

**GLENORCHY PLANNING AUTHORITY MEETING
AGENDA
MONDAY, 6 NOVEMBER 2023**



GLENORCHY CITY COUNCIL

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

Chairperson: Alderman Bec Thomas

Hour: 3.30 p.m.

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 - MULTIPLE DWELLINGS (ONE EXISTING TWO PROPOSED) - 36 GROVE ROAD GLENORCHY	4

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 2 October 2023 be confirmed.

**5. PROPOSED USE AND DEVELOPMENT - MULTIPLE DWELLINGS
(ONE EXISTING TWO PROPOSED) - 36 GROVE ROAD
GLENORCHY**

Author: Planning Officer (Peter Coney)
 Qualified Person: Planning Officer (Peter Coney)
 Property ID: 3237939

REPORT SUMMARY

Application No.:	PLN-23-083
Applicant:	MinD Architects
Owner:	Tant Holdings Pty Ltd
Zone:	Inner Residential Zone
Use Class	Residential
Application Status:	Discretionary
Discretions:	<p>9.4.2 (P3) Setbacks and building envelope for all dwellings</p> <p>9.4.3 (P2) Site coverage and private open space for all dwellings</p> <p>9.4.6 (P1) Privacy for all dwellings</p> <p>C2.5.1 (P1) Car parking numbers</p> <p>C9.5.2 (P1) Sensitive use within an attenuation area</p> <p>C12.6.1 (P1.1) and (P1.2) Buildings and works with a flood-prone hazard area</p> <p>(The proposal meets all other applicable standards as demonstrated in the attached appendices)</p>

Level 2 Activity?	No
42 Days Expires:	07 November 2023
Existing Land Use:	Single Dwelling (Residential)
Representations:	3 (plus one non-statutory)
Recommendation:	Refusal

REPORT IN DETAIL

PROPOSAL

The proposal is for the change of use and development of multiple dwellings at 36 Grove Road, Glenorchy. For the existing (Unit 1) there is only modest change relating to windows, the removal of private open space to the rear, and assigning parking in designated areas.

For the dwellings to be constructed (Units 2 and 3), these dwellings are broadly similar in design; being two storey with three bedrooms, open plan kitchen living dining and balconies facing to the north west. The dwellings also have garages, and outdoor parking areas equating to two spaces each.

In their siting, the proposed dwellings have a uniform setback of approximately 2.1m from the south east boundary and 3.1m from the north west.

The proposal includes an extensive shared driveway, though there is no provision for visitor parking on-site.

SITE and LOCALITY

The proposal is sited on the southern side of Grove Road, Glenorchy. The site is relatively flat, with a dwelling including garage. The site has an area of approximately 696m², with a frontage width of 15m and a depth of 45m.

The locality is predominately single dwellings within proximity to Humphreys Rivulet to the west, McKay Timber to the south west and the KGV sports precinct to the east. The locality is flood prone.



Figure 1. Graphic indicating the site (blue) within the immediate locality.

ZONE

The subject site is in the Inner Residential Zone, is in proximity to the Environmental Management Zone, which has been applied to Humphrey’s Rivulet, and the Light Industrial zone to the west.



Figure 2. Application of zones within the locality.

BACKGROUND

The applicant has agreed to an extension of time sought under ss57(6A) of the Act.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

There are no inconsistencies with any State Policies.

In making a decision which seeks to further the objectives of the Act, it is considered that to refuse an application on the grounds that it fails to comply with a code for which the purpose is ensuring that development is appropriately located and managed so that people and property are not exposed to an unacceptable level of risk, is a decision which furthers the objectives of the Act, specifically regarding (b) which seeks the orderly development of land.

TASMANIAN PLANNING SCHEME - GLENORCHY 2021

State Planning Provisions (SPP)

Administration

Exemptions (Tables 4.1 – 4.6)

The proposed timber fencing within the frontage is exempt under clause 4.0.1, as listed in the Table at 4.6.3. This exemption is owed to the fence design including transparency of 30%, and not exceeding 1.8m.

