

GLENORCHY PLANNING AUTHORITY MEETING

AGENDA

MONDAY, 8 AUGUST 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.

TABLE OF CONTENTS:

1.	PLANNING AUTHORITY DECLARATION	3
2.	APOLOGIES/LEAVE OF ABSENCE	3
3.	PECUNIARY INTERESTS	3
4.	CONFIRMATION OF MINUTES	3
5.	PROPOSED USE AND DEVELOPMENT - DEMOLITION AND CONSTRUCTION OF ASSISTED HOUSING COMPLEX - 59 CADBURY ROAD CLAREMONT	4
6.	PROPOSED USE AND DEVELOPMENT - 18 MULTIPLE DWELLINGS (RESIDENTIAL) - 1-3 ALLUNGA ROAD CHIGWELL	60

7.	PROPOSED USE AND DEVELOPMENT - CHILD AND FAMILY LEARNING CENTRE (EDUCATIONAL AND OCCASIONAL CARE) - 452 MAIN ROAD GLENORCHY	111
8.	PLANNING SCHEME AMENDMENT REQUEST FIX UP AMENDMENT VARIOUS PROPERTIES - PLAM-22/02.....	164

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 11 July 2022 be confirmed.

5. PROPOSED USE AND DEVELOPMENT - DEMOLITION AND CONSTRUCTION OF ASSISTED HOUSING COMPLEX - 59 CADBURY ROAD CLAREMONT

Author: Planning Officer (Chantelle Griffin)

Qualified Person: Planning Officer (Chantelle Griffin)

Property ID: 5306228

REPORT SUMMARY

Application No.: PLN-22-161

Applicant: Architects Design Haus

Owner: Housing Tasmania

Zone: Inner Residential

Use Class Residential

Application Status: Discretionary

Discretions: Clause 9.5.1 Non-dwelling development, Clause C2.5.1 Car parking numbers, Clause C2.6.8 Siting of parking and turning areas, Clause C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction, Clause C10.5.3 Critical use, hazardous use or vulnerable use, and Clause C10.6.1 Development standards for buildings and works

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

Level 2 Activity?	No
42 Days Expires:	Extension of time until 8 Aug 2022
Existing Land Use:	Not applicable
Representations:	3
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The proposal is for the demolition of the existing building and construction of Assisted Housing on the site. The proposed assisted housing will be two-storey, with a ground floor of 878 m² and a first floor of 735 m², having a total area of 1613 m². In addition, the building contains a sub-floor level for services. The building will consist of fourteen single bedroom suites, six on the ground floor and eight on the first floor, each with separate amenities. The ground floor would include staff facilities, including a staff sleeping area, and communal areas for residents (Figure 1).

Staff will reside on the premises 24 hours a day, 7 days a week offering a range of support with daily living, skills for being independent and residential care.

The building will be setback 13.8 m from the south-west front boundary, 3.8 m from the north-west front boundary, 11.9 m from the north-east rear boundary, 25.7 m from the south-east rear boundary and 7.8 m from the southern side boundary. The building will have a maximum height of 11.975 m and will be constructed with brick, concrete, steel, timber, aluminium windows and Colorbond roofing.

The proposed wall for the stairway landing providing pedestrian access will be setback 0.15 m from the south-west front boundary and will have a maximum height of 1.8 m.

The proposal will have thirteen car parking spaces, including two accessible spaces, and four bicycle parking spaces.

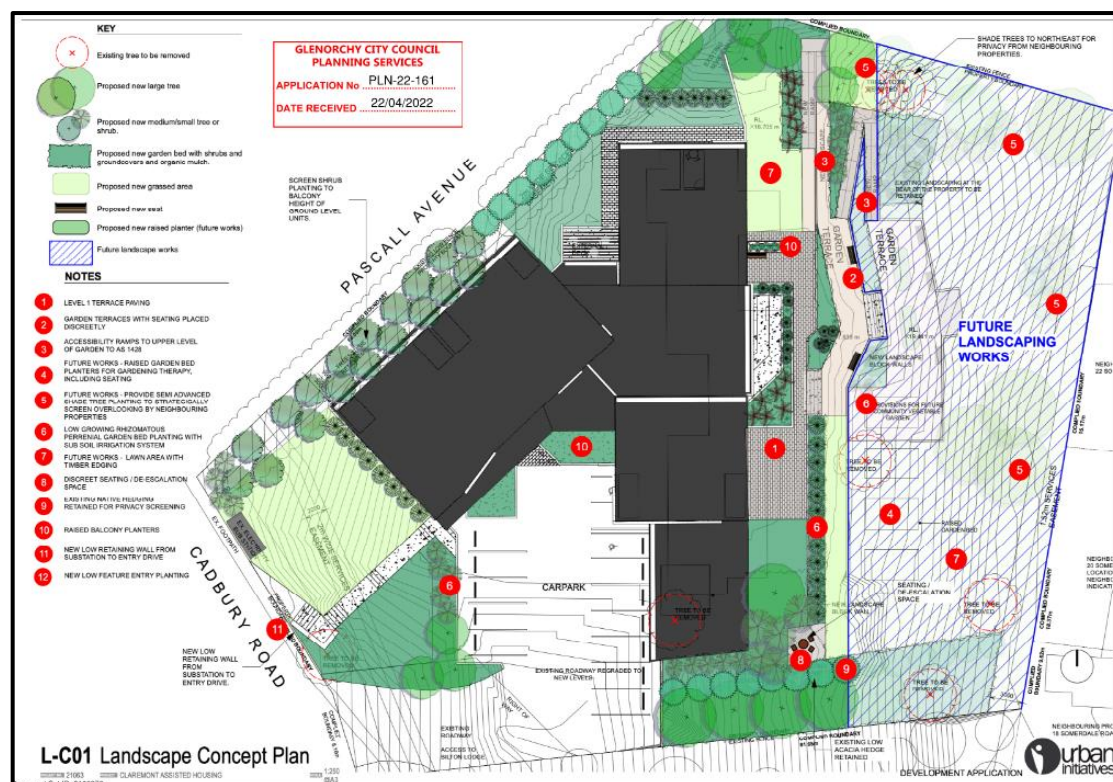


Figure 1: Site/landscape plan of proposal at 59 Cadbury Road, Claremont.

The proposal will rely on performance criteria for Clause 9.5.1 for non-dwelling development, Clause C2.5.1 for car parking numbers, Clause C2.6.8 for siting of parking and turning areas, Clause C3.5.1 for traffic generation at a vehicle crossing, level crossing or new junction, Clause C10.5.3 for critical use, hazardous use or vulnerable use, and Clause C10.6.1 for development standards for buildings and works.

SITE and LOCALITY

The subject site is located on the north-east side of Cadbury Road, approximately 245 m to the north-west of Somerdale Road, Claremont.

The property has a combined frontage of approximately 31.97 m, an average depth of 76 m, and a total area of 4196 m². The site has a moderate to steep slope falling toward the west, with an average gradient of 1 in 4.7. The land has a building located in the middle of the site with no significant vegetation. There is, however, several large trees located near the front and the rear of the property. The existing driveway is located in the south-west corner and has a burdening right-of-way for the adjoining site (Figure 2).

The site is located within the Inner Residential area with a mix of single dwellings and multiple dwellings, and a nursing home. The Open Space and Environmental Management zones are located to the north-west, with the General Residential zone to the east and Recreation zone further east.



Figure 2: Aerial photo of 59 Cadbury Road, Claremont.

ZONE

The subject property is within the Inner Residential zone under the Tasmanian Planning Scheme (Figure 3).

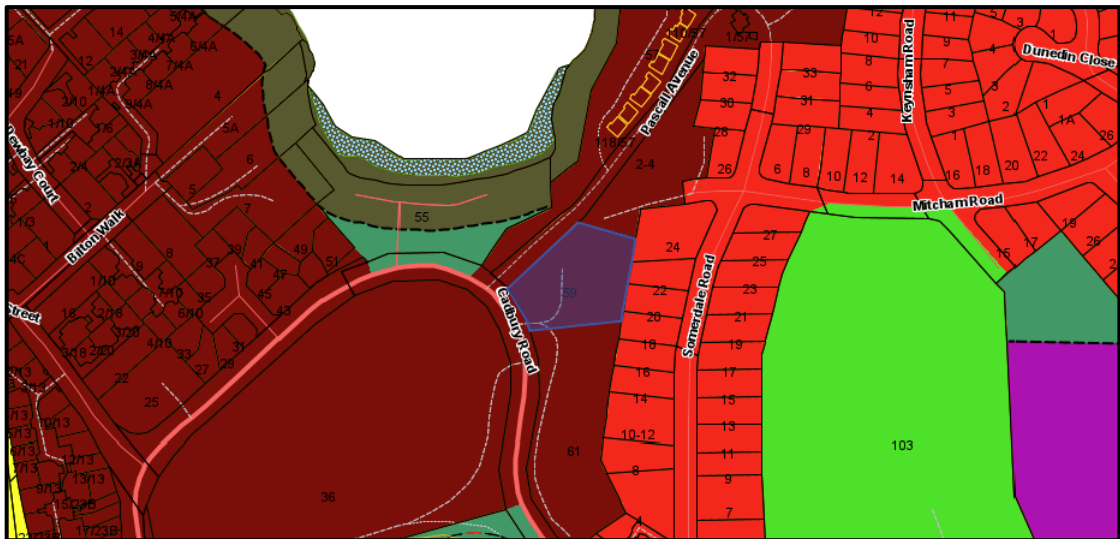


Figure 3: Inner Residential zone over 59 Cadbury Road, Claremont.

BACKGROUND

PLN-07-04649

A change of use was approved for Office (Business Premises) for a community organisation on 2 July 2007. The property had been vacant for several years and as such any use rights lapsed.

PLN-20-373

A change of use was approved for a temporary Communal Dwelling on 30 September 2020 for a period of “12 months from the date of the which an occupancy permit or temporary occupancy permit is issued in accordance with Part 17 of the *Building Act 2016*”. The building was occupied prior to 25 November 2020 for the temporary use of Communal Dwellings; however, the certificate of occupancy was not granted until 3 September 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 SAP or Code provisions override zone provisions in the assessment.

Use Class Description (Table 6.2):

The use of Assisted Housing is listed within the Residential use class description of the Tasmanian Planning Scheme.

The definition of Residential use class states:

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):

Assisted Housing

The use of Assisted Housing is defined as the following in Clause 3.0 of the Tasmanian Planning Scheme:

means housing provided by an organisation for higher needs tenants or residents, including those with physical or intellectual disabilities, and may include associated support services.

General Provisions

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

7.9 Demolition

The proposal includes demolition; therefore Clause 7.9 of the Scheme applies:

7.9.1

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.

The proposal will involve demolition of the existing building on the site. In this case, the demolition forms part of the application for Assisted Housing.

Zones

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

Zone Purpose Statements

The Inner Residential zone purpose statements in Clause 9.1 are as follows:

The purpose of the Inner Residential Zone is:

9.1.1

To provide for a variety of residential use or development that accommodates a range of dwelling types at higher densities.

9.1.2

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

9.1.3

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.*

9.1.4

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

The proposed demolition and assisted housing would be consistent with the residential uses for the zone. The development would assist in providing for a range of dwelling types at higher densities and would efficiently utilise existing infrastructure. Therefore, the proposal is considered to be in accordance with the zone purpose statement in Clause 9.1 of the Scheme.

Use Table

The use of “Assisted Housing” is permitted, in accordance with the use table in Clause 9.2 of the Tasmanian Planning Scheme. However, the proposal is discretionary owing to the reliance on performance criteria for Clauses 9.5.1, C2.5.1, C2.6.8, C3.5.1, C10.5.3 and C10.6.1.

Use Standards

The use standards set out in Clause 9.3 are not applicable to this application.

Development Standards for dwellings

Clause 9.5.1 – Standard A1, Non-dwelling development

The proposed wall for the stairway landing would require a minimum setback of 3 m from the south-west front boundary, to be in accordance with Clause 9.5.1 – Standard A1. Whereas the wall will be set back a minimum of 0.15 m from the south-west front boundary with a maximum height 1.8 m in the frontage setback. The proposal is considered in accordance with the performance criteria:

A building that is not a dwelling, excluding for General Retail and Hire, or Food Services, must have a setback from a frontage that is compatible with the streetscape, having regard to any topographical constraints.

The proposal wall for the stair way landing near the middle of the frontage. The land slopes across the length of the lot and the structure will be similar to the existing driveways and accesses along Cadbury Road where minor works have occurred within the front setback to provide for pedestrian access. The height of the wall will be limited to the first stairs and landing to provide safety and minimise potential for intrusion in an area due to the topography and the existing streetscape. Therefore, it is considered that the modified plans for the proposal would be acceptable in this instance, and complies with the standard.

Clause 9.5.1 – Standard A2, Non-dwelling development

The proposed assisted housing would require a minimum setback of 7.3 m (including increase in natural ground level) from the north-west side boundary and a maximum height of 9.5 m, to be in accordance with Clause 9.5.1– Standard A2.

Whereas the assisted housing development will have a maximum height of 10.75 m (not including the 0.5 m increase for NGL) at a distance of 3.8 m from the north-west side boundary, exceeding the building envelope by 4.45 m. The maximum height of the building at 11.975 m from natural ground level, would exceed the maximum height of the building envelope by 2.475 m. The proposal is considered in accordance with the performance criteria:

The siting and scale of a building must:

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

A portion of the structure along the entire length of the north-west wing will be located outside the building envelope, near the north-west side boundary and running the full distance from 1.55 m in the northern corner up to 4.45 m in the south-west corner facing Cadbury Road. In addition, approximately half of the roof for the north-west wing will exceed the 9.5 m height required by the building envelope. The diagram provided shows the portion of the structure exceeding the 9.5 m height limit (Figure 4).

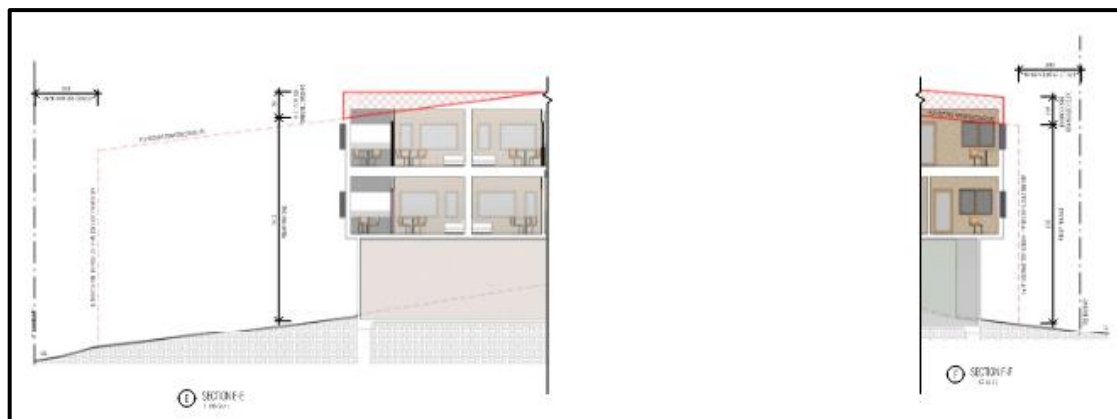


Figure 4: The 9.5 m height limit over 59 Cadbury Road, Claremont.

The proposal structures will be located close to the north-west side boundary adjoining an internal driveway to minimise overshadowing and visual impact for residences to the east and south. The proposal will be partially excavated to appear as single storey along the eastern side facing the adjoining residential properties. The maximum height of the building of 11.925 m (21.19 m AHD) will be approximately 0.3 m below the natural ground level of the adjoining residential properties to the east. The height of structure is due to the steep slope of the land falling toward Cadbury Road.

Shadow diagrams have been provided showing the majority of the overshadowing during the Winter Solstice would fall on the road reserve, with the remainder falling almost entirely within the subject site (Figure 5).

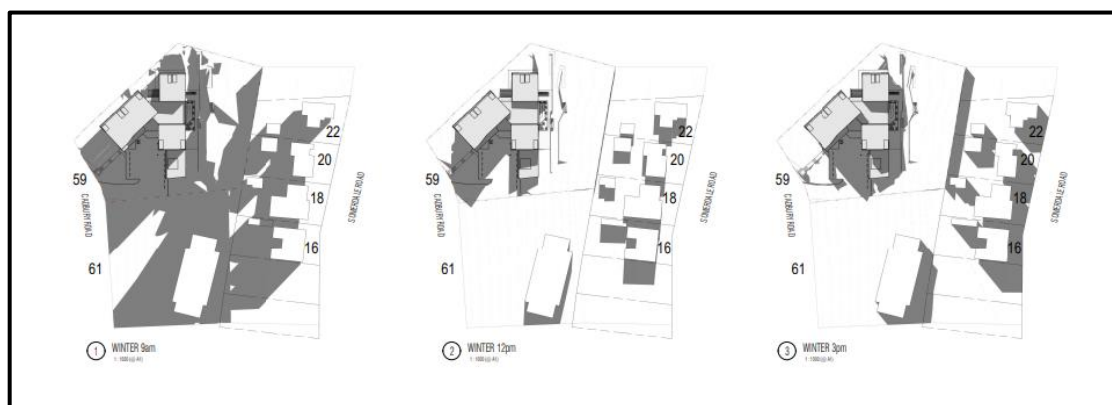


Figure 5: Shadow diagrams for the Winter Solstice for 59 Cadbury Road, Claremont.

Therefore, the adjoining properties to the north-east, east and south will receive at least three hours of sunlight between 9am and 3pm on the Winter Solstice.

The proposal has been designed so that the visual appearance when viewed for an adjoining property would be similar to a single storey development when facing the eastern and north-east rear boundaries. The building would appear as a combination of single storey, double storey and a small portion of the underground third storey from the southern side boundary. With the main bulk of the building viewed from the internal driveway to the north-west, where the structure ranges from two to three stories.

The Inner Residential zone provides for three storey development and the proposal will be similar in size and scale to the retirement village and nursing home adjoining the north and north-west boundaries. Therefore, the proposal has been designed to be similar to the visual scale and bulk of surrounding types of residential development in the area.

Separation

The setbacks for the building will be 3.8 m, 7.8 m, 11.9 m, 13.8 m and 25.7 m from the boundaries. With the 3.8 m setback adjoining the north-west side boundary and neighbouring internal driveway. The adjoining and surrounding properties have

residential buildings and dwellings located in close proximity to a side boundary up to approximately 0.9 m. Therefore, it is considered that the plans for the proposal would be acceptable in this instance, and complies with the standard.

Codes

The following codes of the Scheme apply to this proposal:

C2.0 Parking and Sustainable Transport Code

Clause C2.5.1 – Standard A1, Car parking numbers

The proposed Assisted Housing would require sixteen parking spaces (fourteen for residents/staff and two for visitors) for fourteen single bedroom suites, to be in accordance with Clause C2.5.1 – Standard A1. Whereas the proposal would provide thirteen car parking spaces onsite, including two accessible spaces. The proposal is considered in accordance with the performance criteria:

1.1

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.*

P1.2

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

- (a) the nature and intensity of the use and car parking required;*
- (b) the size of the dwelling and the number of bedrooms; and*
- (c) the pattern of parking in the surrounding area.*

The proposal would provide thirteen parking spaces on site. A Traffic Impact Assessment (TIA) was provided supporting the shortfall of three parking spaces given there would be a maximum of eight staff, most residents would not own a vehicle and based on similar development it is expected that use would generate the need for two visitor spaces. The site has access to public transport within approximately 25 m, and is close to public services. The steep slope of the land would impact the potential to provide additional parking and the use of assisted housing is unlikely to generate a high need for parking. Council's Transport Engineer and Development Engineer are supportive of the proposal based on the submission provided by the applicant. Therefore, it is considered that reliance on the performance criteria would be acceptable in this instance, and complies with the standard.

Clause C2.6.8 – Standard A1, Siting of parking and turning areas

The proposal would require parking and turning to be located behind the building line, to be in accordance with Clause C2.6.8 – Standard A1. Whereas the proposal would have a corner of the parking and turning area in front of the building line. The proposal is considered in accordance with the performance criteria:

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, may be located in front of the building line where this is the only practical solution and does not cause an unreasonable loss of amenity to adjoining properties, having regard to:

- (a) topographical or other site constraints;*
- (b) availability of space behind the building line;*

- (c) *availability of space for vehicle access to the side or rear of the property;*
- (d) *the gradient between the front and the rear of existing or proposed buildings;*
- (e) *the length of access or shared access required to service the car parking;*
- (f) *the location of the access driveway at least 2.5m from a window of a habitable room of a dwelling;*
- (g) *the visual impact of the vehicle parking and access on the site;*
- (h) *the streetscape character and amenity;*
- (i) *the nature of the zone in which the site is located and its preferred uses; and*
- (j) *opportunities for passive surveillance of the road.*

The proposed parking and turning area would be located in close proximity to the main access. The existing character of the street includes several properties with parking between the frontage and the building line. Landscaping will be provided to reduce the visual impact from the street. Therefore, it is considered that reliance on the performance criteria would be acceptable in this instance with a condition, and complies with the standard.

C3.0 Road and Railway Assets Code

Clause C3.5.1 – Standard A1, Traffic generation at a vehicle crossing, level crossing or new junction

The proposal would require the average daily traffic of vehicle movements to not increase by more than 20% or 40 vehicle movements per day, to be in accordance with Clause C3.5.1 – Standard A1. Whereas the proposal would exceed the average daily traffic of vehicle movements per day. The proposal is considered in accordance with the performance criteria:

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

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

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

Council's Development Engineer is supportive of the proposal based on the Traffic Impact Assessment (TIA) provided by the applicant, which states the traffic is unlikely to have a significant impact and the existing road would be able to accommodate the increase. In addition, the proposal would be similar to the previous use on the site. Therefore, it is considered that reliance on the performance criteria would be acceptable in this instance, and complies with the standard.

C10.0 Coastal Erosion Hazard Code

The proposed Assisted Housing would be for a vulnerable use as defined by C10.3 Definitions of Terms and therefore the Code would apply (Figure 6).

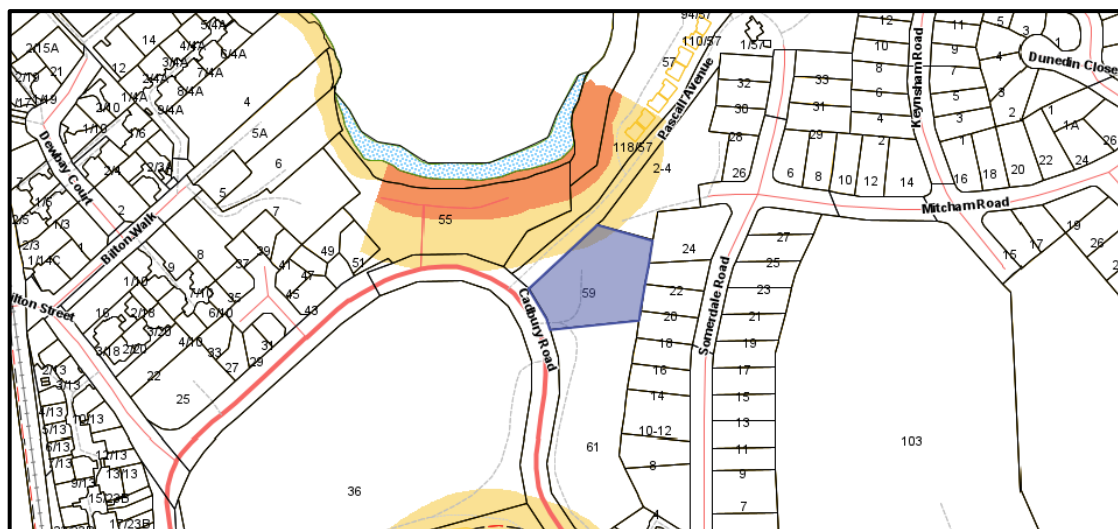


Figure 6: Coastal erosion hazard area over 59 Cadbury Road, Claremont.

The proposed Assisted Housing would require assessment under this code due to the low coastal erosion hazard band.

Clause C10.5.3 – Standard A4, Critical use, hazardous use or vulnerable use

The proposed assisted housing would be required to be located outside a coastal erosion hazard band, to be in accordance with Clause C10.5.3 – Standard A4. Whereas

the assisted housing would be located within the low coastal erosion hazard band. The proposal is considered in accordance with the performance criteria:

In addition to the requirements in clause C10.5.3 P1.2, vulnerable use within a coastal erosion hazard area, must be protected from coastal erosion, having regard to:

- (a) any protection measures, existing or proposed;*
- (b) the ability and capability of people in a coastal erosion event who may live, work or visit the site, to:*
 - (i) protect themselves;*
 - (ii) evacuate in an emergency; and*
 - (iii) understand and respond to instructions in the event of an emergency;*
- (c) any emergency evacuation plan;*
- (d) the level of risk for emergency personnel involved in evacuation and rescue tasks;*
- (e) the advice contained in a coastal erosion hazard report; and*
- (f) any advice from a State authority, regulated entity or a council.*

A small portion of the building including the living area and balcony for Suites 2 and 8, the balcony for Suites 1 and 7, will be located within the low coastal erosion hazard band. Given the minimal risk Council's Development Engineer has assessed the application and is supportive on the basis that the proposal would not have an unreasonable impact. Therefore, it is considered that reliance on the performance criteria would be acceptable in this instance, and complies with the standard.

