stages. Stage one involves demolition of four outbuildings, construction of Unit 1 and extension of existing driveway. Stage 2 involves demolition of the existing dwelling and driveway, construction of new driveway, crossover and Unit 2 and Unit 3 to be constructed.

The proposed dwellings would be arranged in row on the western side of a driveway that extends along the eastern boundary and gives access to three double garages and a parking space.

The two front dwellings would be double storey with a maximum height of 6.310m for Unit 3. The dwellings would be clad in brick veneer and fibre cement sheeting and capped with hipped corrugated iron roofs. All dwellings would have three bedrooms and open plan living.

The dwellings would be 1.63m from the western boundary. There would be no second storey windows facing the western boundary. Windows facing the eastern boundary would be 5.7m away and would not be opposite the backyard of the neighbouring property to the east. All dwellings would be within the building envelope. Private outdoor space is to be provided in accordance with the acceptable solution requirements.

The garage of Unit 3 would be 5.09m from the front boundary which triggers the only discretion. The application received four representations. The proposal is shown in Figure 1 and Figure 2.

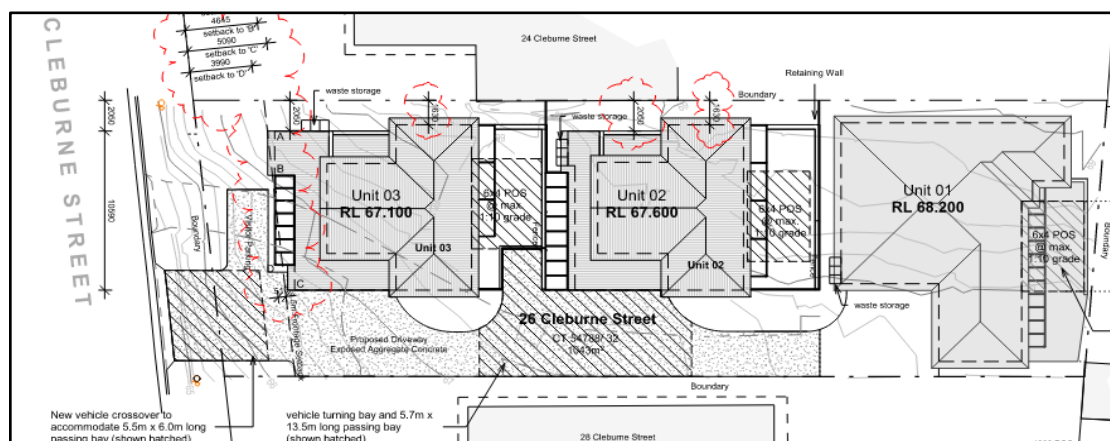


Figure 1: Proposal - Kunama Architects



Figure 2: Perspective - Kunama Architects

SITE and LOCALITY

The subject property is on the northern side of Cleburne Street, east of the intersection with Mongana Street. The property is a rectangular lot of 1045m² with a gentle slope falling towards the street. The land is occupied by a single dwelling and four outbuildings. The property adjoins four residential properties, each with single dwellings.

The neighbouring property to the east has a single dwelling, approximately 2m from the common boundary. The neighbouring property to the west has also a single dwelling with a driveway and a garage along the common boundary. The adjoining property at the rear has a shed and a backyard opposite.

The locality is characterised by medium sized lots with single dwellings of one storey height. The subject property is shown in Figure 2 and Figure 3.

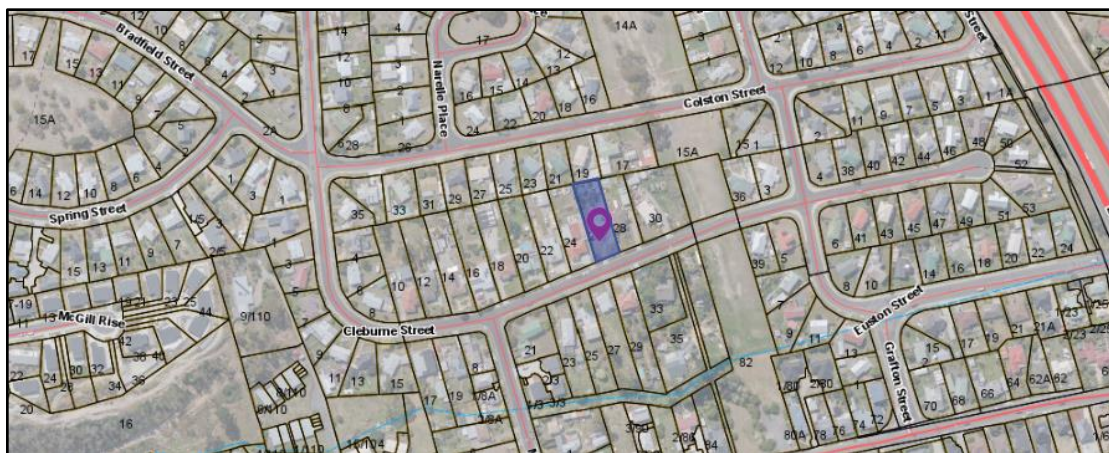


Figure 3: Subject Site - theList



Figure 4: Subject Property - Street View

ZONE

The subject property is within the General Residential Zone, which also applies to the surrounding area as shown in Figure 5.



Figure 5: Zoning Map - theList

BACKGROUND

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

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

TASMANIAN PLANNING SCHEME - GLENORCHY 2021

State Planning Provisions (SPP)

Administration

Exemptions (Tables 4.1 – 4.6)

The proposal includes retaining walls to which an exemption applies in clause 4.6.8 as the walls that are within 1.5m of the rear boundary are no more than 1m in height.

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

No specific area plan applies. The following general provisions and codes apply and prevail over the relevant Zone provisions if there is any conflict.

General Provisions

- 7.9 Demolition

Codes

- C2.0 Parking and Sustainable Transport Code
- C3.0 Road and Railway Assets Code

Use Class Description (Table 6.2):

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

Residential

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

Other relevant definitions (Clause 3.0):

The following meanings in 3.0 Planning Terms and Definitions are applicable:

multiple dwellings

means 2 or more dwellings on a site.

dwelling

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

protrusion

means a protrusion from a building such as awnings, steps, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services.

Discretionary Use or Development

The application is discretionary under Clause 6.8.1 as follows:

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

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

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

- 8.4.2 P2 Setbacks and building envelopes for all dwellings

General Provisions

The following General Provisions of the Scheme apply to this proposal:

7.9 Demolition

The application includes the demolition of the existing house and four outbuildings. Therefore, the following General Provisions of the Scheme apply to this proposal:

7.9 Demolition

Unless approved as part of another development or Prohibited by another provision in this planning scheme, or the Local Historic Heritage Code applies, an application for demolition is Permitted and a permit must be granted subject to any conditions and restrictions specified in clause 6.11.2 of this planning scheme.

Comment

The demolition of the existing dwelling and outbuildings does not raise any issue and the property is not heritage listed.

Zones

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

Zone Purpose Statements

The purpose of the General Residential Zone is:

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

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

8.1.3 To provide for non-residential use that:

(a) primarily serves the local community; and

(b) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.

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

Comment

The proposal accords with the above purpose as it is for residential development utilising serviced land. The proposal would provide for an alternative dwelling type to the predominantly single dwellings in the area and would make efficient use of available services and infrastructure.

Use Table

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

Use Standards

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

Development Standards for dwellings

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

8.4.2 A2 Setbacks and building envelopes for all dwellings

The proposal does not accord with the acceptable solution in clause 8.4.2 A2 with respect to the garage setback. Therefore, the proposal relies on the related performance criteria as follows:

8.4.2 P2 Setbacks and building envelopes for all dwellings

A garage or carport for a dwelling must have a setback from a primary frontage that is compatible with the setbacks of existing garages or carports in the street, having regard to any topographical constraints

Comment

The proposed garage would have a front setback of between 5.09m and 5.8m as the front boundary is at an angle. The acceptable solution requires 5.5m. The garage is integrated with the dwelling and the opening is facing the side boundary. Whilst the dwelling is double storey, the second storey has greater setback than the garage so as to not set the building line, which then invokes a discretion. It is noted that this discretion would not apply if the second storey had the same setback.

Nevertheless, it is considered that the garage satisfies the above performance criteria. The garage is not freestanding and not immediately recognisable as a garage so as not to dominate either the streetscape or the dwelling. The garage only steps within the setback margin with a small section and the setback of 5.09m provides reasonable separation from the street. There are two properties in the street with garages in front of the dwellings with a lesser setback. The proposed garage as viewed from the street is shown in Figure 6.



Figure 6: Proposed Garage for Unit 3 as viewed from the street

As such, it is considered that the proposed setback would be compatible with setbacks of existing garages or carports.

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

Codes

C2.0 Parking and Sustainable Transport Code

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

C3.0 Road and Railway Assets Code

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

INTERNAL REFERRALS

Development Engineer

The proposal is to demolish the existing dwelling on the site and construct three multiple dwellings on the site. The lot is fully serviced and accessed off Cleburne Street that has a capacity to service the additional traffic generated from the site.

A stormwater detention strategy is proposed to achieve compliance with the Stormwater Management Policy. The General Manager's consent to interfere with stormwater infrastructure can be granted.

Representations

Traffic Increase

The representor states that extra traffic will be a disadvantage to all road users as the street is narrow. Another representation states that traffic is already heavy during school pick-up/drop off for Austins Ferry Primary School. Furthermore, it is feared that the extra traffic will reduce safety for children playing in front yards and walking along the road. There would be also extra noise and pollution. Another, representation is also concerned about traffic.