The proposal also includes the replacement of boundary fencing not within 4.5m of the frontage, which is exempt pursuant to clause 4.0.1, as being listed within the Table at 4.6.4.

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

No General Provision or Specific Area Plan applies. The Parking and Sustainable Transport Code, Road and Railway Assets Code, Attenuation Code and Flood-Prone Areas Hazard Code's apply, though there are no specific instances where a standard of any of these codes overrides a zone standard.

Use Class Description (Table 6.2):

Residential: means 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):

Applicable standard: 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.

Tolerable risk: means the lowest level of likely risk from the relevant hazard:

- (a) to secure the benefits of a use or development in a relevant hazard area; and
- (b) which can be managed through:
 - (i) routine regulatory measures; or
 - (ii) by specific hazard management measures for the intended life of each use or development.

General Provisions

No General Provisions of the Scheme apply to this proposal.

Zones

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

Zone Purpose Statements

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.*

Comment

The proposal is for a residential use which is categorised as permitted pursuant to the applicable use table. As such, the proposed use is considered to fulfill the purpose of the zone.

Use Table

Residential use for multiple dwellings has a 'permitted' status in the zone. However, the proposal is discretionary owing to reliance on performance criteria for compliance with applicable use and development standards, as outlined in this report.

Use Standards

There are no applicable use standards for a residential use in the Inner Residential Zone.

Development Standards for dwellings

The proposal complies with each of the Acceptable Solutions of the applicable development standards of the zone, except where reliant on the Performance Criteria for 9.4.2 (P3) Setbacks and building envelope for all dwellings, 9.4.3 (P1) and (P2) Site coverage and private open space for all dwellings, and 9.4.6 (P3) Privacy for all dwellings.

9.4.2 (P3) Setbacks and building envelope for all dwellings

The proposed dwellings, by virtue of their building height (6950mm), and setback of approximately (1800mm) each protrude from the building envelope as defined by the south east boundary, approximately 1.6m (see figure 3).

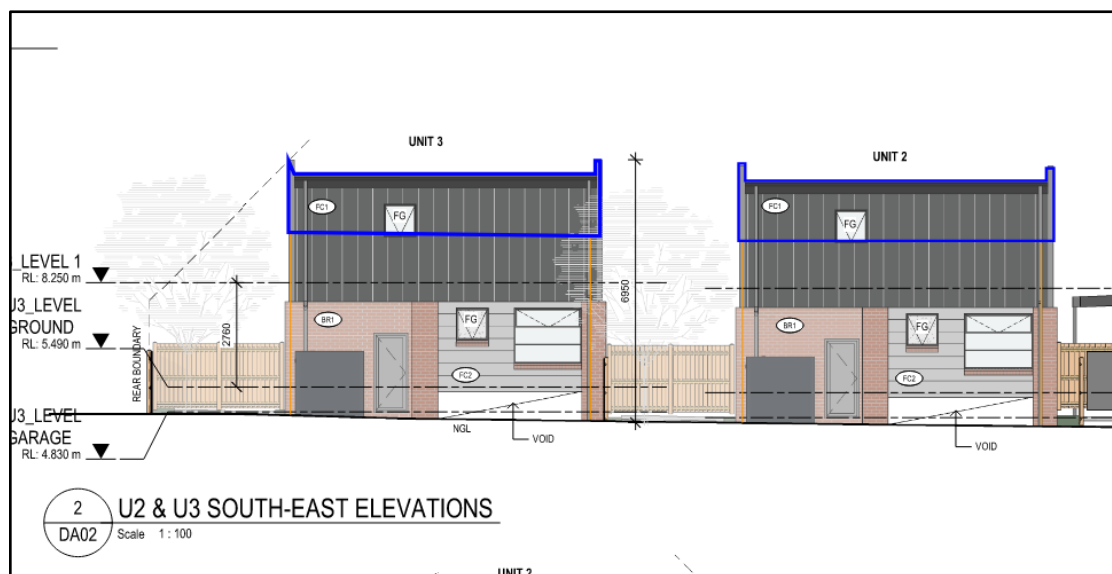


Figure 3. Markup showing the area which protrudes from the envelope as viewable at the south east elevation.