Clause C10.6.1 – Standard A1, Development standards for buildings and works

The proposed assisted housing would be required to be located outside a coastal erosion hazard band, to be in accordance with Clause C10.6.1 – Standard A1. Whereas the assisted housing would be located within the low coastal erosion hazard band. The proposal is considered in accordance with the performance criteria:

P1.1

Buildings and works, excluding coastal protection works, within a coastal erosion hazard area must have a tolerable risk, having regard to:

- (a) whether any increase in the level of risk from coastal erosion requires any specific hazard reduction or protection measures;*
- (b) any advice from a State authority, regulated entity or a council; and*
- (c) the advice contained in a coastal erosion hazard report.*

P1.2

A coastal erosion hazard report demonstrates that:

- (a) the building and works:*
 - (i) do not cause or contribute to any coastal erosion on the site, on adjacent land or public infrastructure; and*
 - (ii) can achieve and maintain a tolerable risk from a coastal erosion event in 2100 for the intended life of the use without requiring any specific coastal erosion protection works;*
- (b) buildings and works are not located on actively mobile landforms, unless for engineering or remediation works to protect land, property and human life.*

A minor section of the building will be located within the low coastal erosion hazard band, on this basis the potential risk is considered to be minimal. Council's Development Engineer have assessed the application and is supportive on the basis that the proposal would not have an unreasonable impact. Therefore, it is considered that reliance on the performance criteria would be acceptable in this instance, and complies with the standard.

Glenorchy Local Provisions Schedule (GLPS)

Local Area objectives

No local area objectives of the Scheme apply.

Particular Purpose Zones

No particular purpose zones of the Scheme apply.

Specific Area Plans

No specific area plans of the Scheme apply.

GLE-Site Specific Qualifications

No specific area plans of the Scheme apply.

GLE-Code lists

No code lists of the Scheme apply.

INTERNAL REFERRALS

Development Engineer

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

The development application seeks an approval for communal residence housing for 14 independent living units. The works include demolition to the existing building 'Tabor House Hostel', works to the driveway and parking area and providing shared spaces. The proposal involves activity areas and outdoor recreation areas. The Assisted Housing includes 24-hour, onsite residential support staff in an administration section of the development that incorporates office space, reception, staff spaces and a bedroom for overnight staff. There are 13 parking spaces proposed of which two are accessible spaces. The scope of work can be seen in the figure below.



The Traffic Impact Assessment (TIA) undertaken by Pitt & Sherry dated 10 June 2022 is submitted as part of the application as supporting documents. The application and the TIA have been referred to Council's Transport Engineer to review, provide comments

and recommend the conditions as required. Please refer to a Traffic Engineer referral for a detailed discussion on Traffic Generations and parking supply.

The General Manager's consent to interfere with stormwater infrastructure can be granted. The stormwater works include new pipe stormwater connection, stormwater on-site detention and runoff management.

C3.0 Road and Railway Assets Code

The TIA expects the development will generate approximately 140 vehicle trips per day and the acceptable solution A1.4 is unable to be complied with. As vehicles can exit and enter the site in a forward direction to and from Cadbury Road and no new access is proposed, it complies with Acceptable Solution A1.5. The TIA then addresses the performance criteria P1 in place of A1.4. The TIA has undertaken the traffic and parking survey and counted the number of vehicles using Cadbury Road, undertook SIDRA modelling of the driveway and investigated crashes history to assess the development against the performance criteria.

Based on the daily traffic on Cadbury Road which is a minor collector road, the SIDRA modelling result, and the crash data it is considered that the additional traffic generated by the development should not have a significant impact on the road safety and that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected. Therefore, the performance criteria for C3.5.1 P1 is satisfied with.

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 proposed driveway and parking areas. The requirement under the C2.5.1 and table C2.1, A1 requires the total of 16 car parking spaces for the development based on 2 spaces per 3 bedrooms + 1 visitor space for every 10 bedrooms. The applicant proposes to provide 13 car parking spaces for the entire site which is unable to comply with the acceptable solution; therefore, the performance criteria shall be addressed. The TIA addressed the car parking demand and states that 13 car parking space supply is sufficient for number of staff and suits the nature of the use of the development. Therefore, it is considered the performance criteria is satisfied.

There are no requirements for accessible car parking, motorcycle parking spaces, bicycle parking spaces and commercial vehicle applicable to the development application. However, it is proposed that 3 bicycle parking spaces and 2 accessible car parking spaces be provided as part of the development. The layout of parking area complies with the standard AS2890.1:2004. The turning swept path is provided

demonstrate compliance to the standard. The surface treatment of the driveway is proposed to be concrete. Surface runoff is proposed to be captured and directed to the Council's stormwater system. The pedestrian path is provided and complies with the requirements in the scheme.

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.

C10.2 Coastal Erosion Hazard Code

Part of the site is subjected to a low Coastal Erosion Hazard overlay. Due to the low coastal erosion hazard band a hazard Report was not required to be submitted with the application. It is unlikely the proposed development will increase any undue risk to erosion hazard.

C12.0 Flood-Prone Areas Hazard Code

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

Development Transport Engineer

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

Introduction

The developer proposes to redevelop the existing unoccupied site to provide 14 residential units for long term accommodation for people with severe and persistent mental illness and sleepover space for two staff. There are 13 parking spaces proposed of which two are accessible spaces.

The assessment below is based on the Traffic Impact Assessment (TIA) undertaken by Pitt & Sherry dated 10 June 2022.

Parking Supply

The planning scheme requires 16 car parking spaces for the development based on Communal Residential Accommodation at a rate of 1 space per bedroom and 1 visitor space for every 10 bedrooms. As 13 car parking spaces are proposed, the acceptable solution is not met and the performance criteria for P1.1 needs to be met.

The TIA states that although the 13 car parking spaces proposed does not meet the planning scheme it is expected to be sufficient to accommodate the parking demand for the proposed development based on the following:

- There are a maximum of eight staff on site at any given time*
- Most residents will not have their own vehicle on site, it is assumed two residents may*
- Based on similar developments, two visitors are expected at any given time*

The expected parking for the site is 12 car parks in which 13 car parking spaces are provided.

Based on the TIA, it is accepted that there is adequate parking for the development and the performance criteria for C2.5.1 P1.1 is met.

Traffic Generation

The traffic generated by the development is estimated in the TIA to be 140 vehicles per day based on first principles during peak hour and assuming 10% of daily traffic during the peak hour. This means the acceptable solution C3.5.1 is not met and the performance criteria P1 needs to be met.

The AM and PM peak hour traffic was estimated based on eight staff on-site during the day shift, two staff on-site during the night shift, two residents parking on-site and two residents receiving visitors at any given time. The AM peak hour was estimated to be 12 vehicles (8 in and 4 out) and PM peak hour was estimated to be 14 vehicles (4 in and 10 out).

As part of the TIA, a turning movement survey was undertaken on the 16 February 2022 during the AM peak being 8am to 9am and PM peak being 3pm to 4pm, to determine the existing use of the driveway access which is shared with the aged care hostel at 61 Cadbury Road. The survey showed that in the AM peak there were 4 vehicles (3 in and 1 out) that used the driveway and 5 vehicles (2 in and 3 out) in the PM peak.

The survey also counted the number of vehicles using Cadbury Road being just under 200 vehicles per hour with the direction of vehicles evenly split. Based on the peak hour traffic, the daily traffic on Cadbury Road is estimated to be 2,000 vehicles per day which aligns with Council's traffic data. Cadbury Road is a minor collector road which can carry between 3,000 to 10,000 vehicles per day.

The TIA undertook SIDRA modelling of the driveway onto Cadbury Road before and after the development which showed that the access has no operational issues now or in 10 years' time. The TIA also reviewed the crash data for the last ten years in the vicinity of the site. There were three crashes in this period, none of which indicated any roads safety issues.

The TIA is accepted, and it can be concluded that the additional traffic should not have a significant impact on the safety or efficiency of the road network. The performance criteria for C3.5.1 P1 is met.

CONCLUSION

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

Environmental Health Officer

The proposal was referred to Council's Environmental Health Officer who provided the following:

The proposal is for the development of Communal Residence at 59 Cadbury Road. The development is for self contained living quarters for the residents and also contains a communal kitchen and dining area. The following advice is therefore recommended to be included for the Applicant.

Waste Management Officer

The proposal was referred to Council's Waste Management Officer who provided the following:

Waste Services will NOT provide Councils Standard Fortnightly or Weekly Wheelie bin service to 59 Cadbury Rd .

Under WS Policy the complex MUST address the three bin system and provide Waste, Recycling and FOGO (food organics garden organics) bins which are to be collected on a regular collection service schedule.

Bins must be housed in a bin enclosure. It is advised as there is NO kerb and guttering outside 59 Cadbury Rd the collection area is provided on site by a private contractor. Bins must not be placed outside 59 Cadbury Rd.

EXTERNAL REFERRALS

TasWater

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

REPRESENTATIONS

The application was advertised for the statutory 14-day period with three representations being received. One representation was in support of the proposal and two representations raised objection.

Support

The representor states that it is pleasing to see activity concerning the development of assisted living in the area.

Objections

The issues raised in the two representations are as follows:

Building envelope

The representor states that concern is raised regarding the location of the building and height exceeding the building envelope.

Planner's Comment:

This issue has been previously addressed under the heading "*Clause 9.4.2 – Standard A3, Setbacks and building envelope for all dwellings*".

Devaluation

The representor states that concern is raised regarding the potential devaluation of property to the south-east due to development exceeding the height of the building envelope and the location on site.

Planner's Comment:

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

Lack of consultation

The representor states that concern is raised regarding the lack of consultation of the development and use, considering the close proximity of Bilton Lodge for potential conflict.

Planner's Comment:

As stated previously, the application has been advertised as required under the *Land Use Planning and Approvals Act 1993*. The use of assisted housing is a primary use within the Inner Residential zone and is a permitted use under the Scheme.

Management

The representor states that concern is raised regarding noise and inappropriate behaviours "as is sometimes evident through Bilton Lodge" on the adjoining property. Concern was raised over a de-escalation area in close proximity to the adjoining property to the south-east.

Planner's Comment:

Unfortunately, this issue is not a planning issue that can be considered as part of this application. However, the use operated in the existing building previously by the same organisation and will provide continual staffing and support.

Tree removal

The representor states that concern is raised regarding the intended removal of a large flowering gum on Cadbury Road.

Planner's Comment:

Unfortunately, this issue is not a planning issue that can be considered as part of this application. However, the representors concern has been forwarded to the applicant for consideration.

CONCLUSION

The proposal is relying on the performance criteria to comply with the applicable standards of the Scheme in relation to; non-dwelling development, car parking numbers, traffic generation at a vehicle crossing, level crossing or new junction critical use, hazardous use or vulnerable use, and development standards for buildings and works.

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

The proposal is assessed as complying with all other use and development standards in the Inner Residential zone, as well as the applicable standards of the Parking and Sustainable Transport Code, and the Road and Rail Asset Code.

The application was publicly advertised for the statutory 14-day period and three representations were received, one of support and two raising concerns regarding the building envelope, devaluation, lack of consultation, management and tree removal.

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

Recommendation:

That a permit be granted for the proposed use and development of 59 Cadbury Road Claremont subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-22-161 and Drawings submitted on 22 April 2022 (14 pages), except as otherwise required by this permit.

2. Any conditions and/or advice as determined by TasWater, and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2022/00633-GCC dated 13 May 2022, form part of this permit.
3. An emergency evacuation plan is required for the Assisted Housing use. It is for the operator/manager of the site to maintain this plan and to ensure its use.

Engineering

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

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

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

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

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

5. The loading and unloading of goods from vehicles, including building materials and equipment, must only be carried out on the land.
6. 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.

7. The design and construction of the parking, access and turning areas must comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004, to the satisfaction of the Council's Development Engineer. Drawings showing the driveway details must be in accordance with the Australian Standard and submitted with the Building Application for approval by Council's Development Engineer prior to the commencement of works on site. The proposed driveway and parking must comply with the following:

- (a) Be constructed to a sealed finish
- (b) Total of 13 clearly marked car parking spaces must be provided in accordance with the approved plan and always kept available for these purposes
- (c) All runoff from paved and driveway areas must be discharged into Council's stormwater system.
- (d) Lighting in accordance with clause 3.1, AS1158.3.1:2005 must be installed
- (e) Pedestrian path must be installed in accordance with the approved plans
- (f) The gradient of any parking areas must not exceed 5% and
- (g) Minimum carriageway width is to be no less than 3.0 metres.

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

8. Upon approval of the WSUD and OSD Maintenance Scheme, and in association with a Building Permit Application, the applicant shall enter into a registered agreement with Council, at the sole expense of the applicant, pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993*, for the area which is subject to this permit. The Owner and all successors in title must advise any subsequent successor in title of the existence of the Agreement and its terms and conditions. The Part 5 agreement shall require the Owner and all successors in title to covenant and agree with Council the following:

- (a) All works outlined in the WSUD and OSD Maintenance Scheme submitted by the applicant and approved by Council, including the maintenance method and frequency for individual WSUD and OSD elements, must be implemented and managed by the Owner and all successors in title at their sole expense.
- (b) The Owner must keep the maintenance records in an accessible form (either printed or electronic) for five years from the date of the work was carried out to prove that the maintenance of each WSUD and OSD element has been conducted in accordance with the Maintenance Scheme.

- (c) Repair and replace all the WSUD and OSD elements at the sole expense of the Owner and all successors in title so that the WSUD and OSD functions (stormwater quality and quantity control) in a safe and efficient manner.
- (d) Permit the Council from time to time and upon giving reasonable notice (but in the case of an emergency, at any time and without notice) to enter and inspect the WSUD and OSD elements for compliance with the requirements of this agreement.
- (e) Comply with the terms of any written notice issued by the Council in respect of the requirements of this agreement within the time stated in the notice.

Advice to Applicant

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

General Manager's Consent for Stormwater Management

Any conditions and/or advice as set out in the attached General Manager's Consent for Stormwater Management, reference No. PLN-22-161 dated 28 July 2022, is associated with this permit.

Environmental Health

Please The proponent's Building Surveyor must forward copies of the following documents to Council's Senior Environmental Health Officer prior to any works being undertaken on site (including the installation of fixtures and fittings) that relate to the proposed food premises:

- a) a request in an approved form (Form 42) for an Environmental Health Officer report;
- b) any relevant drawings, specifications or other documents submitted with the application; and
- c) details provided by the owner of the nature of the foods to be prepared, handled, stored or sold and the types of manufacturing processes to be undertaken on the premise
- d) Council's Senior Environmental Health Officer may require the premises to meet equipment and fit out specifications which exceed those required by the *National Construction Code 2011*, before the premises can be registered and the food business licensed pursuant to the *Food Act 2003*.

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 Attachment - 59 Cadbury Road Claremont



APPENDIX 1**9.0 Inner Residential Zone**

Standard	Acceptable Solution	Proposed	Complies?
9.3 Use Standards			
9.3.1 Discretionary uses	A1 Hours of operation of a use listed as Discretionary, excluding Emergency Services, must be within the hours of: (a) 7.00am to 7.00pm Monday to Friday; and (b) 8.00am to 6.00pm Saturday and Sunday.	Not applicable.	NA
	A2 External lighting for a use listed as Discretionary: (a) must not operate within the hours of 8.00pm to 6.00am, excluding any security lighting; and (b) security lighting must be baffled so that direct light does not extend into the adjoining property.	Not applicable.	NA
	A3 Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as	Not applicable.	NA

Standard	Acceptable Solution	Proposed	Complies?
	Discretionary, excluding Emergency Services, must be within the hours of: (a) 7:00am to 8:00pm Monday to Friday; (b) 9:00am to 12 noon Saturday; and (c) nil on Sunday and public holidays.		
	A4 No Acceptable Solution.	Not applicable.	NA
9.3.2 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.	Not applicable.	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.	Not applicable.	NA

Standard	Acceptable Solution	Proposed	Complies?
9.4 Development Standards for Buildings and Works			
9.4.1 Residential density for multiple dwellings	A1 Multiple dwellings must have a site area per dwelling of not less than 200m ² .	Not applicable.	NA
9.4.2 Setbacks and building envelope for all dwellings	A1 Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is: <ul style="list-style-type: none"> (a) if the frontage is a primary frontage, not less than 3m, or, if the setback from the primary frontage is less than 3m, 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 2m, or, if the setback from the frontage is less than 2m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; (c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not 	Not applicable.	NA

Standard	Acceptable Solution	Proposed	Complies?
	<p>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) 4m, 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>	Not applicable.	NA
	<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>	Not applicable.	NA

Standard	Acceptable Solution	Proposed	Complies?
	<p>(a) be contained within a building envelope (refer to Figures 9.1, 9.2 and 9.3) determined by:</p> <ul style="list-style-type: none"> (i) a distance equal to the frontage setback or, for an internal lot, a distance of 3m from the rear boundary of a property with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 9.5m above existing ground level; and <p>(b) only have a setback within 1.5m of a side or rear boundary if the dwelling:</p> <ul style="list-style-type: none"> (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or (ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser). 		
	<p>A1</p> <p>Dwellings must have:</p>	Not applicable.	NA

Standard	Acceptable Solution	Proposed	Complies?
9.4.3 Site coverage and private open space for all dwellings	<ul style="list-style-type: none"> (a) a site coverage of not more than 65% (excluding eaves up to 0.6m wide); and (b) for multiple dwellings, a total area of private open space of not less than 40m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the ground level (excluding a garage, carport or entry foyer). 		
	<p>A2</p> <p>A dwelling must have private open space that:</p> <ul style="list-style-type: none"> (a) is in one location and is not less than: <ul style="list-style-type: none"> (i) 24m²; or (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); (b) has a minimum horizontal dimension of: <ul style="list-style-type: none"> (i) 4m; or (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); 	Not applicable.	NA

Standard	Acceptable Solution	Proposed	Complies?
	<p>(c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and</p> <p>(d) has a gradient not steeper than 1 in 10.</p>		
9.4.4 Sunlight to private open space of multiple dwellings	<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 9.4.3, must satisfy (a) or (b), unless excluded by (c):</p> <p>(a) the multiple dwelling is contained within a line projecting (see Figure 9.4):</p> <p>(i) at a distance of 3m from the northern edge of the private open space; and</p> <p>(ii) vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal.</p> <p>(b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight within the hours of 9.00am to 3.00pm on 21st June.</p> <p>(c) this Acceptable Solution excludes that part of a multiple dwelling consisting of:</p> <p>(i) an outbuilding with a building height not more than 2.4m; or</p>	Not applicable.	NA

Standard	Acceptable Solution	Proposed	Complies?
	(ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling.		
9.4.5 Width of openings for garages and carports for all dwellings	A1 A garage or carport for a dwelling within 12m of a primary frontage, whether the garage or carport is free-standing or part of the dwelling, must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).	Not applicable.	NA
9.4.6 Privacy for all dwellings	A1 A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above existing ground level must have a permanently fixed screen to a height of not less than 1.7m above the finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a: <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: 	Not applicable.	NA

Standard	Acceptable Solution	Proposed	Complies?
	<ul style="list-style-type: none"> (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site. 		
	<p>A2</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>	Not applicable.	NA

Standard	Acceptable Solution	Proposed	Complies?
	<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 at least 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, 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> <ul style="list-style-type: none"> (a) 2.5m; or (b) 1m if: <ul style="list-style-type: none"> (i) it is separated by a screen of not less than 1.7m in height; or (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 	Not applicable.	NA

Standard	Acceptable Solution	Proposed	Complies?
	obscure glazing extending to a height of not less than 1.7m above the floor level.		
9.4.7 Frontage fences for all dwellings	A1 No Acceptable Solution. [S8]	Not applicable.	NA
9.4.8 Waste storage for multiple dwellings	A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of not less than 1.5m ² per dwelling and is within one of the following locations: (a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) in a common storage area with an impervious surface that: (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 of not less than 1.2m above the finished surface level of the storage area.	Not applicable.	NA
9.5 Development Standards for Non-dwellings			
9.5.1 Non-dwelling development	A1 A building that is not a dwelling, excluding for General Retail and Hire, Food Services, garages, carports and	The proposed wall for the stairway landing will be set back a minimum of 0.15m from the south-west front boundary. Compliance will require a setback of 3 m from	No

Standard	Acceptable Solution	Proposed	Complies?
	<p>protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is:</p> <ul style="list-style-type: none"> (a) if the frontage is a primary frontage, not less than 3m, or if the setback from the primary frontage is less than 3.0m, 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 2m, or if the setback from the primary frontage is less than 2.0m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or (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 properties on the same street. 	the north-west front boundary. Therefore, the proposal relies on performance criteria.	Refer to discussion in the report.
	<p>A2</p> <p>A building that is not 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>	The proposed building will be set back a minimum of 3.8 m from the north-west side boundary and will have a maximum height of 11.975 m. Compliance will require a setback of 7.3 m from the north-west side boundary and maximum height of 9.5 m. Therefore, the proposal relies on performance criteria.	<p>No</p> <p>Refer to discussion in the report.</p>

Standard	Acceptable Solution	Proposed	Complies?
	<p>(a) be contained within a building envelope (refer to Figures 9.1, 9.2 and 9.3) determined by:</p> <ul style="list-style-type: none"> (i) a distance equal to the frontage setback of 3m, or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side or rear boundaries to a building height of not more than 9.5m above existing ground level; and <p>(b) only have a setback within 1.5m of a side or rear boundary if the building:</p> <ul style="list-style-type: none"> (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or (ii) does not exceed a total length of 9m or one-third of the length of the side or rear boundary (whichever is lesser). 		
	<p>A3</p> <p>A building that is not a dwelling, must have:</p> <p>(a) a site coverage of not more than 65% (excluding eaves up to 0.6m); and</p>	Complies.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(b) a site area of which not less than 15% is free from impervious surfaces.		
	A4 No Acceptable Solution. [S9]	Not applicable.	NA
	A5 Outdoor storage areas, for a building that is not a dwelling including waste storage must not: (a) be visible from any road or public open space adjoining the site; or (b) encroach upon parking areas, driveways or landscaped areas.	Not applicable.	NA
	A6 Air extraction, pumping, refrigeration systems or compressors, for a building that is not a dwelling, must have a setback not less than 10m from a property containing a sensitive use. [S10]	Complies.	Yes

APPENDIX 2**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 	The proposal would provide thirteen car parking spaces. Whereas compliance requires a total of sixteen car parking spaces. Therefore, the proposal relies on performance criteria.	No Refer to discussion in the report.

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>		
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. 	Not applicable.	NA
C2.5.3 Motorcycle parking numbers	A1	Not applicable.	NA

Standard	Acceptable Solution	Proposed	Complies?
	<p>The number of on-site motorcycle parking spaces for all uses must:</p> <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. 		
C2.5.4 Loading bays	A1 A loading bay must be provided for uses with a floor area of more than 1000m ² in a single occupancy.	Not applicable.	NA
C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential Zone	A1 Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for: <ul style="list-style-type: none"> (a) Food Services uses up to 100m² floor area or 30 seats, whichever is the greater; and (b) General Retail and Hire uses up to 100m² floor area, provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone.	Not applicable.	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 surfaced 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>; 	Layout and gradients are provided in accordance with the AS2890.1.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<p>(ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces;</p> <p>(iii) have an access width not less than the requirements in Table C2.2;</p> <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>		

Standard	Acceptable Solution	Proposed	Complies?
	(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 Parking facilities, Off-street parking for people with disabilities.</i> [S35]		
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.	Complies.	Yes
	A2 Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.	Not applicable.	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</i>	Complies.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<i>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>		
C2.6.5 Pedestrian access	<p>A1.1</p> <p>Uses that require 10 or more car parking spaces must:</p> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or (ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and (b) be signed and line marked at points where pedestrians cross access ways or parking aisles. <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>	Complies.	Yes
C2.6.6	A1	Not applicable.	NA

Standard	Acceptable Solution	Proposed	Complies?
Loading bays	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>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>	Not applicable.	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>	Not applicable.	NA
	<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>	Not applicable.	NA

Standard	Acceptable Solution	Proposed	Complies?
	<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>		
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>	The proposal would provide the parking area and turning between the frontage and the building line. Whereas compliance requires all parking spaces and turning behind the building line. Therefore, the proposal relies on performance criteria.	No Refer to discussion in the report.
	<p>A2</p> <p>Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must:</p> <p>(a) have no new vehicle accesses, unless an existing access is removed;</p> <p>(b) retain an active street frontage; and</p> <p>(c) not result in parked cars being visible from public places in the adjacent roads.</p>	Not applicable.	NA

Standard	Acceptable Solution	Proposed	Complies?
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.	Not applicable.	NA

Footnotes

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

APPENDIX 3**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	140 vpd is expected from the development. TIA addressed the traffic generation. The Performance criteria is satisfied.	No Refer to discussion in the report.

Standard	Acceptable Solution	Proposed	Complies?
	<p>crossing to serve the use and development has been issued by the rail authority.</p> <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			

Standard	Acceptable Solution	Proposed	Complies?
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> .	Not applicable.	NA
C3.7 Development Standards for Subdivision			

Standard	Acceptable Solution	Proposed	Complies?
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.	Not applicable.	NA

APPENDIX 4**C10.0 Coastal Erosion Hazard Code**

Standard	Acceptable Solution	Proposed	Complies?
C10.5 Use Standards			
C10.5.1 Use within a high coastal erosion hazard band	A1 No Acceptable Solution.		
C10.5.2 Use within a non-urban zone and within a low or medium coastal erosion hazard band	A1 No Acceptable Solution.		
C10.5.3 Critical use, hazardous use or vulnerable use	A1 No Acceptable Solution.		
	A2 No Acceptable Solution.		
	A3 No Acceptable Solution.		