Engineering Comment

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.

Traffic counters along Cleburne Street show an ADT of 386 VPD in 2015 (see image below for location). The proposed development is estimated to produce 7.4 additional vehicle movements per dwelling resulting in a net increase of 14.8 trips (pre development = 1 dwelling totalling 7.4 vpd, post development = 3 dwellings totalling 22.2 vpd).

Table C3.1 (Acceptable increase in average annual daily traffic to and from the site) of the Roads and railway asset code requires the development not to increase the vehicle movements by no more than 20% or 40 vehicle movements per day, whichever is the greater. In this case 20 % of 386 (77VPD) is greater than 40 VPD. As the development is producing a net increase of less than the maximum allowance, the development meets the acceptable solution of C3.



The applicant is proposing to move and widen the existing access. The sight distance requirements for a domestic driveway on a 50 km/hr road (AS2890.1.2004) is a minimum of forty metres (40m), the measured distance (80+m in either direction) is compliant with the standard.

On-Street Parking

The representors state that there would be extra cars parked on the street and outside neighbouring properties with the proposed development, so that there will be shortage of parking for their own visitors.

Engineering Comment

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 proposal is to remove the existing approved access and provide a wider crossover as part of stage 2 of the development. The requirement under the C2.5.1 and table C2.1, A1 requires the total of two (2) car parking spaces for each residential dwelling and one visitor park. The applicant proposes to comply with the requirements (7 spaces total) providing parking area in the form of double garages for each unit and 1 visitor park. There are no requirements for accessible car parking, motorcycle parking spaces, bicycle parking spaces and commercial vehicle applicable to the development application.

C3.0 Road and Railway Assets Code

The proposed development is not expected to increase vehicle movements over 20% or 40 vehicle trips per day. The proposal is to remove the existing approved access and provide a wider crossover as part of stage 2 of the development. Therefore, the proposed development complies with the code requirements.

C2.0 Parking and Sustainable Transport Code

The development complies with the Code and is considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected. The proposal is to remove the existing approved access and provide a wider crossover as part of stage 2 of the development. The requirement under the C2.5.1 and table C2.1, A1 requires the total of two (2) car parking spaces for each residential dwelling. The applicant proposes to comply with the requirements (6 spaces total) providing parking area in the form of double garages for each unit. There are no requirements for accessible car parking, motorcycle parking spaces, bicycle parking spaces and commercial vehicle applicable to the development application.

The layout of parking area complies with the standard AS2890.1:2004. The surface treatment of the driveway is proposed to be concrete. Surface runoff is proposed to be captured and directed to the Council's stormwater system.

*Other***C15.0 Landslide Code**

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

C7.0 Natural Assets Code

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

C12.0 Flood-Prone Areas Hazard Code

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

Waste Management Officer

Waste Services will 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 nine (9) bins, three (3) Waste bins and three (3) Recycling Bins, and three (3) FOGO bins.
- This property has an existing kerbside/nature strip area for placement of the bins therefore the dwellings would have their own individual bins.
- All bins are to be placed on the kerbside for collection.
- Council's Waste Management Contractor collection trucks will not enter the property to collect and empty the wheelie bins.

EXTERNAL REFERRALS

TasWater

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

REPRESENTATIONS

The application was advertised for the statutory 14-day period with 4 representation(s) being received. The issues raised are as follows:

1. Streetscape

The representor states that two storey dwellings would be out of character with the street, where there are only single-storey dwellings. Another representation states that the buildings are not in keeping with the environment in terms of design and size. A third representation is also concerned about the development being out of character. Furthermore, that after 40 years of living here, the outlook and quiet street would change and would affect their enjoyment and lifestyle.

Planner's Comment:

Whilst the area is generally characterised by single dwellings on medium sized blocks of single storey height, a different pattern of development can be expected in the future if permissible development is maximised within the General Residential Zone. The zone standards allow for a maximum building height of 8.5m and allow for one dwelling per 325m². In addition, there are setback requirements and development in accordance with these standards will shape the streetscape as intended. The proposal is in accordance with all density, setback and height limits and is largely within the building envelope. Therefore, it is considered that the proposal is not adversely impacting on the streetscape. It is also noted that there are no Local Area Objectives for this locality, which might otherwise have provided for additional objectives to the zone purpose statement. The zone purpose of the General Residential Zone essentially prioritises residential development with a range of dwelling types and the efficient use of serviced land.

2. Loss of Privacy

The representor states that the double storey dwellings would result in a loss of privacy. Furthermore, there would be overlooking of the lounge room and backyard (of the property to the west). Another representation states that they would be in full view of the neighbours every time that they venture to their backyard (to the east) or pass a window and are worried that the neighbours would be watching the grandchildren play in the backyard.

Planner's Comment

The proposal complies with the privacy standard relating to window separation from a boundary as demonstrated in the attached appendix. There are no windows on the second floor of Unit 2 and 3 facing the western boundary. Unit 1 at the rear, is single storey only. Second storey windows facing the eastern boundary are 5.7m from the side boundary where the acceptable solution requires only 3m separation. In addition, the double storey dwellings are opposite the neighbouring dwelling to the east and are overlooking the roof rather than the backyard. Therefore, any privacy loss would be minimised.

3. Outdoor Space

The representor states that the dwellings are so close together that there is little space for children to play.

Planner's Comment

The proposal provides for private outdoor space of 24m² in accordance with the acceptable solution requirements, as demonstrated in the attached appendix.

4. Loss of View

The representor states that the beautiful view to the River Derwent from the side and front windows will disappear with the development and was the reason they bought the property.

Planner's Comment

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

5. Solar Panels

The representor states that that solar panels will be installed (on the property to the west) in the coming weeks and that the proposed development would reduce their effectiveness, in particular in winter.

Planner's Comment

The issue of solar panels only becomes an assessment criterion where the panels are existing at the time of assessment and where the proposed buildings are outside the building envelope. The proposal accords with the building envelope and all setback requirements as demonstrated in the attached appendix.

6. Traffic Increase

The representor states that extra traffic will be a disadvantage to all road users as the street is narrow. Another representation states that traffic is already heavy during school pick-up/drop off for Austins Ferry Primary School. Furthermore, it is feared that the extra traffic will reduce safety for children playing in front yards and walking along

the road. There would be also extra noise and pollution. Another, representation is also concerned about traffic.

Planner's Comment:

This issue has been previously addressed under the heading Development Engineer. In summary, the increase in average daily traffic to and from the site of the proposal is below the allowable volume of the acceptable solution and complies.

7. Obstruction of Driveway and vehicular sightlines

The representor states that their driveway needs to be free at all times and that the proposal would cause restricted visibility to the road.

Planner's Comment:

This issue has been previously addressed under the heading Development Engineer. In summary, the proposal complies with the required sight distances. Driveway obstruction is governed by road rules and is not a planning issue that can be considered as part of this application.

8. On-Street Parking

The representors state that there would be extra cars parked on the street and outside neighbouring properties with the proposed development, so that there will be shortage of parking for their own visitors.

Planner's Comment:

This issue has been previously addressed under the heading Development Engineer. In summary, the proposal complies with the number of car parking spaces required. Therefore, there should be minimal reliance on on-street parking, which is available to anyone.

9. Vehicular Noise and Light Intrusion

The representor states that there will be a driveway along the common boundary to the east, where there are three bedrooms facing the boundary so that sleep would be interrupted. Another representor states that headlights of leaving the property would shine directly into the main bedroom on the property (on the opposite side of the street).

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application. There is no requirement for a driveway to be a certain distance from a boundary, although it is usually required to be 2.5m from a habitable window of a dwelling on the same site, or 1m if there is a 1.7m high screen. The wall of the neighbouring dwelling at 28 Cleburne Street would be 2m from the common boundary that has a fence and windows are higher up which would minimise adverse impacts. In the case

of the property opposite on the other side of the street, there is a carport and vegetation in the opposite area of the driveway that would also reduce impacts. Therefore, whilst there is no requirement for driveway separation from a boundary, impacts can be mitigated.

10. Noise

The representor states that noise would become a major problem as result of demolition and construction noise, as well as the increase of families that will live on the neighbouring property.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application. Construction hours and residential noise pollution are regulated under the *Environmental Management and Pollution Control (Noise) Regulations 2016*.

11. Loss of Biodiversity

The representor states that there would be a loss of native plants on the subject property that attracted a lot of bees and birds.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application. The subject property is not a conservation area and does not have a mapped overlay of the Natural Assets Code. Therefore, the vegetation may be removed.

12. Fencing

The representor states that that the common fence (on the western side) was damaged and was causing damage to their garage and that it was concerning that it had not been fixed after several requests.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application. Fencing issues are a private matter between neighbours and are regulated by the *Boundary Fences Act 1908*.

13. Loss of Property Values

The representor states that the proposed development would devalue their property. Furthermore, that a deck was planned at the front of their dwelling to increase the value of the property, but that there would be no point now. Another representation states that it would be extremely stressful to be possibly tens of thousands of dollars out of pocket due to depreciation of their property values. Another representation states that property values would be adversely affected because of being overlooked from the double storey building (to the south).

Planner's Comment:

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

14. Dogs

The representor states that that when their rottweilers visit the neighbouring property, that they would get upset by strange people coming and going and that there would be problems with them barking at cars.

Planner's Comment:

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

15. Tenant/Owners

The representor states that they are unaware if the proposed units would be rented or owned, which causes concerns about transitional occupants which may not maintain our quiet and peaceful atmosphere.