The proposal is therefore reliant on the performance criteria which require:

The siting and scale of a dwelling must:

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

Comment

The uniform protrusion of 1.6m for each dwelling is excessive, noting at least 400mm in height is a result of the raised finished floor level in being a response to the flood prone nature of the site. This height presents to the adjoining property at 34 Grove Road most significantly, though will be somewhat present viewing the site heading west on Grove Road. The protrusion is considered immoderate with respect to the visual impact it creates for the adjoining property. The design lacks attributes which

commonly indicate an attempt to minimise visual impact, save for the colour, which has the potential to recede and will assist in the presence as viewable from Grove Road.

For context, and with regard for the objective of the standard which seeks to provide consistency in the apparent scale, bulk, massing and proportions of dwellings; the immediate locality is predominately single storey dwellings with hipped roofs. As such, the degree of the protrusion by reference to both what may otherwise be permitted, and in the context of the site is considered inconsistent with the prevailing built form.

Of note, there is on the adjoining property at 34 Grove Road an extensive screening plant which would in effect make the proposed Unit 2 invisible from within that site. Unit 3 however will be increasingly visible from the private open space of that property (see Figure 4 and Images 1 and 2). The screening vegetation therefore has significant bearing on the assessment of Unit 2, which could otherwise rely on this screening in reducing the apparent visual bulk, though Unit 3 is effectively unscreened.

With respect to those other points within the criteria to have regard for, it is considered that though the overshadowing is not excessive, and though the dwelling separation is not inconsistent, still the proposal by virtue of its height, causes an unreasonable loss of amenity to the adjoining property to the south due to the apparentness of the scale of the proposal, its bulkiness and general inconsistency. The proposal does not comply with the performance criteria.



Figure 4. Screening vegetation at 34 Grove Road in excess of 5m in height (green) with the building line of the proposed shown as yellow.



Image 1. View of site from adjoining property, note high screening vegetation with reference to Figure 4.



Image 2. View of site from adjoining property, approximate location of Unit 3.

9.4.3 (P2) Site coverage and private open space for all dwellings

The proposal is reliant on balconies for the provision of private open space. These balconies each have an area of 22m², and so are reliant on the performance criteria which require:

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

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

(b) orientated to take advantage of sunlight.

Comment

The proposed balconies each are directly accessible from the upper floor living areas, accessible through sliding doors which provide seamless linkage between the balcony and the living areas, thus conducive to serving as an extension of the living area and for children's play. The orientation also has good solar access.

The proposal is considered to comply with this standard.

9.4.6 (P3) Privacy for all dwellings

The proposal includes a shared driveway within 2.5m of a bedroom window. The proposal is therefore reliant on the performance criteria which require:

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

Comment

The proposal includes a section of vegetation between the lower bedroom window and the edge of the shared driveway. This vegetative screening coupled with the 2.4m distance is considered sufficient to comply with the performance criteria in that the proposal has been designed to minimise unreasonable impacts.

The proposal is considered to comply with this standard.

Codes

The following codes of the Scheme apply to this proposal:

C2.0 Parking and Sustainable Transport Code

The proposal has been referred to Council's Development Engineer who has made comment in the Internal referrals section of this report. The proposal is considered to comply with each of the applicable standards of this code, and specifically with the performance criteria for C2.5.1 Car parking numbers.

C3.0 Road and Railway Assets Code

The proposal has been referred to Council's Development Engineer who has made comment in the Internal referrals section of this report.

The proposal is considered to comply with each of the applicable standards of this code as outlined in the appendices to this report.