Standard	Acceptable Solution	Proposed	Complies?
	A4 No Acceptable Solution.		
C10.5.4 Uses located within a coastal erosion investigation area	A1 No Acceptable Solution.		
C10.6 Development Standards for Buildings and Works			
C10.6.1 Buildings and works, excluding coastal protection works, within a coastal erosion hazard area	A1 No Acceptable Solution		
C10.6.2 Coastal protection works within a coastal erosion hazard area	A1 No Acceptable Solution		
C10.6.3 Coastal protection works within a coastal erosion investigation area	A1 No Acceptable Solution		

6. PROPOSED USE AND DEVELOPMENT - 18 MULTIPLE DWELLINGS (RESIDENTIAL) - 1-3 ALLUNGA ROAD CHIGWELL

Author: Senior Statutory Planner (Vanessa Tomlin)

Qualified Person: Senior Statutory Planner (Vanessa Tomlin)

Property ID: 5297181

REPORT SUMMARY

Application No.:	PLN-22-192
Applicant:	ERA Planning & Environment
Owner:	Housing Tasmania
Zone:	General Residential zone
Use Class	Residential
Application Status:	Discretionary
Discretions:	8.4.1 P1, 8.4.2 P3, 8.4.3 P1 & P2, 4.8.4 P1, C3.5.1 P1, C2.5.1 P1, & C2.6.5 P1 (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	09 August 2022
Existing Land Use:	Multiple Dwellings (Residential)
Representations:	5 (1 joint representation)
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The application proposes 18 multiple dwellings in a residential complex comprising of three building blocks (elements), where there are to be 12 one-bedroom dwellings in two double storey building elements, and six two-bedroom dwellings over two levels including ground level parking comprising a three storey building element; the relocation of the driveway access from Allunga Road to Carcoola Street; the reinstatement of the footpath along Allunga Road; new fencing and landscaped grounds; waste bin enclosure; pedestrian access to Allunga Road, Carcoola Street and Berriedale Road; and 17 onsite parking spaces.

The proposed building element nearest to the southern boundary containing proposed units 1, 2, 3, 7, 8 and 9 is to have private outdoor space provided per unit that is oriented to the north. These units have access to communal onsite gardens that front Allunga Road, as well as the waste storage area and the parking and manoeuvring areas on the site. A mix of materials are to be used for this building element, including cladding with a concrete steel trowel finish, precast concrete panels, brickwork and glazing.

The proposed dwellings (units 4, 5, 6, 10, 11 and 12) in the building element nearest to the northern boundary are similar in layout to the proposed units of the aforementioned building element and have similar access to the communal gardens, the waste storage area and the parking and manoeuvring areas on the site. The mix of materials is similar to the other building element.

The larger of the building elements is predominantly adjacent to the eastern side boundary of the site. This building element consists of parking at ground level with access provided via Carcoola Street. The ground floor parking area is to be clad in brick using sections of brick work in a hit and miss pattern interspersed with regular brick work pattern sections, designed to create visual interest and a form of screening from adjacent properties while enabling air circulation. Proposed level 1 of this building element is to consist of the living areas (open plan kitchen/living/dining) for the dwellings (units 13, 14, 15, 16, 17 and 18), connection to private outdoor space on the eastern and western elevations and a stair-well leading to the second level (third storey). The second level is to consist of two bedrooms and a bathroom. For level one the south-eastern elevation includes balconies or private outdoor space per unit (second storey). This area is to be bordered by a 1.2m high solid balustrade forming a planter box that extends the total length of the private outdoor space areas. A similar mix of cladding materials is to be used for this building element.

Pedestrian access is to be available to the site from Berriedale Road, Allunga Road and Carcoola Street. A new 1.6m high fence is proposed along the eastern side boundary

of the site and a 1.2m high solid frontage fence or a 1.2m high landscaped hedge is proposed to border the site on the three frontages.

The intention of the proposal is to provide for community housing with a high degree of amenity.

SITE and LOCALITY

The site is located to the north-east of the Allunga Road/Berriedale Road/Marys Hope Road intersection and is bordered to the west by Allunga Road, to the north by Carcoola Street and residential development to the east and south.

The site is currently vacant and is 2,071m², is reasonably flat and has vehicular access from Allunga Road. The site was formerly occupied by two separate multi-storey apartment buildings. A bus stop is adjacent to the Allunga Road frontage of the site.

The locality is characterised by a mix of single and multiple dwellings (Fig. 1).



Figure 1. An aerial view of the site and surrounds.

ZONE

The site is within the General Residential zone. The site is in proximity to land zoned Local Business (Fig. 2).



Figure 2. A view of the zoning pattern of the locality, showing the site in the General Residential zone (red) and the Local Business zone (pale blue) to the south of the site.

BACKGROUND

PLN-20-441 - Demolition of existing buildings (residential), approved 20 November 2020.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

TASMANIAN PLANNING SCHEME - GLENORCHY 2021

State Planning Provisions (SPP)

Administration

Exemptions (Tables 4.1 – 4.6)

4.6.3 Fences within 4.5m of a frontage

Fences (including free-standing walls) within 4.5m of a frontage, if located in:

- (a) the General Residential Zone, Inner Residential Zone, Low Density Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone, Central Business Zone, Commercial Zone or any particular purpose zone, and if not more than a height of:
 - (i) 1.2m above existing ground level if the fence is solid; or

- (ii) 1.8m above existing ground level, if the fence has openings above the height of 1.2m which provide a uniform transparency of at least 30% (excluding any posts or uprights);

The proposed 1.2m high solid frontage fencing complies with this exemption and requires no further assessment under the planning scheme.

4.6.4 Fences not within 4.5m of a frontage

- (b) Fences not within 4.5m of a frontage, if located in in General Residential zone if it is:

- (i) not more than a height of 1.8m above existing ground level if adjoining public land; or
- (ii) not more than a height of 2.1m above existing ground level if not adjoining public land,

unless the Local Historic Heritage Code applies and requires a permit for the use or development.

The other fences (and ground level screens) proposed within the site or on a shared boundary are assessed as meeting this exemption and no further assessment under the planning scheme is required.

Use Class Description (Table 6.2):

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

Other relevant definitions (Clause 3.0):

Applicable standard is described in subclause 5.6.2, where a standard is an Applicable standard if:

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

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

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

Site area per dwelling means the area of a site, excluding any access strip, divided by the number of dwellings on that site.

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

Private open space means an outdoor area of the land or dwelling for the exclusive use of the occupants of the land or dwelling, excluding areas proposed or approved for vehicle access or vehicle parking.

General Provisions

No General Provisions of the Scheme apply to this proposal.

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 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.

The proposal contributes to arrange of dwelling types in the locality on a site that is to be efficiently serviced by social, transport and other service infrastructure.

Use Table

Multiple dwellings are a permitted use and development within the General Residential zone. However, the application requires discretionary consideration because the proposal is relying on performance criteria to comply with applicable standards.

Use Standards

The use standards relate to Discretionary uses and visitor accommodation. These standards are not applicable to the assessment.

Development Standards for dwellings*8.4.1 Residential density for multiple dwellings P1*

The site coverage per dwelling is proposed to be 115m² per dwelling. The proposal relies on performance criteria, which require multiple dwellings must only have a site area per dwelling that is less than 325m², if the development will not exceed the capacity of infrastructure services and:

- (a) is compatible with the density of existing development on established properties in the area;

or

- (b) provides for a significant social or community benefit and is:
 - (i) wholly or partly within 400m walking distance of a public transport stop; or
 - (ii) wholly or partly within 400m walking distance of an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone, Central Business Zone or Commercial Zone.

The application is assessed as meeting P1 (b) because the proposed multiple dwellings are for community housing by Housing Tasmania (contracted to Centacare Evolve Housing), resulting in a significant social and community benefit. The site is in proximity to land within the Local Business zone and a public transport stop is adjacent to the site along the Allunga Road frontage.

The proposal complies with the standard through the performance criteria.

8.4.2 Setbacks and building envelopes for all dwellings P3

For testing the proposal against the acceptable solution of this standard, the building envelope represented in figure 8.2 of TPS-G best fits the site conditions given it is a corner lot with three frontages and no rear boundary, only a side boundary shared with 1 Carcoola Street (Fig. 3).

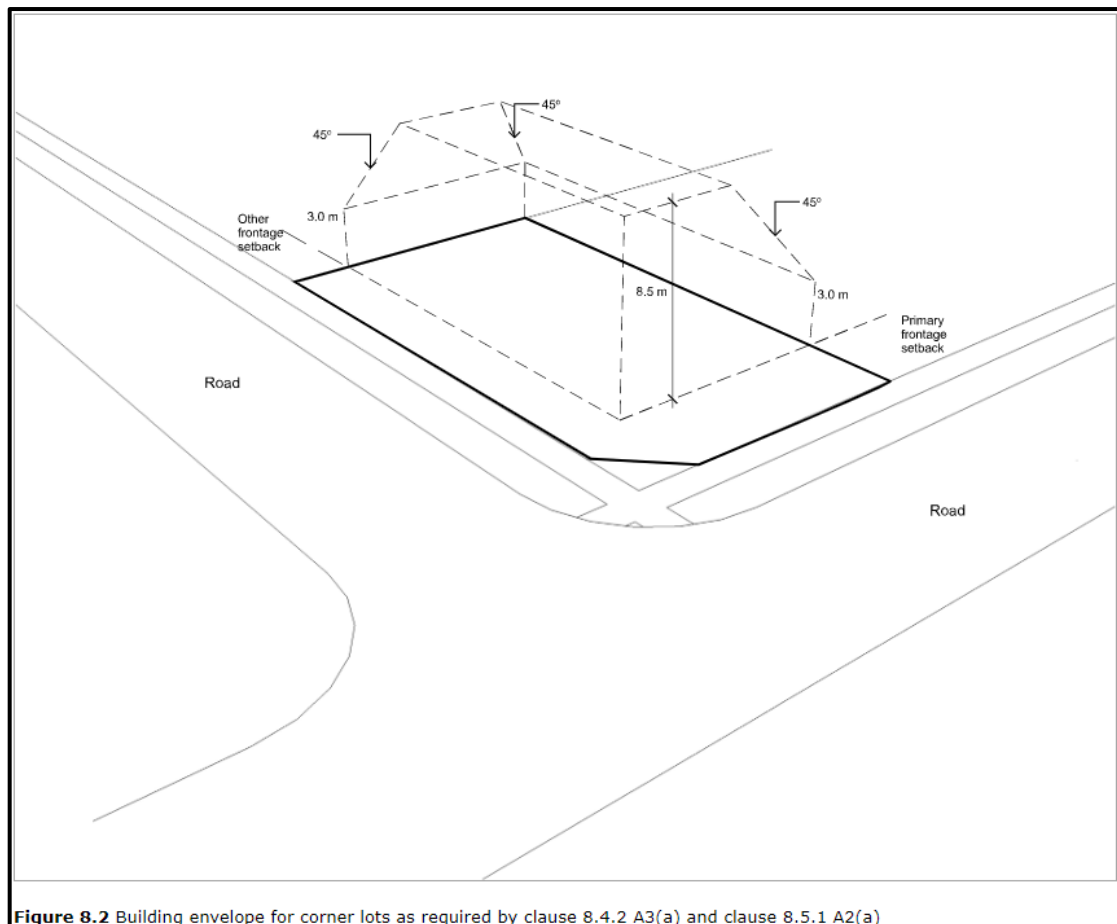


Figure 8.2 Building envelope for corner lots as required by clause 8.4.2 A3(a) and clause 8.5.1 A2(a)

Figure 3. The building envelope of this standard represented as Figure 8.2 in the TPS-G.

The acceptable solution of this standard requires a building height of 8.5m and the proposed dwellings are to have a building height of 8.68m. The performance criteria require the siting and scale of a dwelling to:

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

- (c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:
- (i) an adjoining property; or
 - (ii) another dwelling on the same site.

Shadow diagrams were provided in support of the application. The property to the east at 1 Carcoola Street has the most sensitive interface with the subject site. The shadow diagrams show the property (habitable rooms of the dwelling and its private outdoor space) to the east would be free of shadow cast from the proposal at 9am on the 21 June. By 12 noon on the 21 June some shadow would be cast onto approximately 20% of the relatively large expanse of private outdoor space of 1 Carcoola Street and no shadow cast on to the dwelling from the proposed building. At 3pm on 21 June, most of the private outdoor space at 1 Carcoola Street would be in shadow cast by the proposal with the western elevation of the dwelling experiencing some shadow (Fig. 4).



Figure 4. The shadow diagrams showing the potential extent of shadow cast onto the adjoining property at 1 Carcoola Street Chigwell.

The shadow diagrams show that the proposal would not prevent 1 Carcoola Street from receiving at least three hours of sunlight to the majority of the private outdoor space and the habitable rooms of the dwelling in the morning and early afternoon on the 21 June. Accordingly, it is assessed that there is no unreasonable loss of amenity to adjoining properties in regard to overshadowing.

The proposed building is to be clad in a mix of materials and glazing to add architectural interest and avoids large expanses of blank walls. This, together with the building form articulated in three elements (or blocks) further minimises the visual presence of the proposed buildings when viewed from adjoining properties. The adjoining property at 1 Carcoola Street would view the south-eastern elevation of the proposal (Fig. 5).

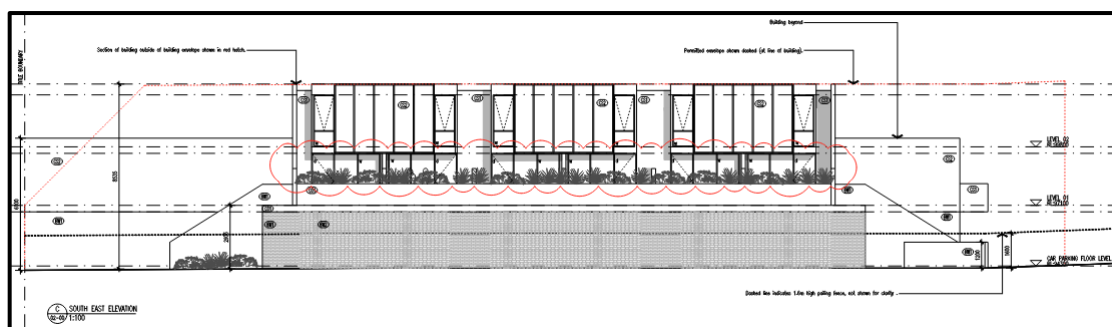


Figure 5. A view of the south-eastern elevation of the proposal.

The south-eastern elevation of the proposal is the tallest element and is designed with a ground level podium to house parked vehicles and is topped with double storey units that are to be set further back from the boundary than the ground level podium. This stepped design minimises the visual bulk and apparent scale of the building when viewed from an adjoining property. It is noted that the podium is setback 2.6m from the side boundary and the proposed units (edge of balcony) a further 2.3m back from the side boundary shared with 1 Carcoola Street, making a setback distance of 4.9m from the boundary to the balconies. Accordingly, it is assessed that there is no unreasonable loss of amenity to adjoining properties in regard to visual impact.

The separation distance between dwellings in the area ranges from between 0m (7 and 9 Allunga Road) to 13m (2 Allunga and 100 Berriedale). The proposed separation distance of the proposal to the adjoining dwelling at 1 Carcoola Street is approximately 7m. Accordingly, the proposed separation distance is consistent with the existing separation pattern in the area.

At the time of assessment, roof top solar energy installations were observable at 3 and 5 Carcoola Street. The shadow diagrams provided show that the proposal would not cause an unreasonable reduction in sunlight to those existing solar energy installations.

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

8.4.3 Site coverage and private open space for all dwellings P1

The proposal is unable to comply with the acceptable solution and relies on the alternative test to meet the standard, the performance criteria. The performance criteria require dwellings to have:

- (a) site coverage consistent with that existing on established properties in the area;
- (b) private open space that is of a size and with dimensions that are appropriate for the size of the dwelling and is able to accommodate:

- (i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any common open space provided for this purpose within the development; and
- (ii) operational needs, such as clothes drying and storage; and
- (c) reasonable space for the planting of gardens and landscaping.

The area is characterised by a mix of single and multiple dwellings, with the vast majority of dwellings having a site coverage of less than 50%. The proposal, with a site coverage of less than 50% is taken to be consistent with that existing on established properties in the area

Regarding the P1(b), 12 of the proposed 18 dwellings are to be one bedroom. Each of these dwellings has a dedicated area of north facing private outdoor space and access to communal landscaped gardens (communal/common open space). It is anticipated that those occupying the one-bedroom apartments (multiple dwellings) would require less private outdoor space than would be expected for a three-to-four-bedroom single dwelling. The private outdoor space provided for these dwellings is considered to be of a reasonable size to accommodate operational needs.

The remaining six proposed two-bedroom dwellings are to have two separate areas of private outdoor space for each dwelling, and these spaces overall are larger than that proposed for the one-bedroom dwellings. The proposed two-bedroom dwellings are to have access to the landscaped common open space, where there is opportunity for gardening. The private outdoor space areas for these dwellings are taken to be suitable in size to meet operation needs of the future occupants.

It is noted that the proposal is offering an alternative dwelling type to increase the range of dwellings offered in the locality, servicing different needs within the community.

The proposal complies with the standard through the performance criteria.

8.4.3 Site coverage and private open space for all dwellings P2

The proposal is unable to meet the acceptable solution and relies on the performance criteria to comply with the standard. The performance criteria require a dwelling to have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is:

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

The private outdoor space areas for the proposed dwellings within the two storey elements ranges in size from 8m² to 13.3m². These areas are north facing and are accessed directly from the living areas of these dwellings. For those reasons, the private outdoor space for these dwellings is taken to perform as an extension of the dwelling that would accommodate opportunities for outdoor relaxation, dining, entertaining and children's play.

The three-storey element includes two private outdoor spaces areas per dwelling, on the eastern and western sides of the first level (second storey). Both spaces are directly connected to the living areas of those dwellings and would receive morning and afternoon sun, respectively. These two spaces offer the opportunity for outdoor relaxation, dining, entertaining and children's play.

The proposal satisfies with the performance criteria and complies with the standard.

8.4.6 Privacy for all dwellings A1

This standard examines the siting and design of balconies or decks that have a finished surface or floor level more than 1m above existing ground level; and it requires such balconies or decks to be fitted with a permanently fixed screen to a height of not less than 1.7m above the finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a:

- a) side boundary, unless the balcony or deck has a setback of not less than 3m from the side boundary; and
- b) rear boundary, unless the balcony or deck has a setback of not less than 4m from the rear boundary; and
- c) dwelling on the same site, unless the balcony or deck is not less than 6m.

It is only the second storey balconies of the three-storey element that face a side boundary, which is the boundary shared with 1 Carcoola Street. These balconies are setback 4.9m from that side boundary and comply with the acceptable solution by providing reasonable opportunity for privacy for all dwellings, with no option for discretionary consideration.

It is noted that if the boundary shared with 1 Carcoola Street was taken to be the rear boundary, the proposal would still comply with the acceptable solution.

8.4.6 Privacy for all dwellings A2

This privacy standard examines the siting and design of windows and glazed doors to a habitable room of a dwelling that has a floor level more than 1m above existing ground level. The proposal is assessed as satisfying A2(a) by having windows and glazed doors setback more than 3m from a side boundary (or 4m from the rear boundary); and is not within 6m of a window or glazed door to a habitable room of another dwelling on the same site or its private open space.

The proposal complies with the acceptable solution by providing a reasonable opportunity for privacy for all dwellings, with no option for discretionary consideration.

8.4.8 Waste Storage for multiple dwellings P1

The communal waste storage area is proposed to be within 5.5m of unit 6. The performance criteria require a multiple dwelling to have storage for waste and recycling bins that is:

- (a) capable of storing the number of bins required for the site;
- (b) screened from the frontage and any dwellings; and
- (c) if the storage area is a common storage area, separated from any dwellings to minimise impacts caused by odours and noise.

Even though the waste storage area is proposed to be within 5.5m of unit 6, it is separated from it by screening, a stairwell and a solid wall with no openings. The waste storage area is screened and predominately faces the driveway; it is capable of being designed to accommodate the number of bins required for the proposal and a condition is recommended to ensure this occurs should the development be built.

The proposal satisfies the performance criteria and complies with the standard.

Codes

The following codes of the Scheme apply to this proposal:

C2.0 Parking and Sustainable Transport Code

Council's Traffic Engineer and Development Engineer have reviewed the application and found that performance criteria are relied on for compliance with C2.5.1 Car parking numbers P1 and C2.6.5 Pedestrian access P1. The assessment of the proposal against the performance criteria is detailed under the heading of "Internal referrals". In summary, the assessment has concluded that the proposal complies with the performance criteria of those applicable standards.

C3.0 Road and Railway Assets Code

Council's Traffic Engineer and Development Engineer have reviewed the application and found that performance criteria are relied on for compliance with C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction P1. The assessment of the proposal against the performance criteria can be found in detail under the heading

of “Internal referrals”. In summary, the assessment has concluded that the proposal complies with the performance criteria of those applicable standards.

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.

INTERNAL REFERRALS

Traffic Engineer

Introduction

The developer proposes to construct 18 residential units comprising of 6 two-bedroom units and 12 one-bedroom units. There are 17 car parking spaces proposed with the driveway access being off Carcoola Street.

The assessment below is based on the Traffic Impact Assessment (TIA) undertaken by Midson Traffic dated March 2022.

Traffic Generation

The traffic generated by the development is expected to be 55 trips per day with 6 trips per hour in the AM peak and 5 trips per hour in the PM peak based on parking spaces for high density residential development provided as per the Roads and Maritime Services, Road Traffic Authority (RTA) NSW Guide to Traffic Generation Development.

The acceptable solution for traffic generation at a vehicle crossing C3.5.1 A1.4 is not met as it is a new driveway access onto Carcoola Street. The performance criteria P1 is addressed in the TIA.

The driveway access for the development will move from Allunga Road onto Carcoola Street. Traffic movements to the site will be predominantly right in / left out due to the connectivity with Allunga Road. Allunga Road is a major collector and carries

approximately 3,5000 vehicle per day. Carcoola Street is a local residential street in which the TIA estimates has less than 300 vehicles per day.

Crash data for the last 5 years for Allunga Road between Berriedale Road and Coraki Street and the full length of Carcoola Street was reviewed in the TIA. There was a total of 10 crashes in Allunga Road and none at the junction with Carcoola Street or along Carcoola Street. The crash data shows that there are no pre-existing road safety issues that might be exacerbated by the development.

Sight distance at the proposed driveway was assessed in the TIA and meets the requirements of 45m in both directions for a 50km/h speed limit.

The TIA notes that the access onto Carcoola Street is considered preferable to the access at Allunga Road, as it is a lower traffic carrying road and the traffic generation is not expected to have any significant adverse impacts in terms of traffic efficiency or safety.

The TIA is accepted, and it can be concluded that the additional traffic should not have an unreasonably impact on the safety or efficiency of the road network. The performance criteria for C3.5.1 P1 is met.

Parking Supply

The development is proposing a total of 17 on-site car parking spaces. The planning scheme requires 29 parking spaces thus the acceptable solution for car parking numbers C2.5.1 A1 is not met. The performance criteria P1.2 is addressed in the TIA.

The parking for the development was estimated in the TIA to be 17 spaces based on high density residential units from the Roads and Maritime Services, Road Traffic Authority (RTA) NSW Guide to Traffic Generation Development.

The TIA notes that the car parking proposed meets that required in the RTA guide and there is a relatively large supply of nearby on-street parking in Allunga Road and Carcoola Street. The development is intended as affordable housing in which vehicle ownership is lower.

Based on the TIA, it is accepted that there is adequate parking for the development and the performance criteria for C2.5.1 P1.2 is met. However, if there is parking on-street these spaces are not exclusively for the developer and not guaranteed in perpetuity.

The TIA also details that the pedestrian access to the car parking spaces does not meet the acceptable solution of C2.6.5 A1, which requires a separate path if more than 10

parking spaces. The performance criteria C2.6.5 P1 was assessed in the TIA in which the driveway and car parking area is considered a shared zone.

There are also pedestrian connections from the footpath to the units and from the parking area to the units. Thus, the driveway access will likely only be used by pedestrians to take the garbage bins to the footpath.

Representations

Four representations were made regarding traffic and parking. Responses to the concerns raised are detailed below.

TRAFFIC IMPACT ASSESSMENT

The development was assessed as high density. There are some references to medium density in the TIA which is incorrect.

The comment in the TIA being “The site was previously a residential unit complex with traffic generation of likely to be similar to the proposed development.” was made regarding traffic and not parking. The traffic type being vehicles and not commercial vehicles to the site is similar and the traffic numbers are in a similar order of magnitude.

SITE PARKING

The TIA does not propose that there will be a shortfall in parking as it meets the requirements in the RTA guide that is used Australia wide to estimate parking numbers. The parking does not meet the acceptable solution under the planning scheme but does meet the performance criteria and the parking requirement in the RTA guide.

The parking spaces within the site can turn and exit forward facing. Drivers leaving and entering the driveway have adequate sight lines for drivers to see oncoming pedestrians and vehicles.

ON-STREET PARKING

On-street parking is generally assessed within a 100m radius of the site, not just directly outside the site. There is parking on both sides of Allunga Road to the north of the development and within Carcoola Street. Outside the development there will be four on-street parking spaces on the southern side of the street.

Carcoola Street is approximately 7.2m wide which is wide enough for parking on both sides of the road and one through lane of traffic. This means that through traffic may

need to wait for an approaching vehicle to pass before proceeding which is not uncommon in a residential street.

Under the Road Rules, parking at a junction is prohibited 10m back into the junction to allow cars to safely enter and leave. This applies to the junction of Allunga Road and Carcoola Street.

Under the Road Rules, parked cars must leave 3m clear between them so vehicles can travel along the road. This should allow enough room for a car towing a caravan to enter and exit the street.

If there are issues with commuter parking then parking restrictions can be installed, although these apply to all vehicles. Parking restrictions can also be applied to the off-street parking at the shops at 99 Berriedale Road. The vacant land referred to at the shop on lower Berriedale Road near Catherine Street is privately owned.

INTERSECTIONS

Sight lines for vehicles at the junction of Allunga Road and Carcoola Street is required to be 63m in a 50km/h zone. The sight lines in both directions at the junction is approximately 70m.

Sight lines for pedestrians looking along Allunga Road on the north-east corner of Berriedale Road where the slip lane is, meets the required under Austroads of 50m with a boundary fence installed.

As there have been no reported crashes at the junction of Allunga Road and Carcoola Street and sight lines are met, it is concluded that there are no road safety deficiencies that would be exacerbated by the development.

CONCLUSION

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

Hydraulics Engineer

The proposed development includes a multi-unit development at 1-3 Allunga Rd Chigwell.