Planner's Comment:

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

CONCLUSION

The application is for demolition and three dwellings, within the General Residential Zone. The proposal complies with all planning standards as demonstrated in the attached appendix, with the exemption of a discretion in respect to the frontage setback of the garage of Unit 3. Nevertheless, the proposal accords with the performance criteria regarding the setback.

The application was advertised in accordance with statutory requirements and received four representations in response. The representations raised fifteen issues varying from streetscape, loss of privacy and views, traffic, parking, as well as some non-planning issues. The concerns were addressed in detail within the report and the proposal was assessed to comply with planning standards where they relate to these concerns.

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

Recommendation:

That a permit be granted for the proposed use and development of 26 Cleburne Street Claremont subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-21-592 and Drawings submitted on 07/03/2022 (22 pages) and Drawings 2022/443/3-1 and 2022/443/3-2 prepared by Williams Consulting Engineers submitted on 21/02/2022 (2 pages); except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2021/02027-GCC, dated 26/11/2021, form part of this permit.
3. The development approved herewith must only be carried out in the stages as shown on the approved plans, which are as follows:
 - Stage 1: Demolition of outbuildings, extension of existing driveway and construction of Unit 1.
 - Stage 2: Demolition of existing dwelling and driveway, construction of new driveway and crossover, and construction of Unit 2 and Unit 3.
4. Retaining walls within 1.5m of a boundary must not retain a difference in ground level of more than 1m.
5. Within 3 months of commencement of demolition works, all areas visible from public spaces are to be free of building debris and must be kept in a tidy, easily maintained and secure manner to the satisfaction of Council's Senior Statutory Planner.

Engineering

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

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

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

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

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

7. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
8. The 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.
9. Should damages occur, the repair costs associated with such damages are the responsibility of the property owner. If reinstatement works are not undertaken promptly or to Council's satisfaction, Council may elect to reinstate or rectify any defects and recover the expenses reasonably incurred in doing so from the property owner.
10. The design and construction of the parking, access and turning areas must comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004, to the satisfaction of the Council's Development Engineer. Drawings showing the driveway details must be in accordance with the Australian Standard and submitted with the Building Application for approval by Council's Development Engineer prior to the commencement of works on site. The proposed driveway and parking must comply with the following:-
 - a) Be constructed to a sealed finish and the finished gradient shall not exceed the maximum gradient of 25%;
 - b) Seven (7) car parking spaces (two (2) spaces per dwelling and one (1) visitor park) 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 at all grade changes greater than 12.5%;
 - d) All runoff from paved and driveway areas must be discharged into Council's stormwater system.
 - e) The gradient of any parking areas must not exceed 5% and
 - f) 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.

11. The construction of the new driveway crossing is to be constructed in accordance with Municipal Standard Drawing TSD-R09
12. Existing footpath cross over and apron must be removed, and the footpath/nature strip and kerbing reinstated to match the existing adjacent footpath/nature strip and kerbing profile.

Advice to Applicant

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

General Manager's Consent for Stormwater Management

Any conditions and/or advice as set out in the attached General Manager's Consent for Stormwater Management, reference No. PLN-21-592 dated 28/02/2021, is associated with this permit.

Other Permits

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

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

Other Services

The designer must ensure that the needs of all providers including TasWater, TasGas, TasNetworks, and Telstra are catered for both in the design and construction of the works. Underground service providers should be contacted for line marking of their services and any requirements or conditions they may have prior to commencing any works on site.

Phone 1100, Dial Before You Dig or visit www.dialbeforeyoudig.com.au for information on the location of underground services and cables in relation to the proposed development prior to commencing any works on site.

Waste Management

Waste Services will 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 nine (9) bins, three (3) Waste bins and three (3) Recycling Bins, and three (3) 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.

Attachments/Annexures

- 1 GPA Attachments - 26 Cleburne Street Claremont



APPENDIX

8.0 General Residential Zone

Standard	Acceptable Solution	Proposed	Complies?
8.3 Use Standards			
8.3.1 Discretionary uses	A1 Hours of operation of a use listed as Discretionary, excluding Emergency Services, must be within the hours of 8.00am to 6.00pm		NA
	A2 External lighting for a use listed as Discretionary: (a) must not operate within the hours of 7.00pm to 7.00am, excluding any security lighting; and (b) security lighting must be baffled to ensure direct light does not extend into the adjoining property.		NA
	A3 Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as Discretionary, excluding Emergency Services, must be within the hours of: (a) 7:00am to 7:00pm Monday to Friday; (b) 9:00am to 12 noon Saturday; and (c) nil on Sunday and public holidays.		NA
	A4 No acceptable solution.		NA

8.3.2 Visitor Accommodation	A1 Visitor Accommodation must: (a) accommodate guests in existing habitable buildings; and (b) have a gross floor area of not more than 200m ² per lot.		NA
	A2 Visitor Accommodation is not for a strata lot that is part of a strata scheme where another strata lot within that strata scheme is used for a residential use.		NA
8.4 Development Standards for Dwellings			
8.4.1 Residential density for multiple dwellings	A1 Multiple dwellings must have a site area per dwelling of not less than 325m ² .	Land 1045m ² /3=348m ²	Yes
8.4.2 Setbacks and building envelopes 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 from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site; (b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site;	Front setback: Protrusion 3.990m (steps within the front setback by 0.51m) Front wall of Unit 3: 4.5m Unit 3 has a covered porch with a clear roof that steps within the front setback and is considered a protrusion which may step within the front setback by up to 0.9m.	Yes

	<p>(c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or</p> <p>(d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level.</p>		
	<p>A2</p> <p>A garage or carport for a dwelling must have a setback from a primary frontage of not less than:</p> <p>(a) 5.5m, or alternatively 1m behind the building line;</p> <p>(b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or</p> <p>(c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</p>	Garage setback: 5.09m	No – Discretion
	<p>A3</p> <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 8.1, 8.2 and 8.3) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at</p>	<p>Front setback: 4.5m (protrusion 3.990m)</p> <p>Rear setback N: 3.160m</p> <p>Side setback E:</p> <p>Units 2 and 3: 5.588m and</p> <p>Unit 1: 1m (5.3m section, 2.4m high)</p> <p>Side setback W: 1.630m (wall height 3.728m and 4.207m)</p>	Yes

	<p>the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and</p> <p>(b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</p> <p>(ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).</p>	All setbacks are within the building envelope and comply, except for a small protrusion that is exempt.	
<p>8.4.3</p> <p>Site coverage and private open space for all dwellings</p>	<p>A1</p> <p>Dwellings must have:</p> <p>(a) a site coverage of not more than 50% (excluding eaves up to 0.6m wide); and</p> <p>(b) for multiple dwellings, a total area of private open space of not less than 60m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer).</p>	<p>Site coverage 49.25%</p> <p>Total POS:</p> <p>Unit 1: 99m²</p> <p>Unit 2: 102m²</p> <p>Unit 3: 107m²</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 level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);</p> <p>(b) has a minimum horizontal dimension of not less than:</p> <p>(i) 4m; or</p>	<p>Each dwelling would have level private outdoor space of 4m x 6m and more at the rear of each dwelling that is north facing, accessible from the living areas.</p>	Yes

	<ul style="list-style-type: none"> (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and (d) has a gradient not steeper than 1 in 10. 		
<p>8.4.4</p> <p>Sunlight to private open space of multiple dwellings</p>	<p>A1</p> <p>A multiple dwelling, that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 8.4.3, must satisfy (a) or (b), unless excluded by (c):</p> <ul style="list-style-type: none"> (a) the multiple dwelling is contained within a line projecting (see Figure 8.4): <ul style="list-style-type: none"> (i) at a distance of 3m from the northern edge of the private open space; and (ii) vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal; (b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00am and 3.00pm on 21st June; and (c) this Acceptable Solution excludes that part of a multiple dwelling consisting of: <ul style="list-style-type: none"> (i) an outbuilding with a building height not more than 2.4m; or (ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling. 	<p>Units 2 and 3 have private outdoor space with another dwelling to the north.</p> <p>The separation from the POS of Unit 3 to the nearest part of Unit 2 is 0.690. The nearest part of the dwelling is a clear roof 1.350m wide.</p> <p>The separation from the POS of Unit2 to the wall of Unit 1 is 2m.</p> <p>The above does not satisfy (a).</p> <p>The application is supported by shadow diagrams, demonstrating that all POS areas receive at least 3hours of sunlight between the hours of 9am to 3pm on June 21, which complies with (b).</p>	<p>Yes</p>

<p>8.4.5</p> <p>Width of openings for garages and carports for all dwellings</p>	<p>A1</p> <p>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).</p>	<p>Garage openings are not facing frontage</p>	<p>NA</p>
<p>8.4.6</p> <p>Privacy for all dwellings</p>	<p>A1</p> <p>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:</p> <ul style="list-style-type: none"> (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: <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>Not proposed</p>	<p>NA</p>
	<p>A2</p>	<p>Units 1 and 2 are double storey and have a floor level of more than 1m above NGL. There are no windows on the</p>	<p>Yes</p>