C9.0 Attenuation Code

The proposal is for additional sensitive uses within the attenuation area of a number of attenuating activities. As such the proposal is reliant on the performance criteria for C9.5.2 which requires:

Sensitive use within an attenuation area, must not interfere with or constrain an existing activity listed in Tables C9.1 or C9.2, having regard to:

(a) the nature of the activity with potential to cause emissions including:

(i) operational characteristics of the activity;

(ii) scale and intensity of the activity; and

(iii) degree of hazard or pollution that may be emitted from the activity;

(b) the nature of the sensitive use;

(c) the extent of encroachment by the sensitive use into the attenuation area;

(d) measures in the design, layout and construction of the development for the sensitive use to eliminate, mitigate or manage effects of emissions of the activity;

(e) any advice from the Director, Environment Protection Authority; and

(f) any advice from the Director of Mines.

Comment

The proposal has been referred to Council's Environmental Health Officer who has made comment in the Internal referrals section of this report. The proposal is considered to comply with each of the applicable standards of this code, specifically with the performance criteria for C9.5.2 Sensitive use within an attenuation area listed above.

C12.0 Flood-Prone Areas Hazard Code

The Flood-Prone Areas Hazard Code is an applicable code owing to the development being proposed within a flood-prone hazard area, as shown on the applicable overlay map.

The code is not applicable to the use, in that the code specifically only applies to a use where it is a change of use which converts a non-habitable building to a habitable building; or a new habitable room within an existing building. This does not however preclude having regard to the way in which the development is to be used when determining tolerable risk as part of the development standards.

The proposal has been referred to Council's Development Engineer and Hydraulic Engineer who have made detailed comments in the Internal referrals section of this report, finding that the proposal does not comply with C12.6.1 Buildings and works within a flood-prone hazard area.

In addition to the detailed assessment provided by Council's Engineers, the following is of relevance in assessing the proposal against the performance criteria of C12.6.1 which require:

P1.1 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.*

P1.2 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.*

Comment

The proposal fails to demonstrate that the buildings and works will achieve and maintain a tolerable risk. This is especially important where tolerable risk is defined as

The lowest level of likely risk from the relevant hazard:

- (a) to secure the benefits of a use or development in a relevant hazard area; and
- (b) which can be managed through:
 - (i) routine regulatory measures; or
 - (ii) by specific hazard management measures for the intended life of each use or development.

Insofar as the proposed buildings and works are dwellings, and there is in that respect a benefit to be had by providing dwellings in a residential zone; to secure the benefits of the use and the development, the specific hazard management measures proposed are taken to be a reliance on the robust development of the dwellings, and mention of a flood-management plan being available onsite. Anecdotally, it is understood the management of the risk is for occupants to stay inside the dwelling in the event of a flood.

Specifically:

For (a), the development is intended to be designed to withstand the physical pressures of being within a flood prone area,

For (b) the application supposes the level of risk of causing for more people to occupy a flood prone hazard area has been addressed, as able to rely on the behaviour of occupants to not attempt to leave the dwelling during a flood event,

For (c) Council officers whom referral has been made have determined the proposal does not comply,

For (d), a flood hazard report has been provided which finds the location is hazardous and unsafe for vehicles, children and the elderly. The report recommends structural considerations be applied to the dwelling development. It is considered such recommendations only address part of the risk of dwelling development in areas which are unsafe for vehicles, children and the elderly, and so do not fully amount to finding the development presents a tolerable risk, which to paraphrase the definition, is the lowest level of likely risk from a relevant hazard to secure the benefit of a use or development, which can be managed through regulatory or specific hazard management measures.

It is considered the proposal does not comply with P1.1.

For P1.2 the flood hazard report has identified that the hazard level for the site post development will be one which is unsafe for children and the elderly and there is no change in the level of risk from the pre -development scenario.

It is considered that despite there being no increase in risk, the risk as it stands is not tolerable when it is assessed as unsafe for vehicles, children and the elderly.

When regard is had for the objective of the standard, being that buildings and works can maintain and achieve a tolerable risk; irrespective of the robustness of dwelling design, to bring about a situation where additional persons are caused to live in a place which will in the event of flooding be unsafe for vehicles, children and the elderly, and where the management of that situation is a presumption on the behaviour of individuals adhering to a flood management plan (not provided), it is not considered the risk is tolerable, and so the proposal fails to comply.