1. *Referenced Documents*

220412 SR 21E68-6 C Stormwater Report by Aldanmark Consulting Engineers

220713 HYD 21E68-6 C Hydraulic Services Drawings by Aldanmark Consulting Engineers

2. *Stormwater Management Policy*

a. Stormwater Disposal Method Requirements:

All stormwater from the new dwelling units will drain to existing stormwater systems by gravity. Therefore, 4 (a) is met.

b. Stormwater Quality Management Requirements:

The stormwater system will incorporate water sensitive urban design principles for the treatment and disposal of stormwater given the size of new impervious area is greater than 500m². Therefore, 5 (b) is met. The developer has undertaken the necessary modelling works to assist the calculation of contribution amount as outlined in Aldanmark stormwater report dated 12/04/2022. Developer to pay an amount of \$9,360 (excluding GST) to Council in lieu of providing WSUD on site.

c. Stormwater Quantity Management Requirements:

It has not been demonstrated that the minor stormwater system has been designed to accommodate an ARI of 20 years, therefore stormwater detention has been proposed to maintain the post-development flow rate to a pre-development stage. The stormwater detention arrangement for the site is shown in Hydraulic service drawings. Therefore, 6(b) is met.

d. Stormwater System Design Requirements:

The major stormwater system and overland flow paths have been demonstrated in stormwater report and hydraulic services drawings by Aldanmark Consulting engineers. Overland flow path has been considered in the design, with grated drains and inlet pits directing water away from buildings and towards drainage easements

and capturing into the stormwater network with appropriate overflow measures. Therefore 3(b) is met.

Development Engineer

The development application seeks an approval for 18 multiple dwellings on a vacant site. The works include demolition to the existing driveway access via Allunga Road, new driveway access via Carcoola Street, associated driveway and parking areas for 17 car spaces, installing stormwater management elements and construct three new building blocks. It is proposed to provide 6 of the 2-bedroom units and 12 of the 1-bedroom units.

The Traffic Impact Assessment (TIA) by Midson Traffic Pty Ltd, dated March 2022 and the Stormwater Report by Aldenmark consulting engineers, dated 12 April 2022 are submitted as part of the application as supporting documents. The application and the TIA have been referred to Council's Transport Engineer to review, provide comments and recommend the conditions as required. The application and the Stormwater report have been referred to Council's Senior Civil Engineer to review, provide comments and recommend the conditions as required.

The stormwater runoff is proposed to be discharged to Council's stormwater system via a new underground connection with on-site detention provided to satisfactory of Council's senior civil engineer. The cash in lieu contribution is agreed for the Water Sensitive Urban Design treatment (as per the *Urban Drainage Act 2013*).

The General Manager's consent to interfere with stormwater infrastructure can be granted (as per the *Urban Drainage Act 2013*).

C3.0 Road and Railway Assets Code

The development is therefore considered to comply with the code requirements and local traffic conditions are not expected to be significantly affected.

The site can be accessed off the new proposed vehicle crossing via Carcoola Street, and the existing access via Allunga Road is proposed to be removed and reinstated to kerb and footpath. Based on the TIA, the traffic generation of the development is likely to be 55 vehicles per day with a peak generation of 5 to 6 vehicles per hour. The increase vehicle movements are over 40 vehicle trips per day; therefore, the assessment against the performance criteria is triggered. The TIA has undertaken the traffic and parking assessment and investigated crashes history to assess the development against the performance criteria. The TIA states that as local residential area Carcoola Street carries very low traffic volume and the crash data obtained from the Department of State Growth for a 5+ year period demonstrates that there are no pre-existing road safety deficiencies in the surrounding transport network that might be exacerbated by traffic generated by the development. Additionally, the TIA assesses that the sight distance at the proposed driveway was assessed in the TIA and

meets the requirements of 45m in both directions for a 50km/h speed limit. Therefore, it is considered that, the performance criteria for C3.5.1 P1 is satisfied with.

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 requirement under the C2.5.1 and table C2.1, A1 requires the total of 29 car parking spaces for the development. It is proposed 17 car parking spaces will be provided, therefore there are 12 car parking spaces short of the planning scheme requirement. The TIA addressed the performance criteria P1.2 and concluded the number of car parking spaces proposed meet the reasonable needs of the use. The TIA states that the car parking proposed meets that required numbers in the Roads and Maritime Services, Road Traffic Authority (RTA) NSW guide to Traffic Generation Development and there are supply for on-street parking within the local network. Based on the TIA assessment, it is considered the performance criteria for C2.5.1 P1.2 is satisfied.

There are 2 accessible car parking spaces proposed. There are no requirements for 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.

According to the Planning Scheme, to comply with the acceptable solution of C2.6.5 A1, a 1-metre-wide pedestrian footpath is required where the use requires more than 10 car parking spaces. The proposed development does not provide a separate pedestrian path to the driveways. Therefore, the performance criteria C2.6.5 P1 is triggered and assessed in the TIA. The TIA states that the driveway accesses are considered 'shared zones' where vehicles must give way to pedestrians and that it is a common treatment in medium density residential developments. Council's transport Engineer has reviewed and accepted the TIA. It is accepted the Performance Criteria P1 of Clause C2.6.5 is satisfied.

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 issues identified through Council's records that affect the application.

Representations

During the advertisement period, Council received representations raising various concerns and objections against the proposed development including traffic increase, parking shortfall and traffic safety. Council's officers have reviewed the representations and addressed the concerns as follows.

Parking shortfall and Traffic Impact Assessment

The development was assessed as high density. The parking shortfalls are considered acceptable as mentioned in the report. Though the TIA does not propose that there will be a shortfall in parking as it meets the requirements in the RTA guidelines that is used Australia wide to estimate parking numbers; it addressed the on-street parking supply on the local road network. On-street parking is assessed within an 100m radius of the site, found that there is sufficient supply. There is also on-street parking on both sides of Allunga Road to the north of the development and within Carcoola Street.

Council's Transport Engineer is satisfied with the assessment in the TIA and states that if there are issues with commuter parking in Carcoola Street then parking restrictions can be installed, although these apply to all vehicles.

Traffic safety at the junction

Council's Transport Engineer states that "sight lines at the junction of Allunga Road and Carcoola Street are required to be 63m in a 50km/h zone; and the sight lines in both direction at the junction is approximately 70m; if there is a bus parked to the south of the junction this may prohibit sight lines but stopping sight lines of 42m are still met". Additionally, the proposed development provides passing bay and on-site turning area within the site which allows vehicles to pass and leave and enter the site in forward directions. Carcoola Street is approximately 7.2m wide and wide enough for parking on both sides of the road and one through lane of traffic. This is not uncommon in a residential street.

Council's Transport Engineer states that under the Road Rules, parking at a junction is prohibited 10m back into the junction to allow cars to safely enter and leave. This applies to the junction of Allunga Road and Carcoola Street. Additionally, parked cars must leave 3m clear between them so vehicles can travel along the road. This should allow enough room for a car towing a caravan to enter and exit the street.

As stated previously that the onsite turning area will provide ability to enter and exit the site in forward directions along with sufficient lines of sight in both directions, the drivers should see oncoming pedestrians and vehicles and be able to safely manoeuvre. Therefore, it is considered that there are no road safety deficiencies that would be exacerbated by the development.

Waste Management Officer

Waste management services to the proposed multiple dwelling development at 1-3 Allunga Road Chigwell would be Councils shared bin service, collected weekly. The wheelie bins should be stored in a bin enclosure within the property boundary and are not to be taken to individual units. All wheelie bins should be placed on the existing kerbside for collection.

EXTERNAL REFERRALS

TasWater

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

TasNetworks

TasNetworks are in support of the application and have no conditions or advice to include in the permit should it be granted.

REPRESENTATIONS

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

Onsite parking

Representors are concerned about the findings of the Traffic Impact Assessment submitted with the planning application, with a particular focus on the parking provision. Other representors are concerned with there being no visitor parking and that there are only 17 spaces proposed for the 18 units. Not having enough parking onsite will cause overflow onto the street and other properties, particularly nearby parking for the local shops and on vacant land.

Planner's Comment:

This issue has been previously addressed under the heading '*Internal referrals – Traffic Engineer and Development Engineer*'.

Road network

The representors raise concerns about the intersection of Allunga Road and Carcoola Street and concerns about parking during construction.

Planner's Comment:

This issue has been previously addressed under the heading '*Internal referrals – Traffic Engineer and Development Engineer*'.

Commuter parking area

The representor suggests that commuter parking should be considered on vacant land near the shopping precinct and Catherine Street, to connect with the bus route and lessen on-street commuter parking in the area surrounding area.

Planner's Comment:

This suggestion is not a matter that can be considered as part of this application, because it is outside the scope of what is being applied for.

Public Open Space

The representors raise concerns about the lack of public open space in proximity to the site.

Planner's Comment:

The provision of public open space is assessed for subdivision applications and is not a requirement for the assessment of a multiple dwelling application.

Frontage fence

The representors raise concern about a proposed 1.6 m boundary fence that would obstruct pedestrian line-of-sight at the designated footpath crossing, from Berriedale Road footpath to the island refuge at the slip lane for vehicles travelling from Allunga Road left onto Berriedale Road.

Planner's Comment:

This issue has been previously addressed under the heading Exemptions (Tables 4.1 – 4.6). In summary, fences within 4.5m of the frontage can be up to 1.8m above existing ground level, if the fence has openings above the height of 1.2m of a uniform transparency of at least 30% (excluding any posts or uprights). The frontage fencing proposed is taken to meet the applicable exemption in the planning scheme and no further assessment is required.

Streetscape character

The representors raise concerns about the application not fitting in with the surrounding residences because there are too many units in the complex, and it is three storeys high which is out of character with other dwellings in the area.

Planner's Comment:

Streetscape character is considered through the development standards in the zone. The application is assessed as complying with the applicable standards through either the acceptable solution or the performance criteria, as addressed under the heading 'Development Standards for dwellings' and in appendix 1 – General Residential zone.

Density

The representors are concerned that the proposal is over the density requirement of 8.4.1 A1 and should not be approved.

Planner's Comment:

This issue has been previously addressed under the heading '8.4.1 Residential density for multiple dwellings P1'. In summary, the proposal complies with the standard through the performance criteria.

Privacy

The representors raise concerns about the loss of privacy through overlooking from top storey windows and from the proposed balconies into the adjacent property; and other properties from a distance of less than 30m. It is questioned if 8.4.6 A1 has been adequately addressed.

Planner's Comment:

This issue has been previously addressed under the heading '8.4.6 Privacy for all dwellings A1' and '8.4.6 Privacy for all dwellings A2'. In summary, the proposal complies with the standard through the acceptable solutions because the balconies and windows or glazed doors are setback more than 3m from the side boundary.

Overshadowing

The representors raise concerns about overshadowing of adjacent properties and private outdoor space, and concern about whether 8.4.2 P3 has been adequately addressed.

Planner's Comment:

This issue has been previously addressed under the heading '8.4.2 Setbacks and building envelopes for all dwellings P3'. In summary, the assessment of the proposal against this performance criteria has found that there is no unreasonable loss of amenity to adjoining properties with regard to overshadowing.

Visual Impact

The representors raise concern about an unacceptable visual impact on adjoining properties and raise concern about whether 8.4.2 P3 has been adequately addressed.

Planner's Comment:

This issue has been previously addressed under the heading '8.4.2 Setbacks and building envelopes for all dwellings P3'. In summary, the assessment of the proposal against this performance criteria has found that there is no unreasonable loss of amenity to adjoining properties with regard to visual impact.

CONCLUSION

The proposal is relying on the performance criteria to comply with applicable standards. The proposal is assessed as satisfying the performance criteria and complies with those standards. The proposal is assessed as complying with all other use and development standards in the General Residential zone, as well as the applicable standards of the relevant codes.

The application was publicly advertised for the statutory 14-day period and attracted representations. The matters raised in the representations have been considered through the assessment of the application.

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

Recommendation:

That a permit be granted for the proposed use and development of 1-3 Allunga Road Chigwell subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-22-192 and Drawings submitted on 20 June 2022 (22 pages), except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2022/00734-GCC dated 27 May 2022, form part of this permit.
3. The design of the waste bin enclosure must comply with the following:
 - a) be built on a flat surface with a concrete base/pad and surround of a brick or painted block enclosure or other suitable material to Councils approval,
 - b) have concrete at the entrance to the bin enclosure;
 - c) suit 18 X 240L wheelie bins of size 1100 height x 600mm wide x 800mm deep and must allow for 300mm space in between each bin;
 - d) the recommended minimum height of the enclosure is 1200mm and minimum recommended depth is 930mm;

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

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

Engineering

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

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

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

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

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

5. The loading and unloading of goods from vehicles, including building materials and equipment, must only be carried out on the land.
6. The new vehicle crossing must be constructed and installed, and the redundant vehicle crossing must be reinstated to the kerb and footpath in accordance with the Tasmanian standard drawing TSD-R09-v3, TSD-R11-v3 and TSD-R14-v3 between the kerb and the property boundary and completed to the satisfaction of Council's Development Engineer prior to the occupancy of the dwellings. The detail design must be submitted and approved prior to the issuing of a Building Approval.

7. Prior to the commencement of any work within the road reservation by a private contractor, the contractor must obtain a Road Opening Permit from the Council's Compliance Officer. This permit shall include items such as hours of work, road safety, reinstatement, soil and water management, etc.

The Road Opening Permit Application Form is available via Council's website <https://www.gcc.tas.gov.au/wp-content/uploads/2021/03/Road-Opening-Permit-Application-Form-1.pdf>

8. 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 must not exceed the maximum gradient of 20%;
 - b) Seventeen (17) clearly marked car parking spaces must be provided in accordance with the approved plan and always kept available for these purposes;
 - c) Of the proposed number of car parking spaces, two (2) parking spaces must be provided for the exclusive use of people with disabilities, clearly line-marked and always kept available for these purposes;
 - d) Vertical alignment must include transition curves (or straight sections) at all grade changes greater than 12.5%;
 - e) All runoff from paved and driveway areas must be discharged into Council's stormwater system;
 - f) The gradient of any parking areas must not exceed 5%; and
 - g) Minimum carriageway width is to be no less than 3.0 metres.

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

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

Advice to Applicant

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

General Manager's Consent for Stormwater Management

Any conditions and/or advice as set out in the attached General Manager's Consent for Stormwater Management, reference No. PLN-22-192 dated 29 July 2022, 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.

Attachments/Annexures

- 1** GPA Attachment - 1-3 Allunga Road Chigwell



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	Multiple dwellings are a permitted use within the zone.	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.	Multiple dwellings are a permitted use within the zone.	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.	Multiple dwellings are a permitted use within the zone.	NA
	A4	Multiple dwellings are a permitted use within the zone.	NA

	No acceptable solution.		
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.	Visitor accommodation is not proposed.	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.	Visitor accommodation is not proposed.	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 .	Site coverage per dwelling is 115m ² per dwelling.	No
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;	The site has two frontages. The primary frontage is to Carcoola Street, the other frontage (secondary frontage) is to Allunga Road. The part of the site facing Berriedale Road is a corner truncation and is not taken to be a 'frontage'. The building is setback 4.5m from the primary frontage. The plans show a setback of 4.27m to the other frontage.	Yes

	<p>(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;</p> <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>	<p>The garage (undercover parking area) is to be on the ground level under the building adjacent to eastern boundary. The garage is setback more than 5.5m to the primary frontage.</p>	<p>Yes</p>

	<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> <ul style="list-style-type: none"> (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 (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and <p>(b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling:</p> <ul style="list-style-type: none"> (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or (ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser). 	The proposed buildings have a maximum built height of 8.68m.	No
8.4.3 Site coverage and private open space for all dwellings	<p>A1</p> <p>Dwellings must have:</p> <ul style="list-style-type: none"> (a) a site coverage of not more than 50% (excluding eaves up to 0.6m wide); and (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 	<ul style="list-style-type: none"> a) Site coverage not more than 50%; b) Less than 60m² of POS provided per dwelling. 	No

	than 1.8m above the finished ground level (excluding a garage, carport or entry foyer).		
	<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>(ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);</p> <p>(c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and</p> <p>(d) has a gradient not steeper than 1 in 10.</p>	The POS areas per dwelling ranges from 8-13m ² for 1-bedroom apartments and 15m ² for 2-bedroom apartments.	No

8.4.4 Sunlight to private open space of multiple dwellings	A1 A multiple dwelling, that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 8.4.3, must satisfy (a) or (b), unless excluded by (c): (a) the multiple dwelling is contained within a line projecting (see Figure 8.4): (i) at a distance of 3m from the northern edge of the private open space; and (ii) vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal; (b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00am and 3.00pm on 21st June; and (c) this Acceptable Solution excludes that part of a multiple dwelling consisting of: (i) an outbuilding with a building height not more than 2.4m; or (ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling.	No multiple dwelling is to the north of the private open space of another dwelling on the same site.	Yes
8.4.5 Width of openings for garages and carports for all dwellings	A1 A garage or carport for a dwelling within 12m of a primary frontage, whether the garage or carport is free-standing or part of the dwelling, must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).	The garage (undercover parking area) width is 6m. The garage is setback more than 12m from the frontage.	Yes
8.4.6 Privacy for all dwellings	A1	The POS areas are setback more than 3 m from the side property boundaries; and are provided with a permanently	Yes

	<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>fixed screen to a height of 1.7 m where there is potential to overlook other apartments windows or private open space on the same site.</p>	
	<p>A2</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> <ul style="list-style-type: none"> (a) the window or glazed door: <ul style="list-style-type: none"> (i) is to have a setback of not less than 3m from a side boundary; 	<p>All windows and doors of apartments above ground level are more than 3 m from side boundaries and are more than 6m from windows and doors of other apartments, except for apartment 18. The bedroom window of apartment 18 has the potential to overlook the front door to apartment 12, but this door will not be glazed due to its location next to the shared pedestrian way. Complies with A2(a).</p>	<p>Yes</p>

	<ul style="list-style-type: none"> (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, 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>	The shared driveway is separated by more than a horizontal distance of 2.5m from windows, or glazed doors to habitable rooms of the multiple dwelling.	Yes
<p>8.4.7</p> <p>Frontage Fences for all dwellings</p>	<p>A1</p> <p>No Acceptable Solution¹.</p> <p><i>(¹An exemption applies for fences in this zone – see Table 5.6 in Exemptions)</i></p>	<p>A 1.2m high solid brick frontage fence is proposed.</p> <p>This frontage fencing meets the exemption in table 5.6.</p>	Yes
<p>8.4.8 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>	The communal bin storage area is less than 5.5 m from apartment 6.	No

	(b) a common storage area with an impervious surface that: <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. 		
--	---	--	--

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 	17 spaces proposed. TIA submitted and accepted.	No

Standard	Acceptable Solution	Proposed	Complies?
	<p>(d) it relates to an intensification of an existing use or development or a change of use where:</p> <p>(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</p> <p>(ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:</p> $N = A + (C - B)$ <p>N = Number of on-site car parking spaces required</p> <p>A = Number of existing on site car parking spaces</p> <p>B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1</p> <p>C = Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.</p>		
C2.5.2 Bicycle parking numbers	A1 Bicycle parking spaces must:	Not required	NA

Standard	Acceptable Solution	Proposed	Complies?
	(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.		
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: (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

Standard	Acceptable Solution	Proposed	Complies?
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;</i> <i>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.	Not required	NA
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			

Standard	Acceptable Solution	Proposed	Complies?
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 surfaced 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; (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; 	Layout and gradients are provided in accordance with the AS2890.1	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<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>		
<p>C2.6.3</p> <p>Number of accesses for vehicles</p>	<p>A1</p> <p>The number of accesses provided for each frontage must:</p> <p>(a) be no more than 1; or</p>		Yes

Standard	Acceptable Solution	Proposed	Complies?
	(b) no more than the existing number of accesses, whichever is the greater.		
	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: (i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or (ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and	TIA addresses and justifies pedestrian path can be used as shared area with driveway area.	No

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: 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>		
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
	<p>A2</p> <p>Bicycle parking spaces must:</p>		NA

Standard	Acceptable Solution	Proposed	Complies?
	<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>		
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
	A2 Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must: <p>(a) have no new vehicle accesses, unless an existing access is removed;</p> <p>(b) retain an active street frontage; and</p> <p>(c) not result in parked cars being visible from public places in the adjacent roads.</p>		NA

Standard	Acceptable Solution	Proposed	Complies?
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.

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: <ul style="list-style-type: none"> (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 increased by 55 vpd. TIA addresses the traffic generation.	no

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, 2nd edition, July 2008</i> .		
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

7. PROPOSED USE AND DEVELOPMENT - CHILD AND FAMILY LEARNING CENTRE (EDUCATIONAL AND OCCASIONAL CARE) - 452 MAIN ROAD GLENORCHY

Author: Planning Officer (Sylvia Jeffreys)

Qualified Person: Planning Officer (Sylvia Jeffreys)

Property ID: 5382300

REPORT SUMMARY

Application No.:	PLN-22-168
Applicant:	Morrison & Breytenbach Architects
Owner:	Department of Education (DoE)
Zone:	Community Purpose
Use Class	Educational and Occasional Care
Application Status:	Discretionary
Discretions:	C1.6.4 P1 Signs on local heritage places and in local heritage precincts and local historic landscape precincts GLE-Table C6.1 Local Heritage Places (listed with THC) - Historic Cultural Heritage Act 1995 C2.5.1 P1 Car parking numbers C3.5.1 P1 Traffic generation at a vehicle crossing, level crossing or new junction C12.6.1 P1.1 and P1.2 Buildings and works within a flood-prone hazard area (The proposal meets all other applicable standards as demonstrated in the attached appendices)

Level 2 Activity?	No
42 Days Expires:	12 August 2022
Existing Land Use:	Education and Occasional Care
Representations:	0
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The application proposes a Child and Family Learning Centre, designed for place-based early childhood service model for families and children from pregnancy to age five. The proposal is to operate from 9am to 3pm on weekdays only and is to be staffed by four fulltime staff.

The proposed 605m² single storey building with a small mezzanine space is to front Continental Road and is to be positioned between the existing kindergarten building and the sports oval. The proposed building is to house a training room, meeting room, consultation rooms, staff offices, storage rooms, amenities including a laundry, play spaces both indoor and outdoor, an open plan kitchen/lounge area and a playgroup meeting space.

Signage is proposed on the western elevation of the building at the main entrance to identify the centre and another free-standing ground base sign is to be located on the Continental Road frontage adjacent to proposed pedestrian stairs that would access to the site. Both signs are not illuminated.

The application proposes eight parking spaces, a minibus space and turning space that is to be accessed by a new vehicular access on the Continental Road frontage. A new ramp access is also proposed in this location. A 3.5m by 7.6m storage shed is proposed to the south of the new parking area and bin storage and bicycle parking is proposed in proximity to the proposed shed.

A 0.9m high retaining wall is proposed along the western and southern sides of the proposed building and fit for purpose landscaping is proposed to surround the building and integrate with the existing school environment. A playground fence is proposed to separate the proposed Child and Family Learning Centre play spaces from the primary school yard. A 1.8m high open steel railing fence is proposed along the frontage.

SITE and LOCALITY

The Glenorchy Primary School occupies the site, an area of approximately 5.094Ha. The proposed development is to be within certificate of title 172535/1. The site has four frontages which are to Main Road, Kensington Street, Hull Street and Continental Road. Vehicular access to the site is currently over Kensington Street and Hull Street, with pedestrian access available across all frontages (Fig. 1).



Figure 1. An aerial view of the site and surrounds.

The site is relatively flat, and a piped section of Little John Creek extends along the length of the site. The site is recognised for its heritage significance to the community and is both state and locally listed.

The area is characterised by a mix of uses, with residential being the most prominent use. The site borders light industrial uses to the south and commercial uses to the north.

ZONE

The site is located within the Community Purpose zone and is bordered to east and west by the Inner Residential zone, the north by the Utility zone along Main Road and to the south by the Light Industrial zone (Fig. 2).

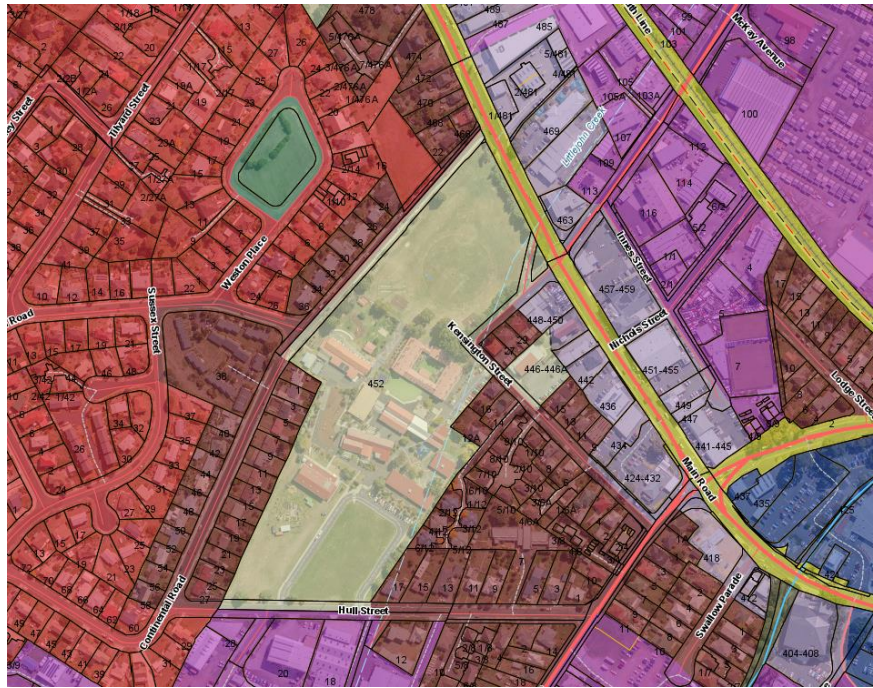


Figure 2. A view of the zoning pattern in the areas showing the Community Purpose zone (pale yellow), Inner Residential zone (maroon), General Residential zone (red), Open Space zone (green), Light Industrial zone (pink), Utilities zone (yellow), and Central Business zone (blue).