	<p>A window or glazed door to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b):</p> <p>(a) the window or glazed door:</p> <ul style="list-style-type: none"> (i) is to have a setback of not less than 3m from a side boundary; (ii) is to have a setback of not less than 4m from a rear boundary; (iii) if the dwelling is a multiple dwelling, is to be not less than 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be not less than 6m from the private open space of another dwelling on the same site. <p>(b) the window or glazed door:</p> <ul style="list-style-type: none"> (i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; (ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of not less than 1.7m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, 	<p>second floor facing the eastern boundary where the setback is 1.630m. Second storey windows facing the western boundary have separation of at least 5.7m separation. Windows between Units have separation of at least 6m.</p>	
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	to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%.		
	<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 not less than:</p> <p>(a) 2.5m; or</p> <p>(b) 1m if:</p> <p>(i) it is separated by a screen of not less than 1.7m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level.</p>	<p>The shared driveway runs past Unit 1 and 2. However, there are no windows on the ground floor facing the driveway.</p> <p>There is a visitor space in front of Unit 3. The only window within 2.5m is a garage window. A garage is not a habitable room so that the separation complies.</p>	Yes
<p>8.4.7</p> <p>Frontage Fences for all dwellings</p>	<p>A1</p> <p>No Acceptable Solution¹.</p> <p><i>(¹ An exemption applies for fences in this zone – see Table 5.6 in Exemptions)</i></p>	Not proposed	NA
<p>8.4.8</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 not less than 1.5m² per dwelling and is within one of the following locations:</p> <p>(a) an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</p> <p>(b) a common storage area with an impervious surface that:</p>	The dwellings would have individual bin storage. There is sufficient bin storage space at each dwelling.	Yes

	<ul style="list-style-type: none"> (i) has a setback of not less than 4.5m from a frontage; (ii) is not less than 5.5m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height not less than 1.2m above the finished surface level of the storage area. 		
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APPENDIX

C2.0 Parking and Sustainable Transport Code

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

Standard	Acceptable Solution	Proposed	Complies?
	<p>which case on-site car parking must be calculated as follows:</p> $N = A + (C - B)$ <p>N = Number of on-site car parking spaces required</p> <p>A = Number of existing on site car parking spaces</p> <p>B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1</p> <p>C = Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.</p>		
C2.5.2 Bicycle parking numbers	A1 <p>Bicycle parking spaces must:</p> <p>(a) be provided on the site or within 50m of the site; and</p> <p>(b) be no less than the number specified in Table C2.1.</p>	NA	
C2.5.3 Motorcycle parking numbers <i>This applies to:</i> <i>Business and Professional Services;</i> <i>Community Meeting and Entertainment;</i> <i>Custodial Facility;</i> <i>Crematoria and Cemeteries;</i> <i>Educational and Occasional Care;</i> <i>Food Services;</i>	A1 <p>The number of on-site motorcycle parking spaces for all uses must:</p> <p>(a) be no less than the number specified in Table C2.4; and</p> <p>(b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification,</p>	NA	

Standard	Acceptable Solution	Proposed	Complies?
<i>General Retail and Hire; Hospital Services; Hotel Industry; Pleasure Boat Facility; Residential if for a communal residence, multiple dwellings or hostel use; Sports and Recreation; and Tourist Operation.</i>	<p>provided the existing number of motorcycle parking spaces is maintained.</p>		
C2.5.4 Loading bays <i>This applies to: Bulky Goods Sales; General Retail and Hire; Manufacturing and Processing; and Storage.</i>	A1 <p>A loading bay must be provided for uses with a floor area of more than 1000m² in a single occupancy.</p>	NA	
C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential Zone <i>This applies to: Business and Professional Services; Community Meeting and Entertainment; Educational and Occasional Care; Emergency Services; Food Services; General Retail and Hire; Sports and Recreation; and Utilities, if not for minor utilities.</i>	A1 <p>Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for:</p> <p>(a) Food Services uses up to 100m² floor area or 30 seats, whichever is the greater; and</p> <p>(b) General Retail and Hire uses up to 100m² floor area,</p> <p>provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone.</p>	NA	

Standard	Acceptable Solution	Proposed	Complies?
C2.6 Development Standards for Building Works			
C2.6.1 Construction of parking areas	A1 All parking, access ways, manoeuvring and circulation spaces must: <ul style="list-style-type: none"> (a) be constructed with a durable all weather pavement; (b) be drained to the public stormwater system, or contain stormwater on the site; and (c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement. 	Parking and driveway area proposed to be paved surface and Parking and surface water are to be drained to the stormwater connection.	Yes
C2.6.2 Design and layout of parking areas	A1.1 Parking, access ways, manoeuvring and circulation spaces must either: <ul style="list-style-type: none"> (a) comply with the following: <ul style="list-style-type: none"> (i) have a gradient in accordance with <i>Australian Standard AS 2890 - Parking facilities, Parts 1-6</i>; (ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces; 	Layout and gradients are provided in accordance with the AS2890.1	yes

Standard	Acceptable Solution	Proposed	Complies?
	<ul style="list-style-type: none"> (iii) have an access width not less than the requirements in Table C2.2; (iv) have car parking space dimensions which satisfy the requirements in Table C2.3; (v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces; (vi) have a vertical clearance of not less than 2.1m above the parking surface level; and (vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or <p>(b) comply with <i>Australian Standard AS 2890- Parking facilities, Parts 1-6.</i></p> <p>A1.2</p> <p>Parking spaces provided for use by persons with a disability must satisfy the following:</p> <ul style="list-style-type: none"> (a) be located as close as practicable to the main entry point to the building; (b) be incorporated into the overall car park design; and (c) be designed and constructed in accordance with <i>Australian/New Zealand Standard AS/NZS 2890.6:2009</i> 		

Standard	Acceptable Solution	Proposed	Complies?
	<i>Parking facilities, Off-street parking for people with disabilities. [S35]</i>		
C2.6.3 Number of accesses for vehicles	A1 The number of accesses provided for each frontage must: (a) be no more than 1; or (b) no more than the existing number of accesses, whichever is the greater.	1 new access provided	yes
	A2 Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.	NA	
C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone	A1 In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roads and pedestrian paths serving 5 or more car parking spaces, which are used outside daylight hours, must be provided with lighting in accordance with Clause 3.1 “Basis of Design” and Clause 3.6 “Car Parks” in <i>Australian Standard/New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements</i> .	NA	
C2.6.5 Pedestrian access	A1.1 Uses that require 10 or more car parking spaces must: (a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by:	NA	

Standard	Acceptable Solution	Proposed	Complies?
	<p>(i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or</p> <p>(ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and</p> <p>(b) be signed and line marked at points where pedestrians cross access ways or parking aisles.</p> <p>A1.2</p> <p>In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.</p>		
C2.6.6 Loading bays	<p>A1</p> <p>The area and dimensions of loading bays and access way areas must be designed in accordance with <i>Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Offstreet commercial vehicle facilities</i>, for the type of vehicles likely to use the site.</p>	NA	
	<p>A2</p> <p>The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward direction in accordance with <i>Australian Standard AS 2890.2 – 2002, Parking Facilities, Part 2: Parking facilities Offstreet commercial vehicle facilities</i>.</p>	NA	

Standard	Acceptable Solution	Proposed	Complies?
C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 “Basis of Design” and clause 3.6 “Car Parks” in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.	NA	
	A2 Bicycle parking spaces must: <ul style="list-style-type: none"> (a) have dimensions not less than: <ul style="list-style-type: none"> (i) 1.7m in length; (ii) 1.2m in height; and (iii) 0.7m in width at the handlebars; (b) have unobstructed access with a width of not less than 2m and a gradient not steeper than 5% from a road, cycle path, bicycle lane, shared path or access way; and (c) include a rail or hoop to lock a bicycle that satisfies <i>Australian Standard AS 2890.3-2015 Parking facilities - Part 3: Bicycle parking</i>. 	NA	
C2.6.8 Siting of parking and turning areas	A1 Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas must be located behind the building line of buildings, excluding if a parking area is already provided in front of the building line.	NA	

Standard	Acceptable Solution	Proposed	Complies?
	<p>A2</p> <p>Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must:</p> <ul style="list-style-type: none"> (a) have no new vehicle accesses, unless an existing access is removed; (b) retain an active street frontage; and (c) not result in parked cars being visible from public places in the adjacent roads. 	NA	
C2.7 Parking Precinct Plan			
<p>C2.7.1</p> <p>Parking Precinct Plan</p>	<p>A1</p> <p>Within a parking precinct plan, onsite parking must:</p> <ul style="list-style-type: none"> (a) not be provided; or (b) not be increased above existing parking numbers. 	NA	

Footnotes

[S35] Requirements for the number of accessible car parking spaces are specified in part D3 of the National Construction Code 2016.

C3 Road and Railway Assets Code

Standard	Acceptable Solution	Proposed	Complies?
C3.5 Use Standards			
C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction	A1.1 For a category 1 road or a limited access road, vehicular traffic to and from the site will not require: (a) a new junction; (b) a new vehicle crossing; or (c) a new level crossing. A1.2 For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority. A1.3 For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority. A1.4	Vehicular traffic is not increased by 40 vpd. Yes	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<p>Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:</p> <p>(a) the amounts in Table C3.1; or</p> <p>(b) allowed by a licence issued under Part IVA of the <i>Roads and Jetties Act 1935</i> in respect to a limited access road.</p> <p>A1.5</p> <p>Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>		
C3.6 Development Standards for Buildings and Works			
<p>C3.6.1</p> <p>Habitable buildings for sensitive uses within a road or railway attenuation area</p>	<p>A1</p> <p>Unless within a building area on a sealed plan approved under this planning scheme, habitable buildings for a sensitive use within a road or railway attenuation area, must be:</p> <p>(a) within a row of existing habitable buildings for sensitive uses and no closer to the existing or future major road or rail network than the adjoining habitable building;</p> <p>(b) an extension which extends no closer to the existing or future major road or rail network than:</p> <p>(i) the existing habitable building; or</p> <p>(ii) an adjoining habitable building for a sensitive use; or</p>	NA	

Standard	Acceptable Solution	Proposed	Complies?
	(c) located or designed so that external noise levels are not more than the level in Table C3.2 measured in accordance with Part D of the <i>Noise Measurement Procedures Manual</i> , 2nd edition, July 2008.		
C3.7 Development Standards for Subdivision			
C3.7.1 Subdivision for sensitive uses within a road or railway attenuation area	A1 A lot, or a lot proposed in a plan of subdivision, intended for a sensitive use must have a building area for the sensitive use that is not within a road or railway attenuation area.		