Glenorchy Local Provisions Schedule (GLPS)

Local Area objectives

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

Particular Purpose Zones

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

Specific Area Plans

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

GLE-Site Specific Qualifications

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

GLE-Code lists

No code lists of the Scheme apply to this proposal.

INTERNAL REFERRALS

Development Engineer

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

Comments

The development application seeks an approval to construct two additional residential dwellings which will make the total of three dwellings including the existing. The works proposed include widening to the crossover and works associated with driveway and parking areas for six car spaces.

The scope of the works can be seen in the figure below.

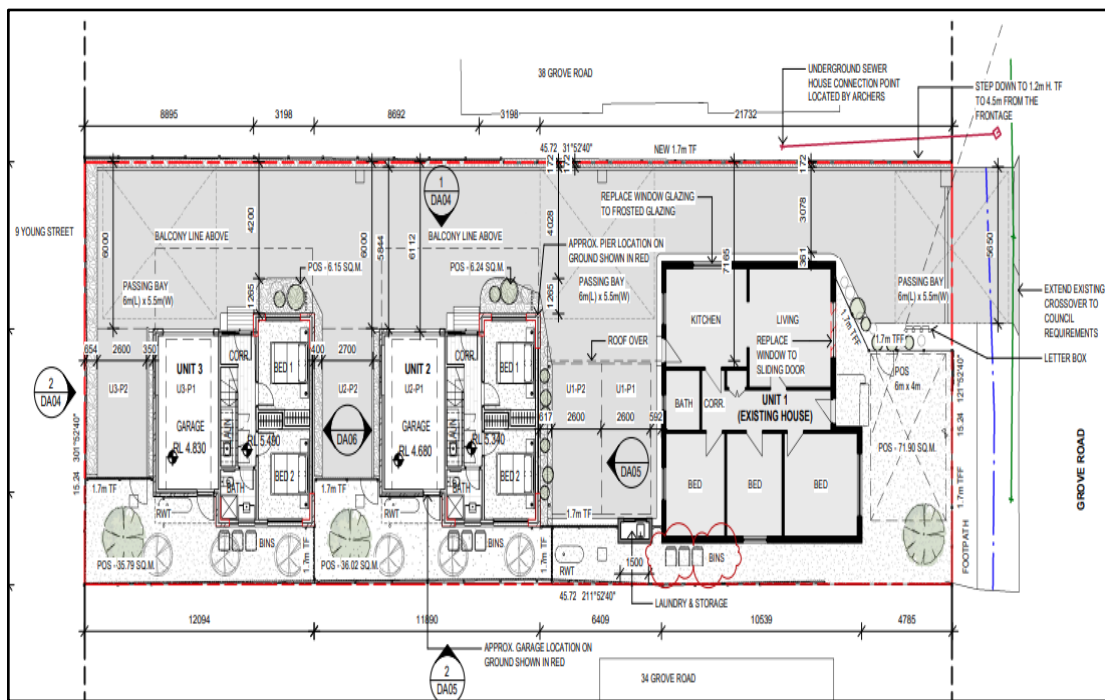


Figure 5. Extract of site plan.

The site is subjected to a flood hazard overlay with the flood extent seen in the following figure. A Flood Hazard Report was therefore required. The report was provided by flussig. Due to the high hazard level identified in the flood report, Council Engineers have sought further information and analysis through the applicant; hence, the revision 2 of the Flood Hazard Report by flussig dated 13 July 2023 was submitted as part of the application.



Figure 6. Graphic showing flood modelling in the vicinity.

Based on the report findings that within the site velocities up to 1.9 m/s and depths up to 0.55 m are observed, the existing hazard therefore falls on the hazard level H3 which is unsafe for vehicles, children and elderly. The application and the report have been referred to Council's Senior Civil Engineer to review, provide comments and recommend the conditions as required.