BACKGROUND

Permits

Various permits have been granted to the school over the past few years, which are not relevant to the assessment of this application.

Supporting Documents

The following supporting documents were submitted:

- Stormwater Report by Aldenmark Consulting Engineers Ref 21 E 06-6 Rev C received 05/07/2022
- Planning Report by All Urban Planning, dated 10/06/2022
- Traffic Impact Assessment by Pitt & Sherry, dated 11/03/2022
- Heritage Impact Assessment by Morrison & Breytenbach Architects, dated 03/03/2021
- Flood Hazard Report by Flüssig Engineers, dated 03/03/2022, FE-22021

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.

- C1.0 Signs Code
- C2.0 Parking and Sustainable Transport Code
- C3.0 Road and Railway Assets Code
- C6.0 Local Historic Heritage Code
- C12.0 Flood-Prone Areas Hazard Code

Use Class Description (Table 6.2):

Educational and Occasional Care means the use of land for educational or short-term care purposes. Examples include a childcare centre, day respite centre, employment training centre, kindergarten, primary school, secondary school and tertiary institution.

Other relevant definitions (Clause 3.0):

There are no definitions of special relevance to this application in 3.0 Planning Terms and Definitions.

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:

- C1.6.4 P1 Signs on local heritage places and in local heritage precincts and local historic landscape precincts
- GLE-Table C6.1 Local Heritage Places (listed with THC) - *Historic Cultural Heritage Act 1995*
- C2.5.1 P1 Car parking numbers
- C3.5.1 P1 Traffic generation at a vehicle crossing, level crossing or new junction
- C12.6.1 P1.1 and P1.2 Buildings and works within a flood-prone hazard area

General Provisions

No General Provisions of the Scheme apply to this proposal.

Zones

The land is within the Community Purpose 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 Community Purpose Zone is:

27.1.1 To provide for key community facilities and services including health, educational, government, cultural and social facilities.

27.1.2 To encourage multi-purpose, flexible and adaptable social infrastructure.

Comment

The proposed Child and Family Learning Centre would provide a valuable community facility in addition to the existing school, which accords with the above zone purpose.

Use Table

The Educational and Occasional Care is a permitted use within the zone. However, discretionary consideration is required because of reliance on performance criteria to comply with an applicable standard and is a discretionary permit application pursuant to *Historic Cultural Heritage Act 1995*.

Use Standards

The proposal complies with applicable use standards as outline in the attached appendix.

Development Standards for Buildings or Works

The proposal complies with applicable development standards as outline in the attached appendix.

Codes

The following codes of the Scheme apply to this proposal:

C1.0 Signs Code

A 2.4m (W) x 300mm (H) wall sign 'Glenorchy Child and Family Centre' is proposed adjacent to the entrance on the northwest elevation.

A 1m (w) x 600mm (H) non illuminated sign, mounted 1m above the ground on two small posts, adjacent to the Continental Road frontage of the site and main pedestrian ramp (ground base sign).

C1.6.4 Signs on local heritage places and in local heritage precincts and local historic landscape precincts P1

The performance criteria require a sign located on a site that is a local heritage place, in a local heritage precinct or local historic landscape precinct listed under the Local Historic Heritage Code to be located in a manner that does not have an unacceptable impact on the local historic heritage significance of the place or precinct, having regard to:

- (a) placement to allow the architectural details of the building to remain prominent;*
- (b) the size and design not substantially diminishing the local historic heritage significance of the place or precinct;*
- (c) where relevant, placement in a location on the building that would traditionally have been used as an advertising area;*
- (d) any domination or obscuring of any historic signs forming an integral part of a building's architectural detailing or local historic heritage significance;*
- (e) using fixtures that do not and are not likely to damage building fabric;*
- (f) not projecting above a parapet or roof line if such a projection impacts on the local historic heritage significance of the building; and*
- (g) not using internal illumination in a sign on a local heritage place unless it is demonstrated that such illumination will not detract from the local historic heritage significance of the place or precinct.*

Comment

A detailed assessment against the above criteria can be found within the referral of the Heritage Officer under the Referrals section later in this report. Essentially, the proposal is assessed as satisfying the performance criteria and complies with the standard.

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 the 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 was assessed by the Traffic Engineer, who found that the proposal satisfies the above 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, except as follows:

C3.5.1 A1 Traffic generation at a vehicle crossing, level crossing or new junction

The proposal does not accord with the acceptable solution in clause C3.5.1 A1 with respect to the number of vehicular movements. Therefore, the proposal relies on the related performance criteria as follows:

C3.5.1 P1 Traffic generation at a vehicle crossing, level crossing or new junction

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

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

Comment

The proposal was assessed by the Traffic Engineer, who found that the proposal satisfies the above performance criteria. For further comments, please refer to engineering assessment under the Referrals section later in this report.

C6.0 Local Historic Heritage Code

Pursuant to C6.2.3 this code does not apply to a registered place entered on the Tasmanian Heritage Register, unless for the lopping, pruning, removal or destruction of a significant tree as defined in this code.

The site is both locally and state listed. This means that what is described under the state listing is assessed by the Heritage Council and matters outside that scope of that listing, such as signage, are assessed under the relevant code of the planning scheme.

C12.0 Flood-Prone Areas Hazard Code

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

C12.6.1 A1 Buildings and works within a flood-prone hazard area

There is no acceptable solution so that the proposal relies on the performance criteria as follows:

C12.6.1 P1.1 and P1.2 Buildings and works within a flood-prone hazard area

Buildings and works within a flood-prone hazard area must achieve and maintain a tolerable risk from a flood, having regard to:

- (a) the type, form, scale and intended duration of the development;*
- (b) whether any increase in the level of risk from flood requires any specific hazard reduction or protection measures;*
- (c) any advice from a State authority, regulated entity or a council; and*
- (d) the advice contained in a flood hazard report.*

A flood hazard report also demonstrates that the building and works:

- (a) do not cause or contribute to flood on the site, on adjacent land or public infrastructure; and*
- (b) can achieve and maintain a tolerable risk from a 1% annual exceedance probability flood event for the intended life of the use without requiring any flood protection measures.*

The proposal was assessed by the Hydraulics Engineer, who found that the proposal satisfies the above performance criteria. For further comments, please refer to engineering assessment under the Referrals section later in this report.

Glenorchy Local Provisions Schedule (GLPS)

Local Area objectives

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

Particular Purpose Zones

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

Specific Area Plans

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

GLE-Site Specific Qualifications

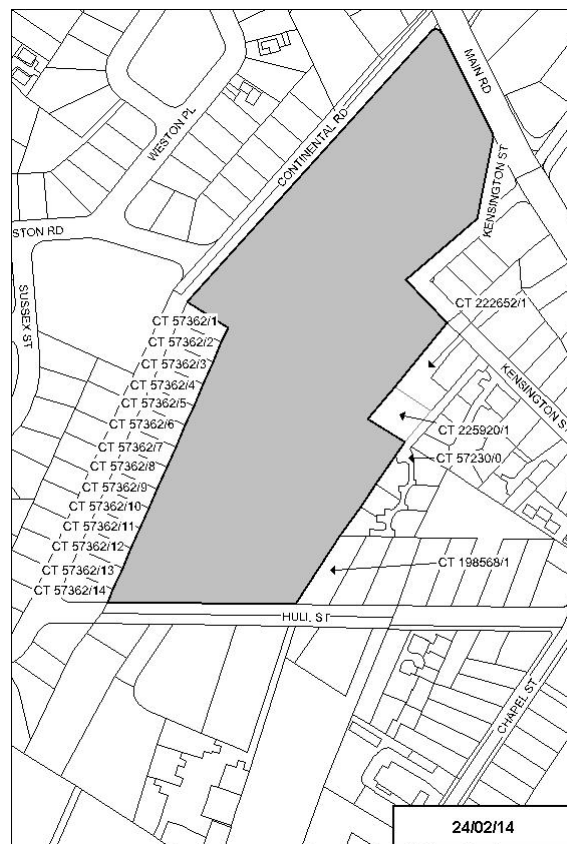
No site-specific qualifications of the Scheme apply to this proposal.

GLE-Code lists

The following code lists of the Scheme apply to this proposal:

GLE -Table C6.1 Local Heritage Places

GLE-C6.1.123	THR ID:1604	Glenorchy	452 Main Road	Glenorchy Primary School	225920/1	Description Buildings and grounds. Specific Extent All that part of the land shown shaded and within the bold line in Figure GLE-C6.1.8. Figure GLE-C6.1.8
--------------	-------------	-----------	---------------	--------------------------	----------	--



INTERNAL REFERRALS

Traffic Engineer

Introduction

The developer proposes to build a Child and Family Learning Centre (CFLC) alongside Continental Road where the current oval is located. The development consists of:

- 605m² main building and 25m² shed
- 1,078m² playground and various walkways / landscaping

- A car park for 9 vehicles including one accessible space and one minibus space

The assessment below is based on the Traffic Impact Assessment (TIA) undertaken by Pitt & Sherry date 24 May 2022. The TIA addresses in detail the performance criteria C2.5.1 P1.1 for car parking and C3.5.1 P1 for traffic generated.

The traffic and parking numbers for the CFLC is based on the New Norfolk CFLC, which has approximately the same size building and playground area. The operation and attendance of the New Norfolk centre will also be very similar to this centre. Both centres will be open from 9am to 3pm during the weekdays with occasional after hours use.

Traffic Generation

The development proposes a new driveway access onto Continental Road in which the increase in traffic will be more than 40 vehicles per day, thus the performance criteria under C3.5.1 needs to be addressed.

The TIA has estimated traffic generated from this development based on a visit to the New Norfolk site. The New Norfolk site has the following set up:

- 2 administrations personal, 1 child health nurse, 1 centre leader and when program/class run (ie mothers group) 1 staff member or visiting member will attend.
- Throughout the day, families will visit centre with a maximum of 2 families at the same time.
- Up to 15 families may attend a program/class. Approximately 50% of families walk and 50% drive during daytime.
- After hour program/class the 15 families will come by car with only one staff member on site.

Based on the above, at any one time during the day there could be 15 cars on-site. After hours (being after 3pm when the centre closures) there could be 16 cars on site. The am and pm peak traffic numbers in the TIA were based on this worst case, being 15 vehicle movements in the am peak and 16 vehicle movements in the pm peak to the site.

Traffic generated from the site will likely use the intersection of Main Road and Continental Road to access the site. Continental Road is a local street which carries approximately 1,100 vehicles per day based on a traffic survey undertaken. Main Road is a two-way arterial road that has a medium treatment along it.

The TIA undertook a traffic survey at the intersection of Continental Road and Main Road with the peak times being from 8.15am to 9.15am and 3.45pm to 4.45pm. The survey was undertaken on 9 December 2021 and a 2% increase in traffic has been added for traffic growth over the last year.

The survey showed the following current traffic volumes and the additional traffic distribution estimated in the TIA based on location of major roads, developments, and existing patterns.

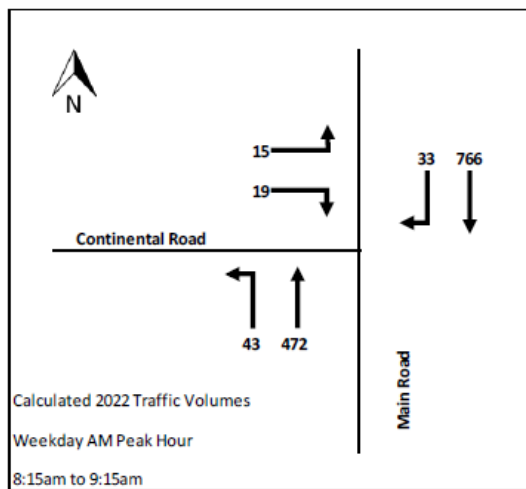


Figure 11: Main Road/ Continental Road traffic volumes - Existing weekday AM peak hour

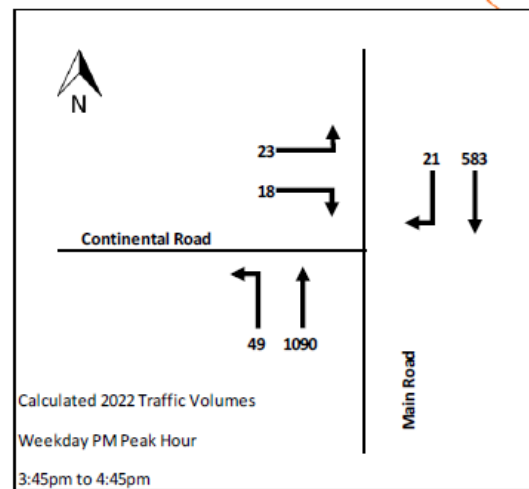


Figure 12: Main Road/ Continental Road traffic volumes - Existing weekday PM peak hour

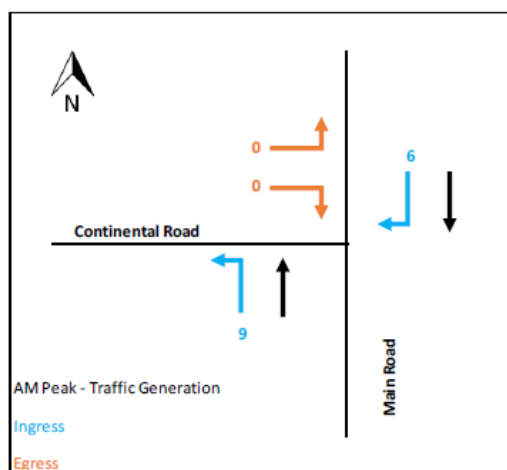


Figure 16: Expected traffic distribution AM peak hour

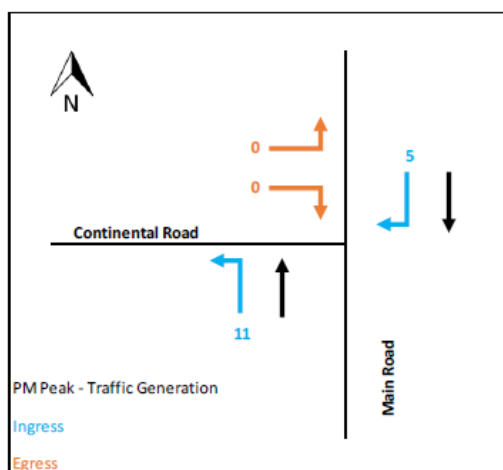


Figure 17: Expected traffic distribution PM peak hour

The TIA modelled the intersection in SIDRA which details the level of service that considers average delay and queueing. The model showed that the intersection operates at an acceptable level of service now and with the development. As such, the TIA concluded that the intersection is expected to continue to operate well with minimal queues and delays.

The TIA estimates that traffic impact in 10 years' time in which in the pm peak on Continental Road has exceeded capacity. However, the modelling shows that this would be the case without the development due to expected traffic growth on the road network.

The crash data for the last 10 years was reviewed in the TIA. There were 4 crashes at the intersection of Main Road and Continental Road, 8 crashes along the whole length of Continental Road and one at the intersection with Gladston Road. Only one of these crashes was serious injury between a light vehicle and a bicycle. The TIA concluded that overall, the crash type and volumes are typical of roads with high volumes and no obvious high-risk crash patterns were observed.

The TIA is accepted, and it can be concluded that the additional traffic should not have an unreasonable impact on the safety or efficiency of the road network. The performance criteria for C3.5.1 P1 is met.

Parking Supply

The development is proposing a car park with 9 spaces of which one is an accessible space, one min bus space and two wider spaces to allow easier access for people with prams.

Under the planning scheme 24 car parking spaces are required. This means the acceptable solution is not met and the TIA address the performance criteria under C2.5.1. The TIA notes that the planning scheme requirements under 'business and professional services' use for this development are excessive given that 15 cars during business hours are expected to be on site at any given time as detailed in the traffic section.

However, based on the New Norfolk site the TIA estimates there would still be a short fall of 6 car parking spaces for this site during business hours of 9am to 3pm.

The TIA undertook a parking survey along Continental Road from Main Road to Hull Street on Tuesday 14 December 2021 during the traffic peak hours. Most of the parking in Continental Road from Gladston Street to Hull Street was not in use but as this is further away from the development with residential houses on both sides, it is assumed most cars will park between Main Road and Gladston Street.

On Continental Road between Main Road and Gladston Street it is likely most of the cars will park on the school side of the road (south) where there is currently the oval. On the other side of the road there are residential properties. Continental Road is 7.7m wide which allows parking on both sides of the road and a through lane of traffic.

The survey data is shown below in which there were 31 car parking spaces on the school side of the road of which 10 were occupied in the morning and 5 occupied in the afternoon. The TIA concludes that there is sufficient on-street parking in Continental Road to make up for the shortfall in parking of 6 car parking spaces.

Location	Side of Road	Restrictions	Maximum Occupancy/ Supply	Percentage Occupancy
----------	--------------	--------------	---------------------------	----------------------

AM Parking Survey between 8.15am to 9.15am

Between Main Road and Galston Road	North	Unrestricted	9 / 22	41%
Between Main Road and Galston Road	South	Unrestricted	10 / 31	32%

PM Parking Survey between 3.45pm to 4.45pm

Between Main Road and Galston Road	North	Unrestricted	11 / 22	50%
Between Main Road and Galston Road	South	Unrestricted	5 / 31	16%

Based on the TIA, it is accepted that there is adequate parking for the development and the performance criteria for C2.5.1 P1.1 is met. However, it should be noted that the use of on-street parking by this development is not exclusively for their use and not guaranteed in perpetuity.

CONCLUSION

Based on the TIA, the proposed development is not expected to have any significant detrimental impacts on the surrounding road network in terms of traffic efficiency or road safety and there is sufficient on-street parking to cater for the shortfall in parking. I have no objection to the development on traffic, parking, or road safety grounds.

Development Engineer

The development application seeks an approval for a Child and Family Learning Centre (Educational and Occasional Care) at the subject site.

The developer proposes to build a Child and Family Learning Centre (CFLC) alongside Continental Road where the current oval is located. The development consists of:

- 605m² main building and 25m² shed
- 1,078m² playground and various walkways / landscaping
- A car park for 9 vehicles including one accessible space and one minibus space

C3.0 Road and Railway Assets Code

The proposed development is expected to increase vehicle movements over 20% or 40 vehicle trips per day. Therefore, C3.5.1 is triggered P1 is required to be addressed. Via a TIA, the applicant has provided a TIA which has concluded that additional traffic should not have an unreasonable impact on the safety or efficiency of the road network.

Councils Transport Engineer has assessed and accepted the contents the TIA and concluded the following, *"The TIA is accepted, and it can be concluded that the additional traffic should not have an unreasonable impact on the safety or efficiency*

of the road network". Therefore. The performance criteria for C3.5.1 P1 deemed to be met.

C2.0 Parking and Sustainable Transport Code

The development is proposing a car park with 9 spaces of which one is an accessible space, one minibus space and two wider spaces to allow easier access for people with prams.

Under table C2.1 of the planning scheme - business and professional services 24 car parking spaces are required. This means the acceptable solution is not met and a TIA is required address the performance criteria under C2.5.1.

Councils Transport Engineer has assessed the TIA and concluded the following:

"Based on the TIA, the proposed development is not expected to have any significant detrimental impacts on the surrounding road network in terms of traffic efficiency or road safety and there is sufficient on-street parking to cater for the shortfall in parking". Therefore, the performance criteria for C2.5.1 P1 is deemed to be met.

C2.5.2 Bicycle parking numbers – the required Bicycle storage numbers under table C2.1 are provided onsite - Business and Professional Services not specified in the table require 1 bicycle space per 500m² of floor area, therefore 2 spaces required and provided for.

C2.5.3 Motorcycle parking numbers – there is no requirement for motorcycle parking spaces in table C2.4 for business and professional services uses with less than 20 parking spots required

The proposed parking area complies with C2.6.1 and C2.6.2 as it is proposed to be constructed by a sealed durable pavement which is drained to stormwater and has been designed in accordance with AS2890.1 2004 and provides the required number of accessible parks (one) under the NCC and BCA.

C2.6.5 pedestrian access - The Austroads Guide to Road Design Part 6A: Paths for Walking and Cycling (Austroads Guide Part 6A) outlines a suggested minimum width for general low volume pedestrian paths of 1.2m.

As all proposed pedestrian pathways within the site are 1.5m wide or greater, they meet requirements of the Austroads Guide part 6A.

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

Flood Hazard Report prepared by Flüssig Engineers dated 3 March 2022 addresses the performance criteria under C12.5.1 Uses within a flood prone area and C12.6.1. Building and works within a flood prone area. Please Hydraulic engineering referral for full engineering assessment.

Hydraulics Engineer

Comments

The development application seeks an approval for a Child and Family Learning Centre (Educational and Occasional Care) at the subject site. The developer proposes to build a Child and Family Learning Centre (CFLC) alongside Continental Road where the current oval is located.

The proposed development site triggers Flood-Prone Areas Hazard Code.

Referenced Documents

- a. 003 ECM_3109045_v1_PLN-22-168 - Flood Hazard Report - 452 Main Road, Glenorchy
- b. 220704 SR 21E06-6 REV C Stormwater report prepared by Aldanmark Consulting Engineers
- c. 2110 DA 1.103 H FLOOR PLAN by Morrison & Breytenbach Architects
- d. 220628 CIV 21E06-6 D Civil Drawings by Aldanmark Consulting Engineers

C12.0 Flood Prone Areas Hazard Code

Flood Hazard Report prepared by Flüssig Engineers dated 3 March 2022 addresses the performance criteria under C12.5.1 Uses within a flood prone area and C12.6.1. Building and works within a flood prone area. Flood report has conducted a detailed analysis to assess the impacts on the new development from a 1% AEP flood event plus a provision for the climate change scenario.

The model also compares the flood characteristic of pre and post development scenarios to assess the impacts to surrounding properties.

Flood model results demonstrate that the proposed site is subjected to a flood depth less than 0.2m with a hazard rating of H1 (Generally safe for people, vehicle and buildings) according to Australian Rainfall and Runoff guidelines. However, there is an increase of impacts on post development, localised to the new main building that

increase the flood depth to less than 0.4m with a hazard rating of H2 (unsafe for small vehicles) and therefore requires mitigation measures.

Generally, the floor level of the new structure has to be designed no less than 300mm above flood level. However, in this occasion the design proposes a combination of retaining wall and elevation of the flood slab to minimum 15.8m AHD considering the accessibility constraints. The retaining wall is proposed to function as a levee wall and divert the flood around the structure. Model demonstrates that inclusion of the retaining structure around the building can achieve a tolerable risk to the habitable building.

The model demonstrates that there is no observable increase in flood depths or velocities on other surrounding properties and the impacts are limited to the immediate surrounding of the proposed structure.

Therefore, the proposed recommendations from flood report satisfy performance criteria P1.1 and P1.2 under C12.6.1.

Furthermore, the floor plan reference, 2110 DA 1.103 H indicates all hardstands at the entry exit points around the main building is concrete with falls outwards to the building to provide resistance to erosion during overland flow paths and therefore the accessibility will be maintained and satisfies the performance criteria P4 under C12.5.2 Critical use, hazardous use or vulnerable use.

Stormwater Management Policy

a) Stormwater Disposal Method Requirements:

Stormwater generated from new development areas will drain to existing stormwater systems by gravity via three connections. Therefore, 4 (a) is met.

b) Stormwater Quality Management Requirements:

The stormwater system will incorporate water sensitive urban design principles for the treatment and disposal of stormwater given the size of new impervious area is greater than 500m². Two proprietary Ocean Protect devices have been proposed to the stormwater system. Therefore, 5 (b) is met.

c) Stormwater Quantity Management Requirements:

Two detentions are shown in the design with a total of 7k litres. 5K rainwater tank collecting roof runoff and a 2K underground tank at the car parking area.

d) Stormwater System Design Requirements:

It has not been demonstrated that the minor stormwater system has been designed to accommodate an ARI of 20 years, therefore stormwater detention has been proposed to maintain the post-development flow rate to a pre-development stage. The stormwater detention arrangement for the site is demonstrated in the Stormwater report and Civil drawings prepared by Aldanmark Consulting Engineers. Therefore, 6(b) is met.

Conclusion

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

Heritage Officer

Council's Heritage officer has undertaken the following assessment of the proposal.

HERITAGE LISTINGS:

GLE-TableC6.1 Local Heritage Places

Reference No.	THR ID	Street Address/Extent	Property Name	Description, Specific Extent & Statement of Local Historic Heritage Significance
GLE-C6.1.123	1604	452 Main Road, Glenorchy	Glenorchy Primary School	Buildings and grounds.

DESCRIPTION OF SUBJECT PLACE

The present Glenorchy State School was built in response to dramatic growth in the population of Glenorchy during the 1920s. It opened in 1927 with children and teachers appreciating the new facilities which contrasted starkly with the original Glenorchy School located on the corner of Tolosa Street; and that was reputedly a small, dingy place with no area for play or sport. The grounds have been planted out over the years and new buildings progressively added.