**7. PROPOSED USE AND DEVELOPMENT - 1 LOT PLUS BALANCE
SUBDIVISION ON A HERITAGE LISTED PLACE - 2 BERESFORD
PLACE MOONAH**

Author: Graduate Planning Officer (Imogen Rowe)

Qualified Person: Graduate Planning Officer (Imogen Rowe)

Property ID: 5408953

REPORT SUMMARY

Application No.:	PLN-21-302
Applicant:	Rogerson & Birch Surveyors
Owner:	Indigenous Tasmanian Aboriginal Corporation
Zone:	General Residential Zone
Use Class	Subdivision
Application Status:	Discretionary
Discretions:	8.6.1 Lot Design – P2 C6.10.1 – Lot design on a Local Heritage Place – P1 (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	20 April 2022
Existing Land Use:	Single Dwelling
Representations:	4
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The application proposes a one lot subdivision plus balance. The subject site is a large lot with frontage to Beresford Place. The subdivision proposes to create a new lot to the rear of the site, while the balance lot to the front will contain the existing dwelling. The land with the existing dwelling would be Lot 1 with an area of 3906m² and frontage of 6.25m to Beresford Place. Proposed lot 2 would have an area of 1886m² and would have frontage to the right of way easement of 6.5m. The application is discretionary for lot design with respect to frontage dimensions under the zone provisions, as well as lot design under the Local Historic Heritage code. The proposal is shown in Figure 1.

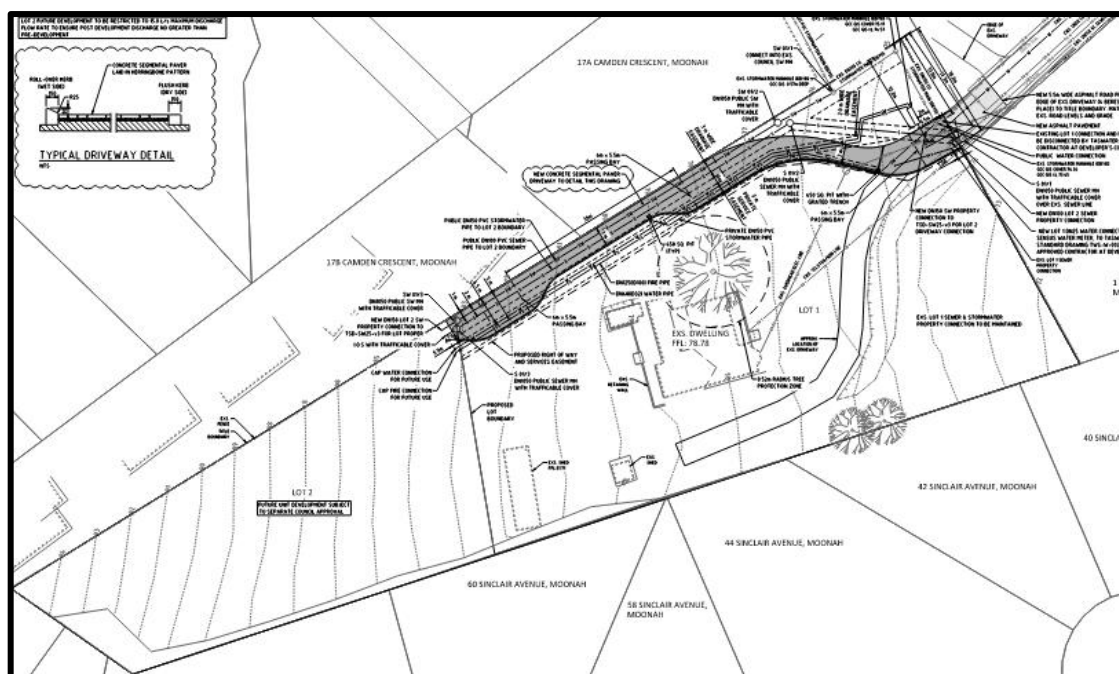


Figure 1: Proposed subdivision at 2 Beresford Place.

SITE and LOCALITY

The subject site is to the east of Beresford Place. The site has frontage to Beresford Place and contains an existing dwelling setback approximately 40m from the frontage. Behind the existing dwelling there is a significant allowance of land. The total lot area is 5792m² and the site is sloped upwards from the east to the west for a gradient of 1 in 7. The site adjoins thirteen other properties, of which all are zoned General Residential and are occupied by dwellings. The subject property is shown in Figure 2.



Figure 2: An aerial image of the site and surrounds at 2 Beresford Place.

ZONE

The subject site is zoned General Residential Zone under the Tasmanian Planning Scheme – Glenorchy (TPS-G), see Figure 3.

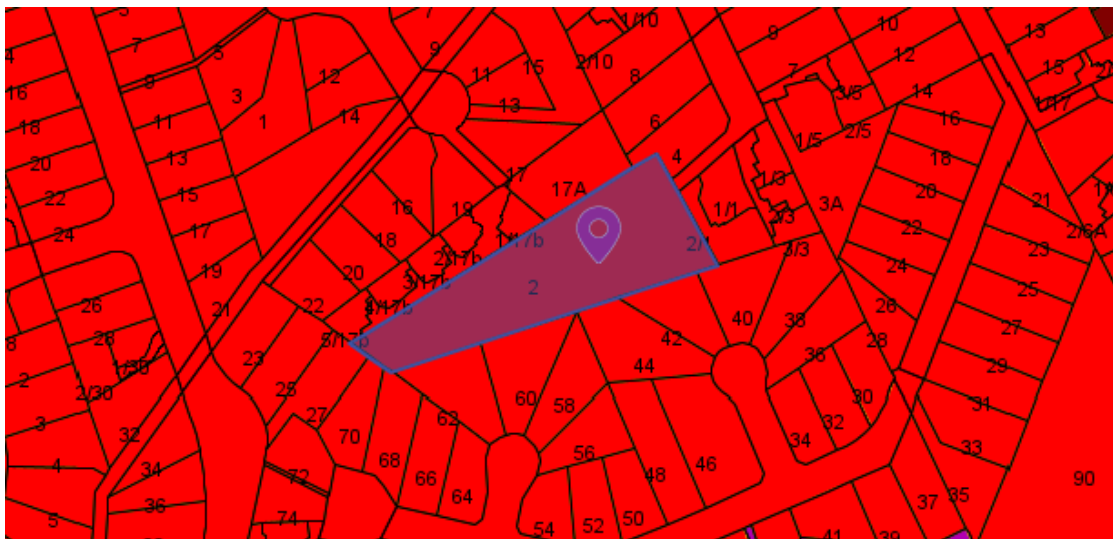


Figure 3: Zoning map showing the General Residential Zone (red) at 2 Beresford Place.

BACKGROUND

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

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

TASMANIAN PLANNING SCHEME - GLENORCHY 2021

State Planning Provisions (SPP)

Administration

Exemptions (Tables 4.1 – 4.6)

No exemptions are applicable.

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

General Provision 7.10 Development not Required to be Categorised into a Use Class, the C2.0 Parking and Sustainable Transport Code, the C3.0 Road and Railway Assets Code and C6.0 Local Historic Heritage Code all apply and prevail over the zone provisions if there is a conflict.

Use Class Description (Table 6.2):

Subdivision is development and there is no use class category required.

Other relevant definitions (Clause 3.0):

The following meanings in 3.0 Planning Terms and Definitions are applicable:

Applicable standard means as defined in subclause 5.6.2, which is a standard in a zone, specific area plan or code, is an applicable standard if:

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

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

Local heritage place means a place that is listed, and the specific extent identified, in the local heritage places list in the relevant Local Provisions Schedule.

Significant tree means a tree that is listed and identified in the significant trees list in the relevant Local Provisions Schedule.

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.

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

Tree protection zone means the space surrounding individual trees based on trunk (stem) diameter (DBH), measured at 1.4m up from ground level. The radius of the tree protection zone is calculated by multiplying the tree's DBH by 12. For example, a tree with 0.4m DBH requires a tree protection zone of 4.8m. The method provides a tree protection zone that addresses both tree stability and growth requirements. Tree protection zone distances are measured as a radius from the centre of the trunk at ground level.

Discretionary Use or Development

The application is discretionary under Clause 6.8.1 as follows:

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

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

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

- 8.6.1 Lot Design – P2
- C6.10.1 – Lot design on a Local Heritage Place – P1

The proposal is discretionary under (c) above as it relies on discretion under:

- 7.10 Development not Required to be Categorised into a Use Class.

General Provisions

The following General Provisions of the Scheme apply to this proposal:

7.10 Development not Required to be Categorised into a Use Class

Subdivisions are not required to be categorised into a use class under clause 7.10 and the following applies:

In exercising its discretion under subclauses 7.10.1 and 7.10.2 of this planning scheme, the planning authority must have regard to:

- (a) the purpose of the applicable zone;*
- (b) the purpose of any applicable code;*
- (c) any relevant local area objectives; and*
- (d) the purpose of any applicable specific area plan.*

Comment

The purpose of the General Residential Zone and applicable codes are addressed under the relevant headers later in this report. In summary, the proposal is consistent with the purpose of the zone and relevant codes. There are no local area objectives or specific area plan applicable to the assessment.