Upon reviewing the information and from the discussion with the applicant and engineers, it is our view that the application fails to demonstrate compliance with the applicable standards of the Flood-Prone Hazard Area code. It is therefore recommended that the application shall be **refused**. Further discussion and consideration are provided in the following section under section C12.0.

C2.0 Parking and Sustainable Transport Code

The development complies with the Code and it is considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected. The site can be accessed off the existing vehicular access, which is proposed to be widened, onto the driveway and parking areas. The requirement under clause C2.5.1 and table C2.1, A1 requires the total of two (2) car parking spaces for each residential dwelling and 1 visitor parking space. The applicant proposes to provide car parking area for two car spaces per dwelling (or the total of 6 spaces for the entire

site) and not providing any visitor space. Therefore, a shortfall of 1 parking space. It is however considered acceptable under the Performance Criteria due to the small shortfall and availability of the on-street parking for 1 space overflow. There are no requirements for accessible car parking, motorcycle parking spaces, bicycle parking spaces and commercial vehicle applicable to the development application. The layout of parking area complies with the standard AS2890.1:2004. The turning swept path is provided demonstrate compliance to the standard. The surface treatment of the driveway is proposed to be concrete. Surface runoff is proposed to be captured and directed to the Council's stormwater system.

C3.0 Road and Railway Assets Code

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

C12.0 Flood-Prone Areas Hazard Code

Situated in close proximity to the Humphreys Rivulet and within the areas with flood issues, the site is subject to the flood hazard overlay. Based on the Flood Hazard Report, within the site velocities up to 1.9 m/s and depths up to 0.55 m are observed. This places the hazard rating as adopted by Australian Flood Resilience and Design Handbook as a maximum at **H3 – Unsafe for people and vehicles**. The proposed development is unable to be designed to demonstrate that the proposed development can achieve and maintain a tolerable risk during a 1%; and hence the proposal does not comply with the performance criteria and application is recommended for refusal. For detailed assessment for Flood-Prone Areas Hazard Code, please refer to the Council's Senior Civil Engineer referral.

Considerations against the performance criteria:

P1.1 Building and works within a flood-prone hazard area must achieve and maintain a tolerable risk from a flood:

The Flood Hazard Report stated and recommended that all structures undertake a hydrostatic/hydrodynamic analysis to ensure suitability; and that the structures proposed, intended to be a habitable class 1a dwelling with an asset life of 50 years. Additionally, the finished floor level of unit 2 is proposed at 5.28m AHD and unit 3 at 5.46m AHD which are over the 300mm above flood level.

Albeit the above recommendation, the level of risk that is unsafe for people is still present and is not consider tolerable.

P1.2 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 report states that there is no change in the level of risk within the lot or surrounding properties. It concludes that there is a slight decrease of 0.04 meters in depth from pre to post-development, alongside an increase in velocity of 0.08 meters per second. The report also highlights that in the event of a major flood event, the safe area for occupants would be inside the dwellings. The report does not extend the study to the impact of public infrastructure network. However, in my opinion, it's important to consider the potential for flood impacts on the public access road and existing infrastructure. Additionally, it's worth noting that during flooding, people's behaviour can become unpredictable, potentially leading to risks to their safety.

Based on this, it is concluded that the increase in flood velocity is to be evidence that P1.2(a) of C12.6 of the Flood-Prone Areas Hazard Code has not been satisfied; and the proposal cannot demonstrate achieving and maintaining a tolerable risk from a 1% annual exceedance probability flood event for the intended life of the development without requiring any flood protection measures.

Senior Civil Engineer

The proposal has been referred to Council's Senior Civil Engineer who has provided the following comments:

This is a 3-unit development proposed within an Inner Residential Zone consisting of two new dwellings and one existing dwelling. Land is exposed to 1% AEP flood and therefore the Flood-Prone Areas Hazard Code applies.