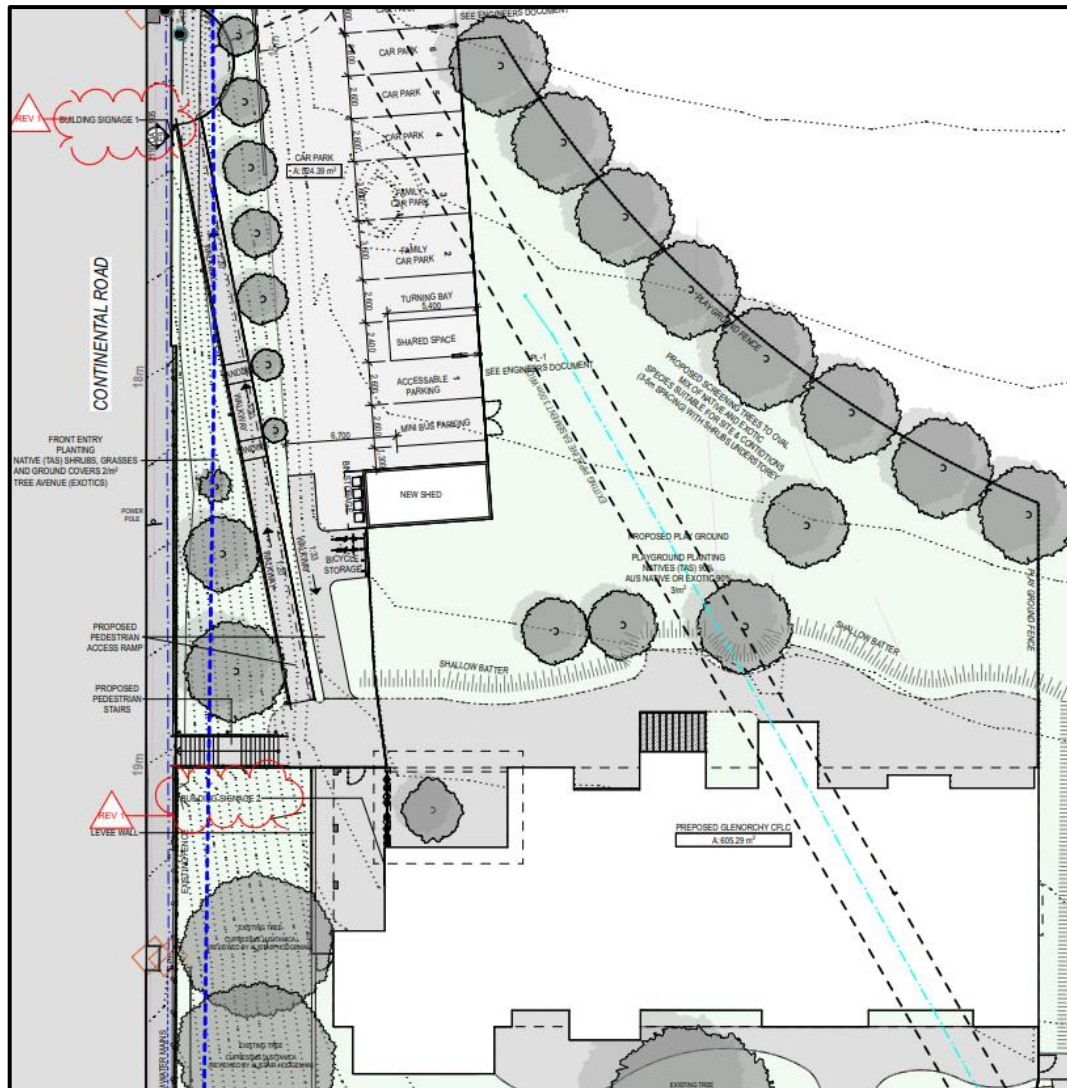
The core heritage element is the Federation Queen Anne influenced Inter-War primary school campus and associated trees situated at the northern end of the school buildings complex in Kensington Street and orientated towards Main Road. The complex contains a mix of buildings from a variety of periods reflecting the growth and development of the school over time.

SCOPE OF PROPOSAL

Because the Place is dual-listed at both State and local level, C6.0, the Local Historic Heritage Code in the *TPS – Glenorchy* does not apply.

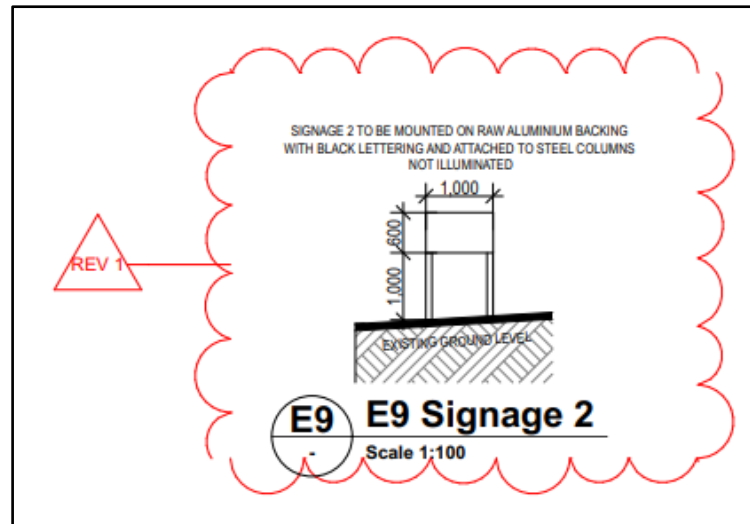
The assessable component of the project in-so-far as the heritage provisions in the TPS-Glenorchy is concerned is limited to the proposal for signage, as follows:

- A wall sign comprising of black lettering on the new Child Family and Learning Centre building cladding. Not directly illuminated.
- A 2.6m high (approx) x 1.0m wide pole sign comprising of black lettering on aluminium backing, supported on steel columns. Not illuminated.



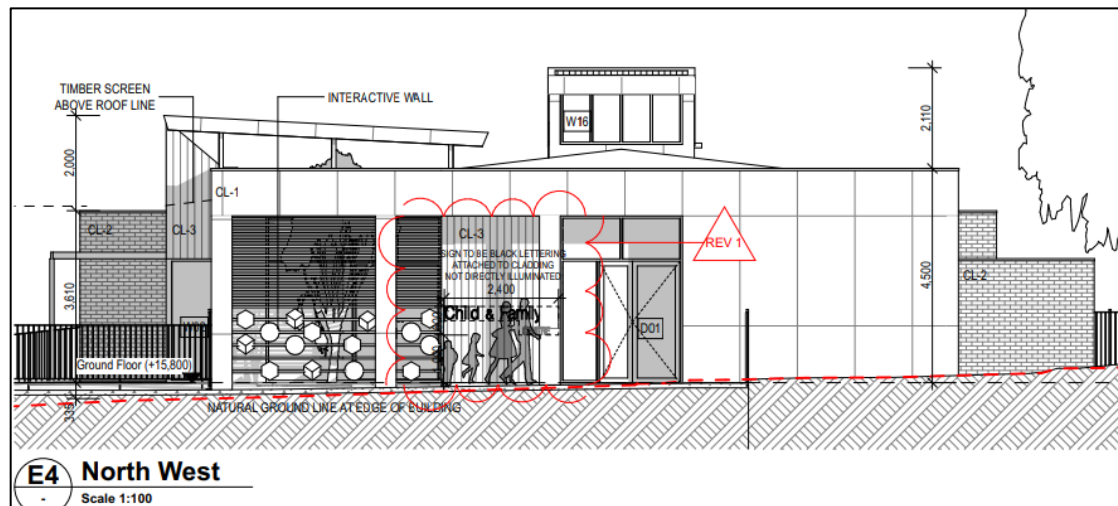
Location of signage. (Source: Applicant)

Note: There is an error in the assignment of signage in the documentation. Building signage 1 (the Continental Road pole sign) as shown on the site plan (above) equates, in reality, to Specification E9 Signage 2, extract as follows:



(Source: Applicant)

Conversely, building signage 2 as shown on the aforementioned site plan equates in reality to E4 North West, extract as follows:



(Source: Applicant)

TERMS OF REFERENCE FOR THIS ASSESSMENT

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

SUMMARY ASSESSMENT AGAINST APPLICABLE DEVELOPMENT STANDARDS FOR SIGNS ON LOCAL HERITAGE PLACES

C1.6.4 – Signs on local heritage places

Objective - That the size, design and siting of signs is compatible with and does not have an unacceptable impact on the local historic heritage significance of a local heritage place, a local heritage precinct or a local historic landscape precinct as listed in the Local Historic Heritage Code.

Acceptable Solutions	Performance Criteria
<p>A1</p> <p><i>A sign located on a site that is a local heritage place, in a local heritage precinct or local historic landscape precinct listed under the Local Historic Heritage Code, must:</i></p> <ul style="list-style-type: none"> <i>(a) be not more than 0.2m²;</i> <i>(b) not be an illuminated sign; and</i> <i>(c) there must be not more than 1 sign per site.</i> 	<p>P1</p> <p><i>A sign located on a site that is a local heritage place, in a local heritage precinct or local historic landscape precinct listed under the Local Historic Heritage Code must be located in a manner that does not have an unacceptable impact on the local heritage significance of the place or precinct, having regard to:</i></p> <ul style="list-style-type: none"> <i>(a) placement to allow the architectural details of the building to remain prominent;</i> <i>(b) the size and design not substantially diminishing the local historic heritage significance of the place or precinct;</i> <i>(c) where relevant, placement in a location on the building that would traditionally have been used as an advertising area;</i> <i>(d) any domination or obscuring of any historic signs forming an integral part of a building's architectural detailing or local historic heritage significance;</i> <i>(e) using fixtures that do not and are not likely to damage building fabric;</i>

	<p><i>(f) not projecting above a parapet or roof line if such a projection impacts on the local historic heritage significance of the building; and</i></p> <p><i>(g) not using internal illumination in a sign on a local heritage place unless it is demonstrated that such illumination will not detract from the local historic heritage significance of the place or precinct.</i></p>
Assessing Officer Comments	
The Acceptable Solution is not met. Reliance is, therefore, placed on satisfaction of Performance Criteria.	The proposed signage is restricted to the new Child and Family Learning Centre. There will be no impact nor intrusion upon heritage fabric (or viewfields to the historic sections of the Glenorchy Primary School).

GCC HERITAGE ASSESSMENT – CONCLUSION AND RECOMMENDATION:

The proposal is compatible with, and will have no unacceptable impact upon, the local heritage significance of the Glenorchy Primary School.

Conditions are recommended to correct errors in the cross-referencing between locations and specifications for signage in the Application documentation, and to ensure that the content of the proposed signage reflects the educational purpose of the new facility.

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.

Tasmanian Heritage Council

The Tasmanian Heritage Council gave notice of the heritage decision on 29 July 2022, that consents to the granting of a discretionary permit subject to conditions. The heritage decision needs to be appended to the permit so that the conditions form part of any permit.

REPRESENTATIONS

The application was advertised for the statutory 14-day period with no representation(s) being received.

CONCLUSION

The proposal is relying on the performance criteria to comply with applicable standards. The proposal is assessed as satisfying the performance criteria and complies with those standards. The proposal is assessed as complying with all other use and development standards in the Community Purpose zone, as well as the applicable standards of the relevant codes.

The application was publicly advertised for the statutory 14-day period and no representations were received.

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

Recommendation:

That a permit be granted for the proposed use and development of 452 Main Road Glenorchy subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-22-168 and Drawings submitted on 28/04/2022 (11 pages), and Drawings submitted on 10/06/2022 (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 2022/00631-GCC, dated 3/05/2022, form part of this permit.
3. The conditions of the Tasmanian Heritage Council set out in the attached Notice of Heritage Decision reference No. 7895, dated 29/07/2022, form part of this permit.

Heritage

4. The pole (ground based) sign addressing Continental Road must be constructed in the location shown on Morrison & Breytenbach Architects Site Plan (PLN-22-168 date received 10/06/22: 2110 DA 1.102-G dated 10/6/22) and to the specification “E9 Signage 2” as set out in Morrison & Breytenbach Architects Elevations plan (PLN-22-168 date received 10/06/22: 2110 DA 1.105-G dated 10/6/22), and;
5. The wall sign on the new Child Family Learning Centre building must be constructed in the location shown on Morrison & Breytenbach Architects Site Plan (PLN-22-168 date received 10/06/22: 2110 DA 1.102-G dated 10/6/22) and to the specification “E4 Northwest” as set out in Morrison & Breytenbach Architects Elevations plan (PLN-22-168 date received 10/06/22: 2110 DA 1.105-G dated 10/6/22).
6. To ensure the signage reflects the educational purpose of the Place, the pole (ground-based) sign and wall signs must be:
 - a) Sited and constructed to specification in each instance, and;
 - b) Restricted to content directly related to the identification of the facility as a Child Family Learning Centre.

Engineering

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

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

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

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

Advice: For further information please refer to the Soil and Water Management Fact Sheets published by the Department of Primary Industries, Parks, Waters

and Environment. These are available from Council or online at www.derwentestuary.org.au.

8. The loading and unloading of goods from vehicles, including building materials and equipment, must only be carried out on the land.
9. 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.
10. 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.
11. A plan of a Construction Environmental Management Plan must be submitted with the building permit application for the approval of Council's Senior Planner. The plan must outline the proposed demolition and construction practices in relation to:
 - a) identification and disposal of any potential contaminated waste and asbestos;
 - b) proposed hours of work (including volume and timing of heavy vehicles entering and leaving the site, and works undertaken on site);
 - c) proposed hours of construction;
 - d) identification of potentially noisy construction phases, such as operation of rock-breakers, explosives or pile drivers, and proposed means to minimise impact on the amenity of neighbouring buildings;
 - e) control of dust and emissions during working hours;
 - f) proposed screening of the site and vehicular access points during work;
 - g) procedures for washing down vehicles, to prevent soil and debris being carried onto the street.

12. A new 5.5m wide vehicle crossing and passing bay must be provided and constructed in accordance with standard drawing TSD-R09-v03, TSD-R11-v03 and TSD-R14-v03, between the kerb and the property boundary to the approval of Council's Development Engineer. Work within Council's Road reservation must be carried out by a Council approved contractor and all work must be reinstated to match the existing adjacent footpath/nature strip profile. An inspection must be undertaken by a Council Inspector, prior to the placement of any concrete for the vehicular accesses.

Please phone Council on 62 166 800 to arrange a suitable time for the inspection to occur with adequate prior notice. Appropriate traffic control and safety fencing must be provided to ensure public safety is not compromised during the works. The works must not take longer than 48 hours to complete and be made available for safe pedestrian use.

13. The design and construction of the parking, access and turning areas must comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004, to the satisfaction of the Council's Development Engineer. Drawings showing the driveway details must be in accordance with the Australian Standard and submitted with the Building Application for approval by Council's Development Engineer prior to the commencement of works on site. The proposed driveway and parking must comply with the following-:
 - a) Be constructed to a sealed finish and the finished gradient shall not exceed the maximum gradient of 20%
 - b) Nine (9) clearly marked car parking spaces must be provided in accordance with the approved plan received by Council and kept available for these purposes at all times;
 - c) Of the required number of car parking spaces, One (1) car parking space must be provided for the exclusive use of people with disabilities, clearly marked and kept available for these purposes at all times;
 - d) All runoff from paved and driveway areas must be discharged into Council's stormwater system.
 - e) Be clearly line-marked or physically separated to each space in accordance with the approved plan;
 - f) Lighting in accordance with clause 3.1, AS1158.3.1:2005 must be installed.
 - g) The gradient of any parking areas must not exceed 5%; and
 - h) Minimum carriageway width is to be no less than 3.0 metres.

All works required by this condition must be installed prior to the commencement of the approved use.

Hydraulic Engineering

14. A levee wall must be designed and constructed in accordance with the recommendations provided in the Flood report by Flussig Engineers with an asset life equivalent or higher to that of the proposed main building (Glenorchy Child Family Learning Centre).
15. Flood mitigation measures must be installed prior to occupancy such that all floor levels are 300mm above the resultant 1% AEP at 2100 (including climate change loading) storm event.
16. Engineering design drawings must be submitted prior to the issue of a Building Permit that include:
 - Certification from an accredited and qualified structural engineer that all proposed structures within the flood zone are designed to resist erosion, undermining and likely forces from a flood event.
17. All structures within the flood zone including buildings and flood mitigation measures (levee wall) must be inspected by a registered surveyor. Certification from a registered surveyor that the Finished Floor Levels and the top of any flood wall are at or above the relevant minimum levels shown on the Flood report by Flussig Engineers prior to issue of any occupancy/completion certificate (whichever occurs first).
18. A design must be submitted showing that the minor stormwater drainage system is designed to accommodate a 5% AEP storm event, details of which must be submitted in association with a Building Permit Application.
19. The development must incorporate the nominated Water Sensitive Urban Design (WSUD) element(s) or equivalent, as presented in the Civil Drawings, submitted by Aldanmark Consulting Engineers, and other drawings approved as part of this permit. The WSUD design must achieve the acceptable stormwater quality and quantity targets stated in Table 5(b) of the Stormwater Management Policy 2021, for the treatment of stormwater discharging from the development and be submitted and approved in association with a Building Permit Application. A supporting calculation (MUSIC Modelling or equivalent) to achieve Stormwater quality treatment targets must be submitted and approved in association with a Building Permit Application.

20. The development must incorporate the On-Site Detention (OSD) as part of the development as presented in the Stormwater report, prepared by Aldanmark Consulting Engineers. The onsite detention element and its associated components must be designed and constructed to the satisfaction of the Council's Senior Civil Engineer and completed prior to a Certificate of Occupancy being issued for any of the dwelling. A detailed design of on-site detention must be submitted prior to issue of any consent under Building Act/Commencement of works.
21. In association with a Building Permit Application, a WSUD and OSD Maintenance Scheme must be submitted for approval, to the satisfaction of Council's Senior Civil Engineer, defining the maintenance method and frequency for each WSUD or OSD element incorporated in the development. The Owner and all successors in title must ensure ongoing compliance with the approved WSUD and OSD Maintenance Scheme for the duration of the approved use. Council must first approve any changes to the approved WSUD and OSD Maintenance Scheme.
22. Upon approval of the WSUD and OSD Maintenance Scheme, and in association with a Building Permit Application, the applicant shall enter into a registered agreement with Council, at the sole expense of the applicant, pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993*, for the area which is subject to this permit. The Owner and all successors in title must advise any subsequent successor in title of the existence of the Agreement and its terms and conditions. The Part 5 agreement shall require the Owner and all successors in title to covenant and agree with Council the following:
 - a) All works outlined in the WSUD and OSD Maintenance Scheme submitted by the applicant and approved by Council, including the maintenance method and frequency for individual WSUD and OSD elements, must be implemented and managed by the Owner and all successors in title at their sole expense;
 - b) The Owner must keep the maintenance records in an accessible form (either printed or electronic) for five years from the date of the work was carried out to prove that the maintenance of each WSUD and OSD element has been conducted in accordance with the WSUD and OSD Maintenance Scheme;
 - c) Repair and replace all the WSUD and OSD elements at the sole expense of the Owner and all successors in title so that the WSUD and OSD functions (stormwater quality and quantity control) in a safe and efficient manner.

- d) Permit the Council from time to time and upon giving reasonable notice (but in the case of an emergency, at any time and without notice) to enter and inspect the WSUD and OSD elements for compliance with the requirements of this agreement;
 - e) Comply with the terms of any written notice issued by the Council in respect of the requirements of this agreement within the time stated in the notice;
23. The new stormwater connections must be constructed, and any existing abandoned connections must be sealed by owner's expense. Please note once plans are approved, a formal Application for New Stormwater Connection and inspection by Council's Senior Civil Engineer is required. The form is available from <https://www.gcc.tas.gov.au/council/documents-and-publications/forms/>
- a) A minimum of three (3) business-day notice must be provided by the applicant to Council's Roads Maintenance and Stormwater Coordinator on 03 6216 6800 to arrange for the inspection prior to completion.
 - b) Any alterations or works performed on council's stormwater system must remain uncovered until the completion of the inspection. If there is failure to provide notification in advance or to expose the stormwater manhole for the visual inspection, council may choose to expose the stormwater manhole and reinstate after the inspection at the full cost to the applicant.
 - c) If the stormwater manhole is not to the satisfaction of council, the applicant must rectify the stormwater manhole at their cost. If the applicant does not rectify the stormwater manhole, council has the right to rectify the stormwater manhole at the applicant's cost.
24. New stormwater manholes are to be constructed in accordance with the local government association of Tasmania's (LGAT) standard drawings and relevant Australian standards and guidelines.
25. An adequate overland flow path must be maintained through the site, such that flows are excluded from the dwelling and not redirected onto third-party land, for the 1% AEP as at 2100 (including climate change loading) storm event. All the new batters and hardstands must be constructed with proper erosion protection measures described in the FLOOR PLAN by Morrison & Breytenbach Architects

26. Sediment and erosion control measures sufficient to prevent sediment from leaving the site must be installed prior to the commencement of work and maintained until such time as all disturbed areas have been stabilised and/or restored or sealed to the Council's satisfaction. A soil and water management plan (SWMP) must be submitted and approved prior to the commencement of work. The SWMP must: be prepared in accordance with the Soil and Water Management on Building and Construction Sites fact sheets (Derwent Estuary Program, 2008).

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.

Other Services

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

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

Attachments/Annexures

- 1** GPA Attachment - 452 Main Road Glenorchy



APPENDIX**27.0 Community Purpose Zone**

Standard	Acceptable Solution	Proposed	Complies?
27.3 Use Standards			
27.3.1 Non-residential use	A1 Hours of operation of a use, excluding Emergency Services, Hospital Services, Natural and Cultural Values Management, Passive Recreation or Utilities, within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must be within the hours of: (a) 8.00am to 8.00pm Monday to Friday; (b) 9.00am to 6.00pm Saturday; and (c) 10.00am to 5.00pm Sunday and public holidays.	The proposed use is to be within 50m of the Inner Residential zone and is to operate from 9am to 3pm on weekdays only.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	A2 External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation and Utilities and flood lighting of Sports and Recreation facilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, or Low Density Residential Zone, must: (a) not operate between 9:00pm and 6:00am, excluding any security lighting; and (b) if for security lighting, must be baffled so that direct light does not extend into the adjoining property.	The proposed use is to be within 50m of the Inner Residential zone. However, external lighting other than security lighting is not proposed. The security lighting, particularly for the parking area is proposed to be baffled and orientated to avoid light spill and glare to the residential properties on the opposite side of the road.	Yes
	A3 Flood lighting of Sports and Recreation facilities on a site within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must not operate between 9.00pm and 6.00am.	No Flood lighting is proposed.	NA
	A4 Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services or Hospital Services, within 50m of a General Residential	The proposal does not involve commercial movements and this standard does not apply.	NA

Standard	Acceptable Solution	Proposed	Complies?
	Zone, Inner Residential Zone or Low Density Residential Zone, must be within the hours of: (a) 7.00am to 6.00pm Monday to Friday; and (b) 9.00am to 5.00pm Saturday, Sunday and public holidays.		
27.4 Development Standards for Buildings and Works			
27.4.1 Building Height	A1 Building height must be not more than 10m.	Max building height: 6.61m	Yes
27.4.2 Setback	A1 Buildings must have a setback from a frontage of: (a) not less than 5m; or (b) not more or less than the maximum and minimum setbacks of the buildings on adjoining properties, whichever is the lesser.	Frontage setback: 7.612m	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<p>A2</p> <p>Buildings must have a setback from side and rear boundaries adjoining a General Residential Zone, Inner Residential Zone or Low Density Residential Zone not less than:</p> <p>(a) 3m; or</p> <p>(b) half the wall height of the building, whichever is the greater.</p>	<p>The proposal is well setback from other property boundaries of the site and will comply with A2.</p>	<p>Yes</p>
	<p>A3</p> <p>Air extraction, pumping, refrigeration systems, compressors or generators must be separated a distance of not less than 10m from a General Residential Zone, Inner Residential Zone, or Low Density Residential Zone.</p>	<p>The boundary with the Inner Residential Zone aligns the middle of Continental Road which is approximately 7m from the road frontage boundary of the subject site. The proposal does not involve plant or equipment within the front setback</p>	<p>Yes</p>

Standard	Acceptable Solution	Proposed	Complies?
27.4.3 Fencing	No Acceptable Solution	The front fencing exemption provisions under Clause 4.6.3 of the planning scheme provides for a 1.8m high front fence without the need for discretionary consideration. The proposed open railing fence with a maximum height of 1.8m complies with this exemption and doesn't require consideration under this standard.	NA
27.4.4 Outdoor storage areas	A1 Outdoor storage areas, excluding for the display of goods for sale, must not be visible from any road or public open space adjoining the site.	The proposal will not involve any outdoor storage areas and this Standard does not apply.	NA

APPENDIX**C1.0 Signs Code**

Standard	Acceptable Solution	Proposed	Complies?
C1.4 Development Exempt from this Code			

Standard	Acceptable Solution	Proposed	Complies?
C1.4.1	A sign listed in Table C1.4 is exempt from this code, provided it complies with the relevant requirements.	The proposed wall sign and pole sign do not meet this exemption as they are not listed in Table C1.4.	NA
C1.4.2	A sign within a building or site that cannot be, or is not intended to be, seen from outside of the building or site is exempt from requiring a permit.	The signs are for business identification.	NA
C1.4.3	Changes to the graphics of a sign that was lawfully displayed on or after the effective date, including text, graphic design and colour, is exempt provided that: (a) the sign has not changed in dimension, proportion or location; and (b) if an illuminated sign, the method of illumination has not changed.	The signs are new signs and are not existing in any form.	NA
C1.6 Development Standards for Buildings and Works			
C1.6.1 Design and siting of signs	A1 A sign must:	Wall sign is listed in the Community Purpose zone. Ground base sign is listed in the Community Purpose zone.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<p>(a) be located within the applicable zone for the relevant sign type set out in Table C1.6; and</p> <p>(b) meet the sign standards for the relevant sign type set out in Table C1.6, excluding for the following sign types, for which there is no Acceptable Solution:</p> <ul style="list-style-type: none"> (i) roof sign; (ii) sky sign; and (iii) billboard. 	<p>Wall sign</p> <ul style="list-style-type: none"> • a maximum area less than 4.5m² (proposed 0.76m²) • occupies less than 25% of the area of the wall • does not extend beyond the wall or the top of the wall to which it is to attach. <p>Ground base sign</p> <ul style="list-style-type: none"> • 1 per 20m of frontage • Less than 2.4m high (1.6m) • A supportive structure that does not project above the sign face 	
	<p>A2</p> <p>A sign must be not less than 2m from the boundary of any lot in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone, Rural Living Zone or Landscape Conservation Zone.</p>	<p>The proposed signs are clear of the boundary to the Inner Residential zone.</p>	Yes
	<p>A3</p>	<p>The wall sign and ground-based sign proposed complies with (a).</p> <p>No window sign is proposed - (b).</p>	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<p>The number of signs for each business or tenancy on a road frontage of a building must be no more than:</p> <p>(a) 1 of each sign type, unless otherwise stated in Table C1.6;</p> <p>(b) 1 window sign for each window;</p> <p>(c) 3 if the street frontage is less than 20m in length; and</p> <p>(d) 6 if the street frontage is 20m or more, excluding the following sign types, for which there is no limit:</p> <p>(i) name plate; and</p> <p>(ii) temporary sign.</p>	(c) and (d) are not applicable.	
	<p>A4</p> <p>An illuminated sign must not be located within 30 metres of a residential use, except if a Statutory Sign.</p>	No illuminated signs are proposed.	NA
C1.6.2 Illuminated signs	<p>A1</p> <p>No Acceptable Solution.</p>	No illuminated signs are proposed.	NA