Zones

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

Zone Purpose Statements

- 8.1.1 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.*
- 8.1.2 To provide for the efficient utilisation of available social, transport and other service infrastructure.*
- 8.1.3 To provide for non-residential use that:*
 - (a) primarily serves the local community; and*
 - (b) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.*
- 8.1.4 To provide for Visitor Accommodation that is compatible with residential character.*

Comment:

The proposal accords with the above purpose as it is for a subdivision for future residential development and will be serviced accordingly.

Development Standards for Subdivisions*8.6.1 Lot Design – P2*

The proposed subdivision is relying on performance criteria P2 under Clause 8.6.1, given both the proposed lot and balance lot have frontages of less than 12m.

Under the performance criteria:

“Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:

- (a) the width of frontage proposed, if any;*
- (b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;*
- (c) the topography of the site;*
- (d) the functionality and useability of the frontage;*
- (e) the ability to manoeuvre vehicles on the site; and*
- (f) the pattern of development existing on established properties in the area,*
and is not less than 3.6m wide.”

It is considered that the proposal satisfies the above performance criteria for the following reasons:

- Lot 1 has access to Beresford Place, with a 6.25m wide frontage and accessway. Lot 2 will be accessed by a right of carriageway with a width of 6.5m at the point Lot 2 boundary begins.
- The topography of the land would allow for Lot 1 to be serviced with access to Beresford Place and for Lot 2 to be accessed via a proposed right of carriageway.
- The frontage would allow access to service connections and vehicular access to both Lot 1 and lot 2; and the right of carriageway that will ultimately provide access to Lot 2.
- Both lots would have adequate vehicular access. The proposed right of way is adequately sized and provides a passing bay.
- Having a single accessway along with the proposed right of way is compatible with other developments in the area.

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

Codes

The following codes of the Scheme apply to this proposal:

C2.0 Parking and Sustainable Transport Code

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

C3.0 Road and Railway Assets Code

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

C6.0 Local Historic Heritage Code

The proposal is relying on performance criteria to comply with C6.10.1 – Lot design on a Local Heritage Place – P1. For further comments, please refer to the heritage officer's assessment under the Referrals section later in the report.

Glenorchy Local Provisions Schedule (GLPS)

Local Area objectives

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

Particular Purpose Zones

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

Specific Area Plans

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

GLE-Site Specific Qualifications

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

GLE-Code lists

GLE -Table C6.1 Local Heritage Places

2 Beresford Place is listed under GLE-C6.1336 Local Heritage Places. It has a registered folio number of 54220/1.

Public Open Space

The *Tasmanian Planning Scheme – Glenorchy 2021* no longer has provisions relating to public open space. However, the *Local Government (Building and Miscellaneous Provisions) Act 1993* empowers Council to acquire public open space as part of any new subdivision proposal, to require cash in lieu of open space, or to refuse a subdivision application because it should include or omit public open space.

Council's *Subdivisions- Public Open Space Acquisition and Contribution Policy* provides guidance on requirements for public open space or alternatively cash-in-lieu contributions. The proposed subdivision is for only one new lot. Therefore, the following applies:

1. *Council will not require provision of public open space or a contribution of cash in lieu where:*
 - (a) *one (1) lot is being subdivided from an existing residential lot for a purpose other than multiple dwelling development, or*
 - (b) *fully developed public open space exists within 500 metres walking distance of any lot, unless the acquisition of land will provide more convenient access to that open space.*

The proposal does not include any multiple dwellings and there is public open space available within 500m of the subject property. The proposal satisfies (a) and (b) so that no public open space or cash-in-lieu is required.

INTERNAL REFERRALS

Development Engineer

The proposed application is for a One lot plus balance subdivision at the subject site, plans attached in Appendix B, GM consent is not required for the permit.

C2.0 Parking and Sustainable Transport Code

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

The site can be accessed off the existing vehicular access onto the shared driveway; the access will be widened to provide for passing bay. The applicant proposes to retain the existing parking for the existing dwelling this satisfies the parking requirement. There are no requirements for accessible car parking, motorcycle parking spaces,

bicycle parking spaces and commercial vehicle applicable to the development application. The passing bays are provided and complies with the acceptable solution.

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

General Residential Zone Clause 8.6.3 Services

All services are available in the area. The proposal is to extend the services to the lot proper and lowest point, therefore Acceptable Solutions A1, A2 and A3 are met.

C3.0 Road and Railway Assets Code

The development complies with Road and Railway Assets Code; and the safety and efficiency of the road is not expected to reduce by the proposed development. The development complies with Code C3.0 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 C3.5.1 A1.2 *Traffic generation at an existing vehicular crossing, level crossing or junction.*

C15.0 Landslide Code

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

C7.0 Natural Assets Code

There is no new stormwater point of discharge into a watercourse. Therefore, the development application complies with the natural asset code

C12.0 Flood-Prone Areas Hazard Code

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

Heritage Officer

HERITAGE LISTINGS:

GLE-Table C6.1 Local Heritage Places

Reference No.	Street Address/Extent	Property Name	Description, Specific Extent & Statement of Local Historic Heritage Significance
GLE-C6.1.336	2 Beresford Place, Moonah		<i>Description</i> Circa 1916- 1924 house. <i>Specific Extent</i> All of 54220/1. <i>Statement of Local Historic Heritage Significance and Historic Heritage Values</i>

			<p>A well detailed Federation period house on a subdivided allotment representing the transition from agricultural land use to small holdings.</p> <p><i>Identified in the Local Provisions Schedule because of:</i></p> <p>(a) Its role in, representation of, or potential for contributing to the understanding of:</p> <p>(a)(i) Local history including - as a demonstration of the subdivision of the old agricultural estates and country seats that once dominated Glenorchy and the beginnings of suburban residential areas more than a century ago.</p> <p>(a)(ii) Creative or technical achievements - Not applicable.</p> <p>(a)(iii) A class of building or place that exhibits – the principal characteristics of a well detailed Federation Queen Anne style house set on a large allotment. Significant attributes include but are not necessarily limited to: its weatherboard construction, stone base, hipped corrugated roof featuring a flying gable with timber brackets projecting to the front over a faceted bay, painted corbelled brick chimney, verandah with timber posts, brackets, railings and decorative frieze, timber framed sash windows, mature landscaping and trees.</p> <p>(a)(iv) Aesthetic characteristics - Not applicable.</p> <p>(b) Its association with:</p> <p>(b)(i) A particular community or cultural group for social or spiritual reasons - Not applicable.</p> <p>(b)(ii) The life or works of a person, or group of persons, of importance to the locality or region - Not applicable.</p>
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HISTORY OF SUBJECT PLACE

Like Prospect House at 46 Sinclair Avenue, the weatherboard Queen Anne Federation house at 2 Beresford Place was built on Edward Wilkinson's former 21-acre grant.

The assessment roll seems to suggest that it was erected for FJ Quarrell on 1.5 acres of land subdivided from H Pinkerton's property in the period 1916–19. However, a surviving building application in the name of BM Pinkerton also seems to fit the property.

Assessment rolls suggest that the house was substantially improved between 1919 and 1924, with the property tripling in annual value. Perhaps the 1920 building application represented improvements rather than entirely new work. This was at a time when new streets were being created to serve the constant subdivision of Moonah.

Beresford Place (formerly Charles Street and then Augusta Street) was named after Archdeacon Beresford, who died at his son Cecil H Beresford's house in what became 14 Beresford Place in 1935.

No.2 Beresford Place probably began as a small farm, with an orchard and space for poultry and a milking cow and represents a transition phase between the country seats and big agricultural estates nearby, such as Summerhome, Prospect House and Claremont House, and the closely packed interwar brick homes that followed.

It demonstrates Moonah's evolution from being a fashionable fringe area of Hobart to being a high-demand residential area during Glenorchy's rapid early 20th-century expansion.

Sources:


Tasmanian Government Gazette, 22 February 1916, p.509 and 25 February 1919, p.372.

Tasmanian Government Gazette, 25 February 1919, p.372 and 14 April 1924, p.866.

File AE819/1/882 (Tasmanian Archive and Heritage Office).

'Deaths', *Mercury*, 4 December 1935, p.1; 'Street names', *Mercury*, 29 August 1939, p.4; *Tasmanian Government Gazette*, 26 March 1945, p.315.



House and Oak tree at right (Image source: GCC)	Proposed location of internal access road (Image source: Corney, G. Heritage report prepared for proponent)
	
Farm style entry gate (Image source: GCC)	View to southern boundary showing Hawthorn hedge (Image source: Corney, G. Heritage report prepared for proponent)

SCOPE OF PROPOSAL

The Application is for a two-lot subdivision involving construction of an access to the rear lot along the northern boundary.

Accompanying documentation:

Heritage report: Corney, Graeme. 8/11/2021. Heritage Impact Assessment – Proposed subdivision of 2 Beresford Place, Moonah.

Arborist report: Hodgman, Alister. 23/12/2021. Development Impact Assessment - 2 Beresford Place, Moonah. Unpublished report prepared for the Indigenous Tasmanian's Aboriginal Corporation.

TERMS OF REFERENCE FOR THIS ASSESSMENT

The Application is assessed here against the relevant provisions for heritage in the *Tasmanian Planning Scheme – Glenorchy 2021*.

SUMMARY ASSESSMENT AGAINST C6.10 DEVELOPMENT STANDARDS FOR SUBDIVISION

C6.10.1 – Lot design on a Local Heritage Place	
Objective - That subdivision does not cause an unacceptable impact on the local historic heritage significance of local heritage places.	
<i>P1 Subdivision must not cause an unacceptable impact on the local historic heritage significance of a local heritage place, having regard to:</i>	
Performance Criteria	Assessing Officer Comments
<p><i>(a) the local historic heritage significance of the local heritage place identified in the relevant Local Provisions Schedule;</i></p> <p><i>(b) the historic development pattern of the area;</i></p> <p><i>(c) the separation of buildings or structures from their original setting;</i></p> <p><i>(d) the lot sizes, dimensions, frontage, access and orientation;</i></p> <p><i>(e) the suitability of the proposed lots for their intended uses; and</i></p> <p><i>(f) the removal of vegetation, trees or garden settings.</i></p>	<p>This is a two-lot subdivision of a former small farm. Potential future unit development on proposed Lot 2 will mirror the pattern of urbanisation that commenced in the early 20th century (and continues to evolve), whereas the Federation period heritage building, outbuildings and mature English Oak tree will be retained in an expansive curtilage on Lot 1.</p> <p>Access to Lot 2 is via an appropriately located internal driveway retaining the farm gate on entry and set against the northern boundary, its surface specified to be finished in segmental concrete pavers (as opposed to solid concrete). The mature Oak tree (<i>Quercus robur</i>) near the Federation house is specified to be retained and protected during construction through instigation of an arborist-prescribed 8.52m radius, fenced Tree Protection Zone. The Hawthorn hedge that defines the southern boundary of part of Lot 1 and all of Lot 2, wrapping around the western end of the land parcel is also identified for retention.</p>

GCC HERITAGE ASSESSMENT – CONCLUSION AND RECOMMENDATION:

The proposal is assessed as having satisfied all the applicable Local Historic Heritage Code Performance Criteria in the *Tasmanian Planning Scheme – Glenorchy*.

[From the heritage perspective] The recommendation is for approval of the proposed subdivision with Conditions and Advice, (see below permit).

EXTERNAL REFERRALS

TasWater

TasWater are in support of the application and have recommended conditions and advice.

REPRESENTATIONS

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

Future development on Lot 2

The representor states that “It is not clear at all, as to what the number of “multiple dwelling sites” proposed for the back lot will be. This appears to be “subject to a separate future application”. If this development involves a small apartment style residence, then I am concerned about the future impact of traffic flow through the small area and the safety impact this may have with a “farm style gate” at the entrance.”

Planner’s Comment:

The application is for a subdivision (1 lot plus balance) and therefore the future development of either lots is not assessed as part of this application.

Gated entrance

Concerns have been raised regarding the proposed gated entrance. One representor is particularly concerned about how traffic may be effected by a particular style of gate. The representor states that “Is this development supposed to be an entry to some sort of “gated community”, with vehicles approaching to enter either waiting for an automatic gate to open to let them through, or does the occupant of the vehicle have to stop and get out to open and close the gate themselves? I have issues if this is the case as this would be occurring right in front of my driveway entrance. If there is a lot of traffic coming and going through the property this could be an issue.”

Planner’s Comment:

The farm style gate is proposed to be retained. This was a recommendation within the Heritage report as a means to maintain the heritage significance of the site. Further to this, the application for subdivision does not include any proposal for the development of the rear lot. Additional traffic and access impacts that development may incur will be assessed under a future application.

Construction interruptions

Concerns have been raised surrounding the interruption construction may have on the surrounding neighbours. Specific concerns relate to the time of constructions, the impacts of construction worker’s vehicle movements, and the potentially negative impact construction may have on the existing road.

Planner's Comment:

This issue has been previously addressed under the heading Development Engineer. Construction required for the proposed subdivision is minimal and is limited to the right of way road along the northern boundary to connect the site's frontage to Lot 2. If any issues arise once construction begins, this can be dealt with under the *Environmental Management and Pollution Control Act 1994*.

Vegetation removal

The representor states that "I hate to see the property developed into a residential subdivision area, seeing the various trees in that area being destroyed and the small amount of wildlife being disrupted, (I have seen wallabies on the property and occasionally a grey goshawk hunt in that area)."

Planner's Comment:

Given the site is not encumbered by the Natural Assets Code nor is a Priority Vegetation Area, the above issue is not a planning issue that can be considered as part of this application.

Access and Traffic

Multiple representors have raised concerns as to the impacts of traffic on Beresford Place. Specifically, the impacts that a potential future development on the newly proposed lot might have regarding increased traffic flow.

Another representor has raised concerns about the accessway into 2 Beresford Place, stating that "there is no turning circle at the end of Beresford Place...[and]...arriving and leaving always relies on being able to reverse into private driveways or to back onto lawns." Further to this, concerns have been raised about the width of the proposed crossover and right of way to the new Lot 2.

Planner's Comment:

Concerns raised regarding the potential of increased traffic flow once the rear lot is developed cannot be assessed under this application. This issues regarding access have been previously addressed under the heading Development Engineer.

Amenity Impacts on Neighbourhood Recreation

Concerns have been raised around the impacts on neighbourhood recreation. One representor was concerned that that a new development in the area may be detrimental to the neighbourhood feel of Beresford Place. The representor claimed that Beresford Place was often utilised by children as a place to play and interact.

Planner's Comment:

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

Interruption on Services

There have been concerns raised regarding the impact that the newly proposed works may have on services, specifically during the construction phase. One representor is specifically concerned on where garbage bins may be located and picked up if there is to be a future residential development on the new rear lot. Further concerns raised were about how new connections to sewerage and water works might interrupt services for current residents along Beresford Place.

Planner's Comment:

This issue has been previously addressed under the heading Development Engineer. Furthermore, conditions have been added to the permit to ensure minimal impacts on the surrounding neighbourhood during the construction phase.

CONCLUSION

The proposal is relying on the performance criteria to comply with applicable standards under the zone provisions and the Heritage code. 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 Parking and Sustainable Transport code, Road and Railway Assets code and Local Historic Heritage code. The application was publicly advertised for the statutory 14-day period and four representations were received, which has been addressed in the report.

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

Recommendation:

That a permit be granted for the proposed use and development of 2 Beresford Place Moonah subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-21-302 and Drawings submitted on 09/03/22 (4 pages) and 16/03/22 (3 pages), except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2021/01113-GCC dated 08/12/2021, form part of this permit.
3. An original and two copies of each of the Plan of Subdivision and Schedule of Easements must be submitted to Council for sealing.

Heritage

Retention and protection of the mature Oak tree:

4. The mature Oak tree on the north side of the Federation period house makes an important contribution to the setting of the Heritage Place and must be retained and protected during construction:
 - (a) By installation of an 8.52m radius, fully fenced, Tree Protection Zone for the duration of construction of the driveway access as shown on PLN-21-302 Gandy & Roberts Siteworks Plan Reference C020 Rev E; date received 16 March 2022, and,
 - (b) To arborist specifications set out in: PLN-21-302, Hodgman, Alister. 23/12/2021. Development Impact Assessment - 2 Beresford Place, Moonah. Unpublished report prepared for the Indigenous Tasmanian's Aboriginal Corporation; date received 9 March 2022.

Farm gate at entry to Beresford Place

5. The galvanised farm style gate, and its associated width, must be retained as an indicator of former farm use at the entry point to the property from Beresford Place as specified on PLN-21-302 Rogerson & Birch Proposed Subdivision Plan Reference ITAC03 13105-10; date received 16 March 2022.

New internal access road surface

6. To soften the intrusion upon local historic heritage values on Lot 1, the new internal access road must be surfaced in concrete segmental pavers as specified on PLN-21-302 Gandy & Roberts Siteworks Plan Reference C020 Rev E; date received 16 March 2022.

Hawthorn Hedge southern and western boundary

7. The Hawthorn hedge that defines part of the southern and western boundaries of the listed Heritage Place is typical of the manner in which farm property boundaries were defined and must be retained to the extent shown on PLN-21-302 Rogerson & Birch Proposed Subdivision Plan Reference ITAC03 13105-10; date received 16 March 2022.

Engineering

8. 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.

9. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
10. The cost of any alterations and/or reinstatement to existing services or private property incurred in proposed subdivisional works to be borne by the developer. Any work so required is to be specified and undertaken by the appropriate Authority concerned.

11. To comply with the above requirements, the developer must submit engineering drawings demonstrating compliance with the requirements to the satisfaction of Council's Development Engineer prior to the issuing of the Council's approved drawing. All works required by this condition must be installed prior to the sealing of the Final Plan.
12. The stormwater drainage arrangements must comply with the following:
 - (a) All lots must be serviced with a one hundred and fifty diameter (150mm.) dwelling connection at the lowest point to adequately drain the entire lot;
 - (b) Prior to the start of work, the developer is required to provide Council with a detailed engineering services plan indicating the location of all proposed easements and services, and how they connect to public infrastructure including Lot connections, size and location, each connection must service the lowest point of the lot.
13. Driveway construction is to accord with Standard Drawings TSD-RO9 – V3. Designs for the driveway are to include the full extent of the formation to achieve the maximum gradient of 20% (or 1 in 5) as well as an area for on-site turning.
14. 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.
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. Any proposed changes to the approved drawings are to be properly documented; the approved engineering drawings affected by any proposed change must be resubmitted for approval prior to the start of the works.
17. The applicant must pay Council the amount of \$271.00 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.
18. A detailed estimate for the works must be provided and payment of the engineering assessment fee must be made prior to the issuing of Council's approved engineering drawings. Under Glenorchy City Council Fees and Charges, the engineering assessment fee is 2% of the value of the civil works including GST or minimum of \$850.00 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.
19. 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.