Standard	Acceptable Solution	Proposed	Complies?
	A2 An illuminated sign visible from public places in adjacent roads must not create the effect of flashing, animation or movement, unless it is providing direction or safety information.	No illuminated signs are proposed.	NA
C1.6.3 Third party sign	No Acceptable Solution.	No third-party signage is proposed.	NA
C1.6.4 Signs on local heritage places and in local heritage precincts and local historic landscape precincts	A1 A sign located on a site that is a local heritage place, in a local heritage precinct or local historic landscape precinct listed under the Local Historic Heritage Code, must: <ul style="list-style-type: none"> (a) be not more than 0.2m²; (b) not be an illuminated sign; and (c) there must be not more than 1 sign per site. 	The proposed signs exceed 0.2m ² and relies on the performance criteria.	No

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 	<p>The development is proposing a car park with 9 spaces of which one is an accessible space, one minibus space and two wider spaces to allow easier access for people with prams.</p> <p>Under table C2.1 of the planning scheme - business and professional services 24 car parking spaces are required. This means the acceptable solution is not met and a TIA is required address the performance criteria under C2.5.1.</p> <p>Councils Transport Engineer has assessed the TIA and concluded the following</p> <p>“Based on the TIA, the proposed development is not expected to have any significant detrimental impacts on the surrounding road network in terms of traffic efficiency or road safety and there is sufficient on-street parking to cater for the shortfall in parking. “</p> <p>Therefore, the performance criteria for C2.5.1 P1 is deemed to be met.</p>	No – performance criteria satisfied

Standard	Acceptable Solution	Proposed	Complies?
	<p>(ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:</p> $N = A + (C - B)$ <p>N = Number of on-site car parking spaces required</p> <p>A = Number of existing on site car parking spaces</p> <p>B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1</p> <p>C = Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.</p>		
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. 	2 provided	yes
C2.5.3 Motorcycle parking numbers <i>This applies to:</i>	A1	Not required	na

Standard	Acceptable Solution	Proposed	Complies?
<i>Business and Professional Services;</i> <i>Community Meeting and Entertainment;</i> <i>Custodial Facility;</i> <i>Crematoria and Cemeteries;</i> <i>Educational and Occasional Care;</i> <i>Food Services;</i> <i>General Retail and Hire;</i> <i>Hospital Services;</i> <i>Hotel Industry;</i> <i>Pleasure Boat Facility;</i> Residential if for a communal residence, multiple dwellings or hostel use; <i>Sports and Recreation; and</i> <i>Tourist Operation.</i>	<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, provided the existing number of motorcycle parking spaces is maintained.</p>		
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.	Not required	na
C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential Zone	A1	Not required	na

Standard	Acceptable Solution	Proposed	Complies?
<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>	<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, provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone.</p>		
C2.6 Development Standards for Building Works			
C2.6.1 Construction of parking areas	A1 <p>All parking, access ways, manoeuvring and circulation spaces must:</p> <p>(a) be constructed with a durable all weather pavement;</p> <p>(b) be drained to the public stormwater system, or contain stormwater on the site; and</p> <p>(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</p>	<p>Parking and driveway area proposed to be paved surface and Parking and surface water are to be drained to the stormwater connection.</p>	yes

Standard	Acceptable Solution	Proposed	Complies?
	from traffic and minimise entry of water to the pavement.		
C2.6.2 Design and layout of parking areas	<p>A1.1</p> <p>Parking, access ways, manoeuvring and circulation spaces must either:</p> <p>(a) comply with the following:</p> <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; (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 	Layout and gradients are provided in accordance with the AS2890.1	yes

Standard	Acceptable Solution	Proposed	Complies?
	<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 Number of accesses for vehicles	<p>A1</p> <p>The number of accesses provided for each frontage must:</p> <p>(a) be no more than 1; or</p> <p>(b) no more than the existing number of accesses, whichever is the greater.</p>	1 access along continental road proposed	Yes
	A2	Not required	NA

Standard	Acceptable Solution	Proposed	Complies?
	Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.		
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> .	Not required	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: (i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or (ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and	Yes The Austroads Guide to Road Design Part 6A: Paths for Walking and Cycling (Austroads Guide Part 6A) outlines a suggested minimum width for general low volume pedestrian paths of 1.2m. As all proposed pedestrian pathways within the site are 1.5m wide or greater, they meet requirements of the Austroads Guide part 6A. A1.2 – complies footpath width of 1.5m provided and a gradient not steeper than 1 in 14	yes

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>	Not required	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>		
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>	Not required	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>	Not required	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>	Not required	na
	A2	Not required	na

Standard	Acceptable Solution	Proposed	Complies?
	<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. 		
C2.7 Parking Precinct Plan			
C2.7.1 Parking Precinct Plan	<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. 	Not required	na

C3 Road and Railway Assets Code

Standard	Acceptable Solution	Proposed	Complies?
C3.5 Use Standards			

Standard	Acceptable Solution	Proposed	Complies?
<p>C3.5.1</p> <p>Traffic generation at a vehicle crossing, level crossing or new junction</p>	<p>A1.1</p> <p>For a category 1 road or a limited access road, vehicular traffic to and from the site will not require:</p> <ul style="list-style-type: none"> (a) a new junction; (b) a new vehicle crossing; or (c) a new level crossing. <p>A1.2</p> <p>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.</p> <p>A1.3</p> <p>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.</p> <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>A1.2 – new vehicle crossover proposed</p> <p>The proposed development is expected increase vehicle movements over 20% of vehicle trips per day. Therefore, C3.5.1 is triggered P1 is required to be addressed Via a TIA, the applicant has provided a TIA which has concluded that additional traffic should not have an unreasonably impact on the safety or efficiency of the road network.</p> <p>Councils Transport Engineer has assessed and accepted the contents the TIA and concluded the following, <i>“The TIA is accepted, and it can be concluded that the additional traffic should not have an unreasonably impact on the safety or efficiency of the road network”</i>.</p>	<p>No - The performance criteria for C3.5.1 P1 deemed to be met.</p>

Standard	Acceptable Solution	Proposed	Complies?
	<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;</p>	Not required	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, 2nd edition, July 2008</i> .		
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.		

**8. PLANNING SCHEME AMENDMENT REQUEST FIX UP
AMENDMENT VARIOUS PROPERTIES - PLAM-22/02**

Author: Senior Strategic Planner (Lyndal Byrne)

Qualified Person: Senior Strategic Planner (Lyndal Byrne)

Property ID: 3084521

REPORT SUMMARY

Application No.:	PLAM-22/02
Applicant:	Council officers are requesting the draft amendment
Owner:	Various
Existing Zoning:	Various
Existing Land Use:	Various
Proposal in Brief:	<p>To seek approval to:</p> <ul style="list-style-type: none">• Prepare and certify a draft planning scheme amendment• Request exemption from public exhibition, and• Exhibit the draft amendment in the event of exemption not being granted. <p>The draft amendment corrects various technical errors, anomalies and inconsistencies in the Local Provision Schedule, relating to the GLE-C6.0 Local Historic Heritage Code List and GLE-S7.0 Whitestone Point Specific Area Plan.</p>
Representations:	Advertising would occur after amendment is prepared if S40I exemption from public exhibition not granted by TPC
Recommendation:	Prepare and certify amendment, and seek s40I exemption from public exhibition

REPORT IN DETAIL

An amendment of the Glenorchy Local Provisions Schedule (LPS) is proposed to correct various technical errors, anomalies and inconsistencies in the LPS.

The corrections relate to the Local Historic Heritage Code List and the Whitestone Point Specific Area Plan (SAP). In particular, corrections are proposed to address:

GLE-C6.0 Local Historic Heritage Code List

- Minor errors and anomalies in cross referencing, addresses, descriptions and property names, and
- Minor inconsistencies between listings in the LPS and the Tasmanian Heritage Register (THR).

GLE-S7.0 Whitestone Point Specific Area Plan

- Anomalies and inconsistencies undermining the intended operation of provisions relating to residential density and protection of natural values, and

Zone boundaries at 48, 49 and 19-21 Stony Point Drive and 39 Whitestone Drive

- Correction of misaligned zone boundaries to reflect the lot boundaries.

Many of these errors, anomalies and inconsistencies were inherited from prior planning schemes, as the State-wide process of conversion to the interim scheme and the LPS transition process did not provide for revisions to the Codes and SAPs. Some errors arose during the process of preparing the LPS.

The draft amendment does not alter the existing alignment of the LPS with the requirements of the planning framework (State policies, Regional Land Use Strategy etc), but enables the relevant provisions to operate as intended. The proposed corrections will:

- Provide clarity regarding the application of the Local Historic Heritage Code to the affected properties; and
- Reduce the proportion of planning applications requiring discretionary consideration in the Whitestone Point SAP area.

These changes will provide social and economic benefits through reduced costs and timeframes for applicants and Council, and greater certainty for prospective developers. No detrimental impacts to social, economic or environmental values are anticipated as a result of the proposed changes.

The *Land Use Planning and Approvals Act 1993* (LUPAA) provides that a planning authority may, of its own motion, prepare a draft amendment of an LPS [s40D(b)]. LUPAA also allows for the Tasmanian Planning Commission (the Commission) to exempt a draft amendment of an LPS from public exhibition (s40I).

While senior staff have delegation to prepare a planning scheme amendment that relates to any error in the Scheme, it is considered appropriate for the Glenorchy Planning Authority (GPA) to consider whether to prepare this amendment, in case the Commission does not grant the exemption.

It is recommended that the GPA:

- Prepare and certify the draft amendment, and
- Seek approval from the Commission to exempt the amendment from public exhibition.

If the planning authority determines to prepare and certify the draft amendment, the next steps will be:

- Request the Commission to grant exemption from public exhibition, and
- If exemption is granted, the Commission will decide whether to approve the amendment, approve the amendment with modifications or reject the amendment, or
- If exemption is not granted, advertise the amendment for the prescribed 28 days. The GPA, and subsequently the Commission, will consider any representations received, and the Commission will then determine the amendment.

This report provides details of the draft amendment and the sites to which the amendment would apply. The strategic outcomes of the proposal are outlined, having regard to matters of local, regional and State importance. The report ends with a discussion of the degree of compliance with legislative requirements. In summary, the draft amendment is generally in accordance with the requirements of the Act, and it is recommended that it be prepared.

PROPOSED PLANNING SCHEME AMENDMENT

The amendment seeks to make corrections to the Local Historic Heritage Code List, the Whitestone Point Specific Area Plan and zone boundaries for the Local Business Zone at Whitestone Point.

GLE-C6.0 Local Historic Heritage Code List

The code list is proposed to be modified to provide correct cross-referencing, addresses, title references, descriptions and property names.

Amend incorrect addresses:

- GLE-C6.1.57 (Former Claremont Primary School, 'Ashburton') and GLE-C6.4.1 (Ashburton farm complex) – replace superseded addresses and title references resulting from changes to the Certificate of Title:
 - Delete the former address (1/36 and 2/36 Cadbury Road) and include the current address (36 Cadbury Road) in the Street address column.
 - Delete the former title references (167249/0, 167249/1, 167249/2) and include the current title reference (179351/1) in the Folio of the Register and Specific Extent column.
- GLE-C6.1.127 (Tattersalls Park) – relocate the listing in the current suburb table:
 - Delete the entry from GLE-Table C6.1 Glenorchy and include it in GLE-Table C6.1 Goodwood.
 - Delete 'Glenorchy' and include 'Goodwood' in the Town/Locality column.

Provide more accurate property names:

- GLE-C6.1.127 (Tattersalls Park) – add 'Elwick Racecourse' to the Property Name column.
- GLE-C6.1.133 (123 Barossa Road) – add 'Barossa' to the Property Name column.

Replace inaccurate descriptions:

- GLE-C6.1.73 (Collinsvale Methodist Church) – Delete 'Cottage and Dwelling' and include 'Former Church' in the Description column.
- GLE-C6.1.184 (612 Main Road, Granton) – Delete 'Building' and include 'Former cemetery' in the Description column.

Align the code list with the THR:

- GLE-C6.1.180 (Duke of York Hotel) – align the extent of the local listing with that of the State listing:

- Delete '624' and include '622' in the Street address column.
- Delete '40307/1, 40308/1' and include '142062/5' in the Folio of the Register column.
- GLE-C6.1.15 (Moorilla/MONA) – Delete '7088' and include '11971' in the THR Number column, to reflect an update to the listing in the THR.

Correct typographical error in the Folio of the Register column for 1A Bournville Crescent:

- GLE-C6.1.62 (1A Bournville Crescent) in the description of Specific Extent delete 'All of CT167845/11' and replace with 'All of CT167845/1'.

Correct typographical errors regarding the numbers of Significant Trees:

- GLE-C6.5.8 (16 Dove Court) – Delete '1' and include '2' in the No. of trees column.
- GLE-C6.5.9 (10 Dove Court) – Delete '2' and include '1' in the No. of trees column.

GLE-S7.0 Whitestone Point Specific Area Plan

The amendment proposes to correct anomalies that prevent standards from operating as intended. Specifically, redundant provisions relating to fencing requirements and soil disturbance are proposed to be removed, and the scope of the density standard is proposed to be clarified. Misaligned zone boundaries are also proposed to be corrected. The amendment proposes to:

- Include reference to multiple dwellings in the title, acceptable solution A1 and performance criterion P1 of standard GLE-S7.7.1.1 Density
- Delete all of clause (c) from acceptable solution A1 of standards GLE-S7.7.1.2 and GLE-S7.7.2.2
- Delete the words 'soil disturbance' from acceptable solution A5 of standard GLE-S7.7.1.2, and acceptable solution A3 of standard GLE-S7.7.2.2, and

Alignment of zone boundaries for Local Business Zone precinct at Whitestone Point

Replace the misaligned mapping between the Local Business Zone, General Residential Zone and Environmental Management Zone within the SAP area with corrected mapping.

The corrections are shown in **Attachment 1** – Amendment documents.

SITE AND LOCALITY

Site characteristics and adjoining land

The sites affected by the draft amendment comprise the following.

GLE-C6.0 Local Historic Heritage Code List

The relevant sites contain a range of historic heritage values.

- Duke of York Hotel – 622 Main Road, Granton
- Moorilla/MONA – 651-655 Main Road, Berriedale
- Former Claremont Primary School, ‘Ashburton’ and Ashburton farm complex – 36 Cadbury Road, Claremont
- Collinsvale Methodist Church – 18 Church Road, Collinsvale
- Tattersalls and Elwick Racecourse – 2-6 Goodwood Road, Goodwood
- Barossa – 123 Barossa Road and 564, 566 and 568 Kalang Avenue, Glenorchy
- Former cemetery – 612 Main Road, Granton
- 1A Bourneville Crescent, Claremont (the Claremont Gold Club)
- Significant trees – 10 and 16 Dove Court, Claremont.

GLE-S7.0 Whitestone Point Specific Area Plan

There are 213 residential lots in various stages of development at Whitestone Point, Austins Ferry, primarily for single dwellings:

- CT 177847/1-8 and 23-30
- CT 179338/9-11, 31-34 and 66-135
- CT 179927/12-22, 35-65 and 136-141, and
- CT 181554/142-213.

Three local business lots, currently undeveloped:

- CT 181368/1-2, and

- CT 179927/214.

The land is adjoined to the north, east and south by a strip of public open space in the Environmental Management Zone. The public open space contains remaining natural values within the SAP Recreation and Conservation Precinct and is subject to the C7.0 Natural Assets Code.

Infrastructure

There is no public infrastructure relevant to the proposal.

Environmental, social and economic values relevant to the land

Heritage: The listed properties contain heritage values that have meaning to the community, and varying degrees of environmental, social and economic value such as for tourism or development potential. The property at 36 Cadbury Road is the site of a significant, planning-approved mixed-use development.

Whitestone Point: The remaining natural values at Whitestone Point are contained within areas of public open space surrounding the residential and local business lots. The land has social and economic value as the site of substantial new suburban residential development with provision for local business to service the locality.

ASSESSMENT – STRATEGIC OUTCOMES

The amendment

The draft amendment is a technical amendment to address minor errors and anomalies in the LPS.

Heritage:

- Incorrect addresses – arising from changes to certificates of title, and incorrect information inherited from the previous planning scheme
- Inaccurate property names – inherited from the previous planning scheme
- Inaccurate descriptions – errors introduced in drafting the LPS
- Misalignment with the Tasmanian Heritage Register (THR) listing – incorrect LPS reference to historical titles (and associated address) inherited from the previous planning scheme, whereas the THR listing includes the current title and address (Figure 1); and an error in cross-referencing to the current THR number (Figure 2 and Figure 3).

Name:	Duke of York Hotel	THR ID Number:	1611
Status:	Permanently Registered	Municipality:	Glenorchy City Council
Tier:	State	Date Listed:	Not applicable
Boundary:	Whole of Title		
Location Addresses		Title References	Property Id
622 MAIN RD, , GRANTON 7030 TAS		142062/5	2553274

Figure 1 – Snapshot of THR datasheet for the Duke of York Hotel – Council database 2021

Table E13.1 Berriedale										
REF_No.	THR_No.	Heritage Listed Certificate of Title	Extent	Particular Exempt Development	Property Name	UNIT_NO	Street_No	Street	Suburb	General Description
0233	11971	61366/4, 61366/4, 61366/3, 61366/3, 164039/1, 164039/1			Moorilla/ MONA		651-655	Main Road	Berriedale	Courtyard House, Round House (both designed by Roy Grounds) and original dwelling.

Figure 2 – Combined snapshot of previous planning scheme listing showing the correct THR number for Moorilla/MONA – GIPS v34

GLE-Table C6.1 Berriedale - Local Heritage Places						
Reference Number	THR Number	Town/ Locality	Street address	Property Name	Folio of the Register	Description, Specific Extent, Statement of Local Historic Heritage Significance and Historic Heritage Values
GLE-C6.1.15	7088	Berriedale	651-655 Main Road	Moorilla/ MONA	61366/4, 61366/3, 164039/1	<i>Description</i> Courtyard House, Round House (both designed by Roy Grounds) and original dwelling (gatehouse, Italian farmhouse).

Figure 3 – Combined snapshot of current LPS listing, showing a superseded THR number for Moorilla/MONA – TPS-G

- Incorrect numbers of Significant Trees – errors introduced in drafting the LPS (Figure 4 and Figure 5).

Table E24.1 Significant Trees						
Ref No ¹¹	Street Number	Location	Suburb	Botanical Name	Common Name	No. of trees
T008	16	Dove Court	Claremont	Quercus suber	Cork oak	2
T009	10	Dove Court	Claremont	Cupressus sempervirens	Mediterranean Cypress	1

Figure 4 – Combined snapshots showing the listing under the previous planning scheme – GIPS v34

GLE-Table C6.5 Significant Trees							
Reference Number	Town/Locality	Property Name and Street Address	Folio of the Register	Description / Specific Extent	Botanical Name	Common Name	No. of trees
GLE-C6.5.8	Claremont	16 Dove Court	141428/18		Quercus suber	Cork oak	1
GLE-C6.5.9	Claremont	10 Dove Court	139322/100 & 139644/15		Cupressus sempervirens	Mediterranean Cypress	2

Figure 5 – Combined snapshots showing the current listing, with incorrect numbers of trees – TPS-G

Whitestone Point SAP:

The Whitestone Point SAP includes anomalous standards that were inherited from previous versions of the planning scheme, as the process for transitioning the SAP to the LPS did not provide for inclusion of alterations to the control.

GLE-S7.7.1.1 Density

The density standard (GLE-S7.7.1.1 Density) was originally approved under PLAM-12/03 as a subdivision standard for lot design (see Figure 7).

1.6.5 SUBDIVISION STANDARDS

(a) Lot Design

Objective: To provide for sustainable residential density.	
Acceptable Solution	Performance Criteria
AS1 Minimum lot size of 325m ² .	PC1 Lot size less than 325m ² where an application for the development of a dwelling on the lot forms part of the application.

Figure 7 – Extract from Tasmanian Planning Commission decision of 3 December 2014 showing approved standard under PLAM-12/03

However, the control was included in the provisions of the Glenorchy Interim Planning Scheme 2015 as a development standard for buildings and works (see Figure 8).

F8.4.4 Development Standards for Buildings and Works**F8.4.4.1 Density**

Objective:	
To provide for sustainable residential density.	
Acceptable Solutions	Performance Criteria
A1 Development must provide for a minimum net density of 25 dwellings per hectare.	P1 Development may provide for a minimum net density less than 25 dwellings per hectare provided it is otherwise suitable to meet any site constraints.

F8.4.4.2 Protection of Natural Values

Figure 8 – Extract from the Glenorchy Interim Planning Scheme 2015

The SAP standard substitutes the zone standard for multiple dwelling density but is written in a way that it is perceived to apply to all residential development. Single dwellings are mandated (outside of the planning scheme) by covenants on the titles, and the vast majority of development in the area is for single dwellings. In applying the standard to single dwellings, the lot sizes in the SAP area mean single dwellings are unable to meet the acceptable solution for the standard and are therefore universally discretionary applications.

It is recommended that the standard be revised, as shown below, to clarify it only applies to multiple dwelling:

GLE-S7.7.1.1 Density for multiple dwellings

This sub-clause is in substitution for General Residential Zone – Clause 8.4.1 Residential density for multiple dwellings.

Objective:	
To provide for sustainable residential density	
Acceptable Solutions	Performance Criteria
A1 <u>Multiple dwellings</u> Development must provide for a minimum net density of 25 dwellings per hectare.	P1 <u>Multiple dwellings</u> Development may provide for a minimum net density less than 25 dwellings per hectare provided it is otherwise suitable to meet any site constraints.

GLE-S7.7.1.2 & GLE-S7.7.2.2 Protection of natural values - fences

The fencing requirements currently conflict with the SPP fencing exemptions and the zone fencing standards. In particular:

- Exempt fences may not meet the SAP requirement for visibility to birds, and
- Non-exempt fences are subject to both the zone standard, which requires frontage fences to provide for passive surveillance of the road and compatibility with neighbouring fence transparency, and the SAP standard, which requires that fences higher than 1.2m must be either solid or obscure.

Revision of both GLE-S7.7.1.2 & GLE-S7.7.2.2 A1 / P1 as shown below, will remove the conflict with the exemption and the zone standard and the SAP standard requirements and enable to scheme to operate effectively.

GLE-S7.7.1.2 Protection of natural values

This sub-clause is in addition to General Residential Zone – Clause 8.4 Development Standards for Dwellings or Clause 8.5 Development Standards for Non-dwellings as appropriate.

Objective:	
To protect native flora and fauna species.	
Acceptable Solutions	Performance Criteria

<p>A1</p> <p>Buildings must be designed to:</p> <p>(a) eliminate corner windows or opposing windows that allow sight lines through buildings; <u>and</u></p> <p>(b) have external glazing with:</p> <p>(i) low reflectance glass surfaces; or</p> <p>(ii) angled glass surfaces to reflect the ground or built fabric, rather than the sky or habitat; and</p> <p>(c) where fences are higher than 1.2m, be:</p> <p>(i) constructed from solid materials; or</p> <p>(ii) constructed from materials easily perceptible to birds in flight, such as chain mesh, covered with an obscure material, such as hessian or sunshade.</p>	<p>P1</p> <p>Buildings must be designed to minimise the risk of bird strike, having regard to:</p> <p>(a) the location of any nesting habitat or foraging vegetation in the surrounding area;</p> <p>(b) the topography of the site and surrounding area;</p> <p>(c) the type of construction;</p> <p>(d) any mitigation measures to reduce the impact of glazing or sight lines through buildings or structures; and</p> <p>(e) any advice from a relevant State or Commonwealth department or agency.</p>
--	--

GLE-S7.7.2.2 Protection of natural values

This sub-clause is in addition to Local Business Zone – Clause & 14.4 Development Standards for Buildings and Works.

Objective:	
To protect native flora and fauna species.	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Buildings must be designed to:</p>	<p>P1</p>

<p>(a) eliminate corner windows or opposing windows that allow sight lines through buildings; <u>and</u></p> <p>(b) have external glazing with:</p> <p>(i) low reflectance glass surfaces; or</p> <p>(ii) angled glass surfaces to reflect the ground or built fabric, rather than the sky or habitat; and</p> <p>(c) where fences are higher than 1.2m, be:</p> <p>(i) constructed from solid materials; or</p> <p>(ii) constructed from materials easily perceptible to birds in flight, such as chain mesh, covered with an obscure material, such as hessian or sunshade.</p>	<p>Buildings must be designed to minimise the risk of bird strike, having regard to:</p> <p>(a) the location of any nesting habitat or foraging vegetation in the surrounding area;</p> <p>(b) the topography of the site and surrounding area;</p> <p>(c) the type of construction;</p> <p>(d) any mitigation measures to reduce the impact of glazing or sight lines through buildings or structures; and</p> <p>(e) any advice from a relevant State or Commonwealth department or agency.</p>
---	---

GLE-S7.7.1.2 & GLE-S7.7.2.2 Protection of natural values – soil disturbance

The soil disturbance requirements are problematic because virtually all development involves some soil disturbance, such as for footings. There is no exemption for minor soil disturbance, under either the SAP or clause 4.0 Exemptions. This means there is no way for a development proposal to meet the acceptable solution, and all development applications become discretionary, even though an acceptable solution is provided. Removal of the redundant soil disturbance provisions will eliminate anomalous impediments to development, that do not apply to other areas with the same zoning and comparable characteristics with respect to natural values.

It is recommended that the standards be revised, as shown below, to remove the conflict with the zone standard requirements, and correct a cross reference to the Local Business Zone:

GLE-S7.7.1.2 Protection of natural values

This sub-clause is in addition to General Residential Zone – Clause 8.4 Development Standards for Dwellings or Clause 8.5 Development Standards for Non-dwellings as appropriate.

Objective:	
To protect native flora and fauna species.	
Acceptable Solutions	Performance Criteria
A5 Buildings and works do not result in soil disturbance or the removal of native vegetation.	P5 Removal of vegetation or soil disturbance must: <ul style="list-style-type: none"> (a) protect natural values; (b) maintain natural streambank and streambed condition; where it exists; (c) provide for mitigation of any adverse erosion, sedimentation and runoff impacts on natural values; and (d) avoid or mitigate any adverse impacts on riparian vegetation.

GLE-S7.7.2.2 Protection of natural values

This sub-clause is in addition to Local Business Zone – Clause ~~8~~ 14.4 Development Standards for Buildings and Works.

Objective:	
To protect native flora and fauna species.	
Acceptable Solutions	Performance Criteria
A5 Buildings and works do not result in soil disturbance or the removal of native vegetation.	P5 Removal of vegetation or soil disturbance must: <ul style="list-style-type: none"> (a) protect natural values;

	<p>(b) maintain natural streambank and streambed condition; where it exists;</p> <p>(c) provide for mitigation of any adverse erosion, sedimentation and runoff impacts on natural values; and</p> <p>(d) avoid or mitigate any adverse impacts on riparian vegetation.</p>
--	---

Zone mapping

An anomaly arose in the preparing the mapping for the TPS-G, whereby an outdated source document was used to map the boundaries between the Local Business Zone, General Business Zone and Environmental Management Zone in a small section of the SAP area. This has resulted in the zone boundaries not reflecting the layout of the relevant lots, with three lots (48 and 49 Stony Point Drive, and 39 Whitestone Drive) being incorrectly dual-zoned, and one lot (179927/307, 19-21 Stony Point Drive) being incorrectly split across three zones.

It is recommended that the mapping be revised, as shown below, to correct the alignment between the zones.

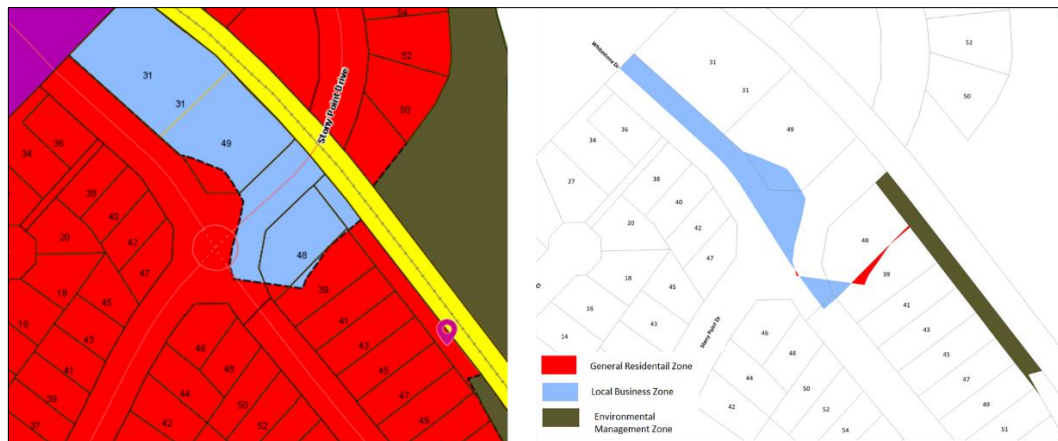


Figure 6 – Current TPS-G mapping (left) and proposed alterations (right)

Local Strategy, Policy and Impacts

The draft amendment aligns with Council's Strategic Plan and policies and will not have any adverse impacts.

Alignment with Council's Strategic Plan

Heritage: Correcting the details of properties in the Local Historic Heritage Code List will provide clarity for the owners, developers and Council staff in applying the Heritage Code to the land. This aligns with Council's Strategic Plan values of 'progress' and 'environment' (which includes respecting our heritage), and the associated 'open for business' and 'valuing our environment' goals.

Whitestone Point: By enabling provisions to operate as intended, the amendment will reduce financial and timeframe impediments to development, caused by unintended planning discretions. This aligns with the Strategic Plan 'open for business' goal, in terms of reducing barriers for developers, and 'making lives better,' by speeding up the delivery of new housing.

Alignment with Council policy

Heritage: Council's Cultural Development Policy includes protecting and enhancing local cultural heritage. Accurately identifying heritage places and significant trees within the planning scheme will provide greater clarity regarding the application of the policy.

Whitestone Point: The draft amendment does not conflict with Council's Statement of Commitment on Housing, which includes advocating for planning controls that facilitate affordable and social housing. Correct alignment of zones boundaries will remove any confusion for applicants and ensure the appropriate zone controls apply to the land. With the deletion of redundant provisions relating to soil disturbance from the SAP, Council's Stormwater Management Policy will continue to govern stormwater quality and quantity to protect natural assets.

Infrastructure impacts

None of the proposed corrections will have any impact on existing public infrastructure or future infrastructure provision.

Environmental, amenity, social and economic impacts

The proposed corrections will enable appropriate use and development of the land, by reflecting more accurate, up-to-date information regarding the qualities and characteristics of the land.

(See **Appendix 1** - Statutory Assessment - Response to criteria requirements for Local Provisions Schedule under LUPAA, for assessment of the amendment against the relevant local strategies and policies).

Regional Strategy and Policy

For the amendment to be approved, compliance with the *Southern Tasmania Regional Land Use Strategy 2010-2035* (STRLUS) must be demonstrated.

By ensuring the relevant provisions of the LPS reflect accurate and up-to-date information, the amendment promotes, and is consistent with, the following regional policies:

Biodiversity and Geodiversity

The draft amendment to Whitestone Point provisions is consistent with biodiversity policy, as:

- Relevant biodiversity values are no longer present on the affected land
- Potential downslope impacts are managed through the ongoing inclusion of the soil and water management controls that mitigate potential runoff, sedimentation and erosion via a standard permit condition, and
- Existing weed management controls will not be impacted by the proposal.

Water Resources

Removing redundant soil disturbance provisions is consistent with water resources policy as it will not impact the ongoing inclusion of a standard permit condition requiring soil and water management measures.

Cultural Values

Correcting the Local Historical Heritage Code List is consistent with cultural values policy as it will provide clarity regarding the application of the C6.0 Local Historic Heritage Code to the affected sites.

(See **Appendix 1** - Statutory Assessment - Response to criteria requirements for Local Provisions Schedule under LUPAA, for assessment of the amendment against the relevant STRLUS policies).

State Strategy and Policy

To be approved, the draft amendment must be consistent with State policy.

The proposed deletion of redundant soil disturbance provisions does not conflict with the objectives of the *State Policy on Water Quality Management 1997*, or the water quality requirements of the National Environmental Protection Measures, as the matters considered under the SAP soil disturbance provisions will continue to be governed through Council's *Stormwater Management Policy* and standard permit conditions requiring soil and water management consistent with the State Policy.

Several of the sites are within the coastal zone and therefore the draft amendment must be consistent with the *State Coastal Policy 1996*. The corrections proposed in the draft amendment do not have any impact on coastal values.

(See **Appendix 1** - Statutory Assessment - Response to criteria requirements for Local Provisions Schedule under LUPAA, for assessment of the draft amendment against the relevant State policies)

Statutory considerations

Section 32 of LUPAA provides for the contents of an LPS, and Section 34 outlines the LPS Criteria. The amendment utilises the tools available under the State Planning Provisions and is consistent with the requirements under *LP1.0 Local Provisions Schedule Requirements* of the SPPs. The amendment is also consistent with the LPS Criteria.

(see **Appendix 1** - Statutory Assessment - Response to criteria requirements for Local Provisions Schedule under LUPAA, for assessment of the draft amendment against the requirements of these provisions).

Exemption from notice

Section 40I of LUPAA provides that the TPC may dispense with requirements for public exhibition of the draft amendment, and subsequent consideration of any representations that may be received. The draft amendment meets the requirements for exemption from public exhibition, as it:

- Correct errors, removes anomalous provisions, and addresses inconsistencies between the LPS and the THR, and
- Would not prejudice the public interest, as the proposed corrections either:
 - Minor technical changes that will not result in any material impact to public interests;
 - Improve clarity and effective operation of the planning scheme which is in the public interest; or
 - Reflect previously exhibited and approved changes that were required to transition into the Glenorchy LPS under the Minister's declaration.

(see **Attachment 2** Response to requirements for exemption from public exhibition under LUPAA, for assessment of the draft amendment against these requirements).

CONCLUSION

The draft amendment seeks to correct errors, inconsistencies and anomalies in the Local Historic Heritage Code List and the Whitestone Point SAP and correct the zone boundaries for the local business area at Whitestone Point. These corrections will provide clarity regarding the application of the Local Historic Heritage Code and

eliminate redundant provisions relating to natural values that are no longer present in the Living Precinct and Neighbourhood Business Precinct of the Whitestone Point SAP area.

For the above reasons, it is assessed that the proposed amendment is consistent with the objectives and other requirements of the *Land Use Planning and Approvals Act 1993*, the Tasmanian Planning Scheme – Glenorchy, the Southern Tasmanian Regional Land Use Strategy and the State Policies.

Recommendation:

- a) That pursuant to Section 40D (b) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority agrees to prepare draft Amendment PLAM-22/02 to the Glenorchy Local Provisions Schedule to correct errors, inconsistencies and anomalies in the GLE-6.0S Local Historic Heritage Code List, GLE-S7.0 Whitestone Point Specific Area Plan and zone boundaries at 48, 49 and 19-21 Stony Point Drive and 39 Whitestone Drive as shown in **Attachment 1**.
- b) That having decided to prepare the draft amendment, the Planning Authority certifies pursuant to Section 40F of the *Land Use Planning and Approvals Act 1993* that the draft amendment meets the *Land Use Planning and Approvals Act 1993*.
- c) That, in accordance with Section 40I of the *Land Use Planning and Approvals Act 1993*, the Planning Authority seeks from the Tasmanian Planning Commission exemption from public exhibition for the draft amendment.
- d) That, in the event of exemption from public exhibition not being granted, the Planning Authority places the draft amendment on public exhibition for a period of 28 days, in accordance with Section 40G of the *Land Use Planning and Approvals Act 1993*.

Attachments/Annexures

1 Amendment Documents



Appendix 1 -Statutory Assessment – Response to criteria requirements for Local Provisions Schedule under LUPAA

Section 40F(1) of LUPAA requires that a planning authority that has prepared a draft amendment of an LPS must consider whether it is satisfied that the draft amendment meets the LPS criteria. The LPS criteria are specified at section 34(2) of LUPAA and are considered as follows.

34 (2) The LPS criteria to be met by a relevant planning instrument are that the instrument:

(a) contains all the provisions that the SPPs specify must be contained in an LPS

Corrections to the zoning maps to remove split zones and correctly reflect cadastral boundaries is in-line with the Commission's *Practice Note 7: Draft LPS mapping: technical advice*. The application of the zoning is in accordance with the Section 8A Guidelines, Guideline No. 1 – Local Provisions Schedule (LPS): zone and code application for the application of:

- The General Residential Zone: GRZ 1
- The Local Business Zone: LBZ 1
- The Environmental Management Zone: EMZ 1 (e).

The application of the Clause LP1.0 of the SPPs specifies the requirements for an LPS.

Clause LP1.5 sets out the requirements for specific area plans. The proposed changes to the Whitestone Point SAP are in accordance with the requirements of LP1.5.

Clause LP1.8 sets out the requirements for code lists. The proposed changes to the Local Historic Heritage Places Code List are in accordance with the requirements of LP1.8.

The proposed corrections do not delete any mandatory provisions or introduce any extraneous provisions.

(b) is in accordance with section 32

This section identifies the technical aspects of an LPS such as inclusion of zone maps and overlays, and what additional local provisions can be included if permitted to do so under the SPPs, to add to or override the SPPs.

Section 32(4) identifies that an LPS may only include these additional local provisions where:

- (a) a use or development to which the provision relates is of significant social, economic or environmental benefit to the State, a region or a municipal area; or*
- (b) the area of land has particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.*

The draft amendment relates to existing entries in the heritage code list, existing SAP provisions and existing SAP figures allowed under this section and does not include any additional local provision.

(c) furthers the objectives set out in Schedule 1 of LUPAA

Assessment of the amendment against the Schedule 1 objectives is provided in the following table.

Part 1 Objectives	Comment
<i>(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity</i>	Removal of redundant provisions from the Whitestone Point SAP will facilitate development, while natural and physical resources, ecological processes and genetic diversity continue to be protected through the natural values standards in the SAP, as well as Environmental Management zoning of land in the SAP area

	<p>containing remaining natural values, the Natural Assets Code, Council's <i>Stormwater Management Policy</i>, and the <i>State Policy on Water Quality Management 1997</i>.</p> <p>Corrections to the heritage code list will not have any impact on sustainable development or the environment.</p> <p>Correction to the zone boundaries will ensure the appropriate use and development controls are applied to the land.</p>
<i>(b) to provide for the fair, orderly and sustainable use and development of air, land and water</i>	<p>Correct zoning application and correct addressing and title references in the heritage code list will provide clarity regarding the application of the relevant provisions. Greater certainty will support the fair and orderly use and development of the land and will not impact on sustainability.</p> <p>Deletion of redundant provisions from the Whitestone Point SAP will remove anomalous impediments to the fair and orderly development of the land.</p>
<i>(c) to encourage public involvement in resource management and planning</i>	<p>The public interest is not prejudiced by the proposed exemption from public exhibition, as the proposed corrections either will not result in any material impact to public interests or have previously been publicly exhibited and approved.</p>
<i>(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c)</i>	<p>Correcting mapping, addresses, title references and outdated figures, and deleting redundant provisions, eliminates unnecessary discretions, provides clarity for applicants and reduces uncertainty in assessing planning permit applications, reducing costs to Council and applicants.</p>
<i>(e) to promote the sharing of responsibility for resource management and planning between the</i>	<p>The draft amendment will not impact on the sharing of responsibility for resource management and planning.</p>

<i>different spheres of Government, the community and industry in the State</i>	
Part 2 Objectives	
<i>(a) to require sound strategic planning and co-ordinated action by State and local government</i>	The draft amendment will provide a sound basis for strategic planning and action, by reflecting more accurate, up-to-date information regarding the qualities and characteristics of the land.
<i>(b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land</i>	The draft amendment improves the accuracy of the planning controls in the LPS and is consistent with the requirements for an LPS, as set out in LP1.0 local Provisions Schedule Requirements of the SPPs.
<i>(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land</i>	Correcting zone mapping, addresses and title references, clarifying the scope of standards and deleting redundant provisions provides a sound basis for consideration of social and economic effects. The draft amendment will not facilitate any detrimental impact on the environment.
<i>(d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation</i>	The removal of redundant provisions relating to soil disturbance in the Whitestone Point SAP recognises the role of Council's <i>Stormwater Management Policy</i> and the <i>State Policy on Water Quality Management 1997</i> in governing those

<i>and resource management policies at State, regional and municipal levels</i>	<p>considerations. Correct heritage code list addressing and title references facilitates clarity in the relationship between the LPS and the THR.</p> <p>Correction to the zone boundaries will ensure the appropriate use and development controls are applied to the land.</p>
<i>(e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals</i>	<p>The amendment eliminates duplication of soil and water management considerations between the Whitestone Point SAP and the <i>Urban Drainage Act 2013</i> via Council's Stormwater Management Policy. Otherwise, the draft amendment relies on the provisions of the State Planning Provisions with respect to consolidation and coordination of use and development approvals.</p>
<i>(f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation</i>	<p>This objective is not relevant to the draft amendment.</p>
<i>(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value</i>	<p>Providing correct addressing and title information supports accurate identification of local heritage places and facilitates their protection through the correct application of the C6.0 Local Historic Heritage Code.</p> <p>Correction to the zone boundaries will ensure the appropriate use and development controls are applied to the land.</p>

<i>(h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community</i>	This objective is not relevant to the draft amendment.
<i>(i) to provide a planning framework which fully considers land capability.</i>	The draft amendment reflects more accurate and up-to-date information about the qualities and characteristics of the land, enabling full consideration of the land's capability through the planning assessment process.

(d) is consistent with each State policy;

Assessment of the amendment against the various policies is provided in the following table.

State Policy	Comment
<i>State Policy on the Protection of Agricultural Land 2000.</i>	The proposal does not involve the conversion of prime agricultural land to non-agricultural use.
<i>State Policy on Water Quality Management 1997</i> Specific outcomes to achieve water quality objectives are specified under the following divisions: <ul style="list-style-type: none"> ▪ Division 1 – Measure to achieve policy objectives ▪ Division 2 – Management of point sources of pollution 	Removal of the redundant soil disturbance provisions from the Whitestone Point SAP would not result in an increase in sediment transport to surface waters, as there would be no impact to the soil and water management plan requirements included as a standard permit condition, consistent with the <i>State Policy on Water Quality Management 1997</i> .

<ul style="list-style-type: none"> ▪ Division 3- Management of diffuse sources of pollution. 	
<p><i>State Coastal Policy 1996.</i></p> <p>The key principles are:</p> <ul style="list-style-type: none"> ▪ Natural and Cultural values of the coast shall be protected ▪ The coast shall be used and developed in a sustainable manner ▪ Integrated management and protection of the coastal zone is a shared responsibility. 	<p>Several of the impacted properties are within the coastal zone.</p> <p>Correcting zoning mapping, addresses, title references and removing redundant fencing provisions, will not impact on the natural values or sustainable management of coastal areas.</p> <p>Removal of redundant soil disturbance provisions will not impact on coastal natural values or sustainable management, as the soil and water management controls relied upon to mitigate potential runoff, sedimentation and erosion will continue to be included as a standard permit condition. The affected land does not contain coastal values, and is not within a future coastal refugia area, coastal inundation hazard or investigation area, or coastal erosion hazard or investigation area.</p>
<p><i>National Environmental Protection Measures</i></p> <p>National Environment Protection Measures (NEPM) are automatically adopted as State Policies under section 12A of the <i>State Policies and Projects Act 1993</i> and are administered by the Environment Protection Authority.</p> <p>The NEPMs relate to:</p> <ul style="list-style-type: none"> ▪ ambient air quality 	<p>As detailed above, potential impacts to water quality will continue to be considered with respect to the <i>State Policy on Water Quality Management 1997</i>. The remaining NEPMs are not relevant to the draft amendment.</p> <p>There are no known contamination issues associated with the land.</p>

<ul style="list-style-type: none"> ▪ ambient marine, estuarine and fresh water quality ▪ the protection of amenity in relation to noise (but only if differences in markets for goods and services) ▪ general guidelines for the assessment of site contamination ▪ environmental impacts associated with hazardous wastes ▪ the re-use and recycling of used materials. <p>Principle 5 of the NEPMs states that planning authorities <i>'that consent to developments, or changes in land use, should ensure a site that is being considered for development or a change in land use, and that the authorities ought reasonably know if it has a history of use that is indicative of potential contamination, is suitable for its intended use.'</i></p>	
---	--

(da) satisfies the relevant criteria in relation to the TPPs;

The Tasmanian Planning Policies have not been implemented.

(e) as far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates;

The regional land use strategy for Glenorchy is the *Southern Tasmanian Regional Land Use Policy 2010-2035* (STRLUS). Comments against the relevant STRLUS strategies are provided below.

Relevant STRLUS strategies	Comment
<p>Biodiversity and Geodiversity</p> <p>BNV 1.2 Recognise and protect biodiversity values deemed significant at the local level and ensure that planning schemes: a. specify the spatial area in which biodiversity values are to be recognised and protected (either by textural description or map overlay); and b. implement an ‘avoid, minimise, mitigate’ hierarchy or actions with respect to development that may impact on recognised and protected biodiversity values.</p> <p>BNV 1.5: Ensure vegetation clearance and/or soil disturbance is undertaken in accordance with construction management plans that minimise further loss of values and encourages rehabilitation of native vegetation.</p> <p>BNV 5: Prevent the spread of declared weeds under the Weed Management Act 1999 and assist in their removal.</p>	<p>The removal of redundant bird-safe fencing provisions is consistent with BNV 1.2 as the relevant biodiversity values are no longer extant on the affected land.</p> <p>The removal of redundant soil disturbance provisions is consistent with BNV 1.5 as it will not impact the ongoing inclusion of the soil and water management controls that are relied upon to mitigate potential runoff, sedimentation and erosion via a standard permit condition.</p> <p>The draft amendment is consistent with BNV 5 as it does not propose to alter or delete the existing SAP standard requiring buildings and works to be in accordance with an approved weed management plan.</p>

<p>Water Resources</p> <p>WR 1: Protect and manage the ecological health, environmental values and water quality of surface and groundwater, including waterways, wetlands and estuaries.</p>	<p>The removal of redundant soil disturbance provisions is consistent with these regional policies as it will not impact the ongoing inclusion of the soil and water management controls that are relied upon to mitigate potential runoff, sedimentation and erosion via a standard permit condition.</p>
<p>Cultural Values</p> <p>CV 2: Recognise, retain and protect historic cultural heritage values within the region for their character, culture, sense of place, contribution to our understanding history and contribution to the region's competitive advantage.</p> <p>CV 5: Recognise and manage archaeological values throughout the region to preserve their key values.</p>	<p>The correction to addressing and title references in the Local Historical Heritage Code List is consistent with these regional policies as it will enable the clear and accurate identification of the land to which the provisions of the C6.0 Local Historic Heritage Code apply.</p>

(f) has regard to the strategic plan, prepared under section 66 of the Local Government Act 1993, that applies in relation to the land to which the relevant planning instrument relates

The municipal strategic plan is the *Glenorchy Strategic Plan 2016-2025*. The amendment is consistent with the following objectives.

- 2.1 Stimulate a prosperous economy:
 - Removing redundant provisions and correcting zoning mapping within the Whitestone Point SAP and area covered by the SAP will reduce unnecessary discretions in planning applications, with associated reductions in the time and cost of obtaining a planning permit.
- 3.1 Create a liveable and desirable City.

Correctly identifying local heritage places through accurate addressing and title references supports valuing and enhancing the city's built environment, by ensuring heritage on the site is appropriately protected through the application of the C6.0 Local Historic Heritage Code to the land.

▪ 4.1 Govern in the best interests of our community:

The draft amendment creates certainty in the application of the zones, the SAP controls and the heritage code, which promotes an efficient assessment process.

(g) as far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates;

LPSs are in effect in the Brighton and Clarence municipalities, which do not adjoin the Glenorchy municipality as they are separated by the River Derwent. There are no LPSs in effect in the remaining neighbouring municipalities.

(h) has regard to the safety requirements set out in the standards prescribed under the Gas Safety Act 2019.

Portion of the MONA site and Elwick Racecourse (Tattersalls Park) partly intersects with the declared gas pipeline planning corridor. However, correction of property names and correct references to THR listings will not alter access to or the use of the corridor.

Attachment 2 - Response to requirements for exemption from public exhibition under LUPAA

Section 40I of LUPAA provides that the Commission may dispense with the requirements of sections 40G, 40H, 40J, 40K, 40L, 40M, 40N, 40O and 40P in relation to a certified draft amendment of an LPS that has been provided to the Commission under section 40F(4). The following table provides a response to section 40I requirements for exemption from public exhibition under LUPAA.

Considerations under LUPAA section 40I	Comment
<p>40I(2)(b) provides for an exemption from public exhibition if the draft amendment is for one or more of the following purposes:</p> <ul style="list-style-type: none"> (i) correcting an error in the LPS; (ii) removing an anomaly in the LPS; (iii) clarifying or simplifying the LPS; (iv) removing an inconsistency in the LPS; (v) removing an inconsistency between the LPS and this Act or any other Act; (vi) removing an inconsistency between the LPS and the SPPs; (vii) making a change to a procedure set out in the LPS; 	<p>The draft amendment will:</p> <ul style="list-style-type: none"> • Correct errors in zoning maps, the Local Historic Heritage Code List, and the Whitestone Point SAP in accordance with section 40I(b)(i) • Remove anomalous provisions from the Whitestone Point SAP, in accordance with section 40I(b)(ii), and • Address inconsistencies between the Local Historic Heritage Code List and the THR, in accordance with section 40I(b)(v). <p>The proposed changes in the draft amendment are for a purpose outlined in LUPAA.</p>

<p>(viii) bringing the LPS into conformity with a State Policy;</p> <p>(ix) changing the structure of the provisions of the LPS, or the form of a provision of an LPS, so that the LPS conforms with the structure to which an LPS is required by the SPPs to conform or the form that a provision of an LPS is to take;</p> <p>(x) a prescribed purpose</p>	
<p>and if it is satisfied that the public interest will not be prejudiced by the draft amendment not being publicly exhibited.</p>	<p>The public interest would not be prejudiced by the proposed exemption from public exhibition, for the following reasons:</p> <ul style="list-style-type: none"> • Several of the amendments are corrections to errors and it is in the public interest to have a clear and certain planning scheme. • Several of the changes have previously been through a planning scheme amendment process involving public consultation, which was subsequently 'undone' through incorrect transition of the Glenorchy LPS provisions and it is in the public interest to rectify these errors.