20. The property owner is to ensure that Council's Road Assets and Infrastructure are protected during the demolition and building process. The owner is to ensure that damage to road assets, footpaths, kerb and channel, drainage pits, nature strips and other services is kept to a minimum and any damaged assets are reinstated.

Should damages occur, the repair costs associated with such damages are the responsibility of the property owner. If reinstatement works are not undertaken promptly or to Council's satisfaction, Council may elect to reinstate or rectify any defects and recover the expenses reasonably incurred in doing so from the property owner.

Advice to Applicant

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

Heritage

Please note that the all the land forming the subject of this Application and Permit will remain heritage listed in the Local Provisions Schedule. As such, any proposal for future development, where not otherwise exempt, will be discretionary and subject to Application and assessment against the relevant heritage standards in the *Tasmanian Planning Scheme – Glenorchy*.

Other Permits

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

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

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 be contacted for line marking of their services and any requirements or conditions they may have prior to commencing any works on site.

Phone 1100, Dial Before You Dig or visit www.dialbeforeyoudig.com.au for information on the location of underground services and cables in relation to the proposed development prior to commencing any works on site.

Attachments/Annexures

- 1** GPA Attachment - 2 Beresford Place Moonah



APPENDIX

8.0 General Residential Zone

Standard	Acceptable Solution	Proposed	Complies?
8.6 Development Standards for Subdivision			
8.6.1 Lot Design	<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <p>(a) have an area of not less than 450m² and:</p> <p>(i) be able to contain a minimum area of 10m x 15m with a gradient not steeper than 1 in 5, clear of:</p> <p>a. all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and</p> <p>b. easements or other title restrictions that limit or restrict development;</p> <p>and</p> <p>(ii) existing buildings are consistent with the setback required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2;</p> <p>(b) be required for public use by the Crown, a council or a State authority;</p> <p>(c) be required for the provision of Utilities; or</p> <p>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</p>	<p>Complies.</p> <p>Lot one is 3906m².</p> <p>Lot two is 1886m².</p> <p>All areas and setbacks are compliant with the acceptable solution.</p>	Yes

	A2 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 12m.	No – see report.	No
	A3 Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.	Complies. A right of way is proposed for access to Lot two.	Yes
	A4 Any lot in a subdivision with a new road, must have the long axis of the lot between 30 degrees west of true north and 30 degrees east of true north.	No new road proposed.	NA
8.6.2 Roads	A1 The subdivision includes no new roads.	No new road proposed	NA
8.6.3 Services	A1 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a full water supply service.	Complies. Water connection is provided for future use.	Yes
	A2 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.	Complies. Sewerage system is provided for future use.	Yes
	A3	Complies. Both lots can connect to public stormwater systems.	Yes

	Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.		
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C2.0 Parking and Sustainable Transport Code

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

Standard	Acceptable Solution	Proposed	Complies?
	$N = A + (C - B)$ <p>N = Number of on-site car parking spaces required</p> <p>A = Number of existing on site car parking spaces</p> <p>B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1</p> <p>C = Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.</p>		
C2.5.2 Bicycle parking numbers	A1 Bicycle parking spaces must: <ul style="list-style-type: none"> (a) be provided on the site or within 50m of the site; and (b) be no less than the number specified in Table C2.1. 		NA
C2.5.3 Motorcycle parking numbers <i>This applies to:</i> <i>Business and Professional Services;</i> <i>Community Meeting and Entertainment;</i> <i>Custodial Facility;</i> <i>Crematoria and Cemeteries;</i> <i>Educational and Occasional Care;</i> <i>Food Services;</i> <i>General Retail and Hire;</i> <i>Hospital Services;</i>	A1 The number of on-site motorcycle parking spaces for all uses must: <ul style="list-style-type: none"> (a) be no less than the number specified in Table C2.4; and (b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained. 		NA

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

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

Standard	Acceptable Solution	Proposed	Complies?
	<p>(iv) have car parking space dimensions which satisfy the requirements in Table C2.3;</p> <p>(v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces;</p> <p>(vi) have a vertical clearance of not less than 2.1m above the parking surface level; and</p> <p>(vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or</p> <p>(b) comply with <i>Australian Standard AS 2890- Parking facilities, Parts 1-6.</i></p> <p>A1.2</p> <p>Parking spaces provided for use by persons with a disability must satisfy the following:</p> <p>(a) be located as close as practicable to the main entry point to the building;</p> <p>(b) be incorporated into the overall car park design; and</p> <p>(c) be designed and constructed in accordance with <i>Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities.</i> [S35]</p>		
C2.6.3	A1		yes

Standard	Acceptable Solution	Proposed	Complies?
Number of accesses for vehicles	<p>The number of accesses provided for each frontage must:</p> <p>(a) be no more than 1; or</p> <p>(b) no more than the existing number of accesses, whichever is the greater.</p>		
	<p>A2</p> <p>Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.</p>		NA
C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone	<p>A1</p> <p>In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roads and pedestrian paths serving 5 or more car parking spaces, which are used outside daylight hours, must be provided with lighting in accordance with Clause 3.1 “Basis of Design” and Clause 3.6 “Car Parks” in <i>Australian Standard/New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements</i>.</p>		NA
C2.6.5 Pedestrian access	<p>A1.1</p> <p>Uses that require 10 or more car parking spaces must:</p> <p>(a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by:</p> <p>(i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or</p>		NA

Standard	Acceptable Solution	Proposed	Complies?
	<p>(ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and</p> <p>(b) be signed and line marked at points where pedestrians cross access ways or parking aisles.</p> <p>A1.2</p> <p>In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.</p>		
C2.6.6 Loading bays	<p>A1</p> <p>The area and dimensions of loading bays and access way areas must be designed in accordance with <i>Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Offstreet commercial vehicle facilities</i>, for the type of vehicles likely to use the site.</p>		NA
	<p>A2</p> <p>The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward direction in accordance with <i>Australian Standard AS 2890.2 – 2002, Parking Facilities, Part 2: Parking facilities Offstreet commercial vehicle facilities</i>.</p>		NA
C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone	<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>		NA

Standard	Acceptable Solution	Proposed	Complies?
	<p>A2</p> <p>Bicycle parking spaces must:</p> <p>(a) have dimensions not less than:</p> <p>(i) 1.7m in length;</p> <p>(ii) 1.2m in height; and</p> <p>(iii) 0.7m in width at the handlebars;</p> <p>(b) have unobstructed access with a width of not less than 2m and a gradient not steeper than 5% from a road, cycle path, bicycle lane, shared path or access way; and</p> <p>(c) include a rail or hoop to lock a bicycle that satisfies <i>Australian Standard AS 2890.3-2015 Parking facilities - Part 3: Bicycle parking</i>.</p>		NA
<p>C2.6.8 Siting of parking and turning areas</p>	<p>A1</p> <p>Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas must be located behind the building line of buildings, excluding if a parking area is already provided in front of the building line.</p>		NA
	<p>A2</p> <p>Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must:</p>		NA

Standard	Acceptable Solution	Proposed	Complies?
	(a) have no new vehicle accesses, unless an existing access is removed; (b) retain an active street frontage; and (c) not result in parked cars being visible from public places in the adjacent roads.		
C2.7 Parking Precinct Plan			
C2.7.1 Parking Precinct Plan	A1 Within a parking precinct plan, onsite parking must: (a) not be provided; or (b) not be increased above existing parking numbers.		NA

Footnotes

[S35] Requirements for the number of accessible car parking spaces are specified in part D3 of the National Construction Code 2016.

C3 Road and Railway Assets Code

Standard	Acceptable Solution	Proposed	Complies?
C3.5 Use Standards			
C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction	A1.1 For a category 1 road or a limited access road, vehicular traffic to and from the site will not require: (a) a new junction; (b) a new vehicle crossing; or (c) a new level crossing. A1.2 For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority. A1.3 For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.	Vehicular traffic is not increased by 20% vpd.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<p>A1.4</p> <p>Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:</p> <p>(a) the amounts in Table C3.1; or</p> <p>(b) allowed by a licence issued under Part IVA of the <i>Roads and Jetties Act 1935</i> in respect to a limited access road.</p> <p>A1.5</p> <p>Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>		
C3.6 Development Standards for Buildings and Works			
<p>C3.6.1</p> <p>Habitable buildings for sensitive uses within a road or railway attenuation area</p>	<p>A1</p> <p>Unless within a building area on a sealed plan approved under this planning scheme, habitable buildings for a sensitive use within a road or railway attenuation area, must be:</p> <p>(a) within a row of existing habitable buildings for sensitive uses and no closer to the existing or future major road or rail network than the adjoining habitable building;</p> <p>(b) an extension which extends no closer to the existing or future major road or rail network than:</p> <p>(i) the existing habitable building; or</p>		NA

Standard	Acceptable Solution	Proposed	Complies?
	<p>(ii) an adjoining habitable building for a sensitive use; or</p> <p>(c) located or designed so that external noise levels are not more than the level in Table C3.2 measured in accordance with Part D of the <i>Noise Measurement Procedures Manual</i>, 2nd edition, July 2008.</p>		
C3.7 Development Standards for Subdivision			
C3.7.1 Subdivision for sensitive uses within a road or railway attenuation area	A1 A lot, or a lot proposed in a plan of subdivision, intended for a sensitive use must have a building area for the sensitive use that is not within a road or railway attenuation area.		YES