Multiple additional information requests were made with the developer's engineer to clarify the aspects within the Flood Hazard Report and recommendation is made to refuse the application on the basis that a tolerable risk cannot be achieved and maintained during a 1% AEP flood event.

Referenced Documents

- Flood Hazard Report by Flussig Engineers, reference FE_2305636 Grove Road Glenorchy Flood Hazard Report_ REV02 (*Referred to as Flussig Report in this document*)
- Architectural plans by MinD Architects, reference 2241 and drawing numbers DA02, DA04, DA04, DA05 and DA06 Revision 3 (*Referred to as Architectural Plans in this document*)

C12.0 Flood-Prone Areas Hazard Code

A Flood Hazard Report has been prepared by Flussig Engineers to address the performance criteria under C12.6.1. Building and works within a flood prone area. Objectives of the above criteria is to demonstrate whether the proposed development can achieve and maintain a tolerable risk during a 1% AEP flood event with provision for the climate change scenario.

Flood hazard is generally categorised based on the combined impacts of expected flood depths and velocities as per Australian Disaster and Resilient Handbook. Below graphical representation indicates the 6 categories from H1 to H6, with H1 being the safe lowest risk category in the scale for flood depths less than 0.3m and flow velocities under 2.0 m/sec.

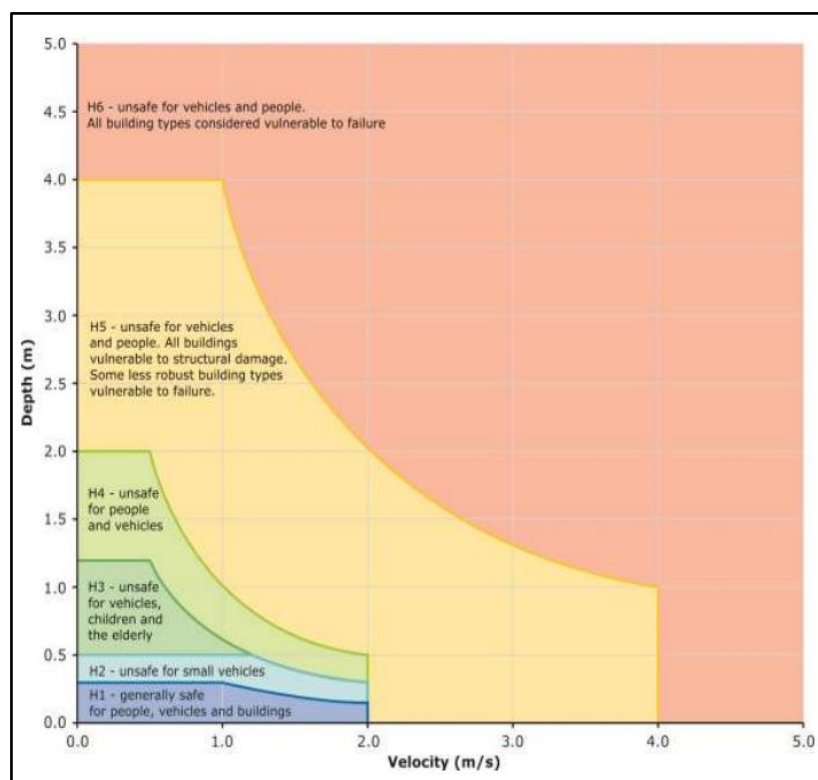


Figure 7. General flood hazard vulnerability curves.

Flussig report has identified moderate flood hazard extents within the lot and neighbouring lots in the model. In particular, the backyards are already exposed to up to **'H3 hazard category, which is unsafe for vehicles, children, and elderly'**. Upon post development, the report indicates that most of the lot is still at **'H2-unsafe for small vehicles'**, while few sections including the shared driveway – the only access and egress point to the new units still remains at H3 category.

Flussig report has concluded that due to the moderate risk present, the location is deemed **unsafe for vehicles, children and elderly**. Furthermore, the report states that the access to the new units at the back will be hindered during a 1% AEP flood event and, thus the occupants will be restricted to inside of the buildings.

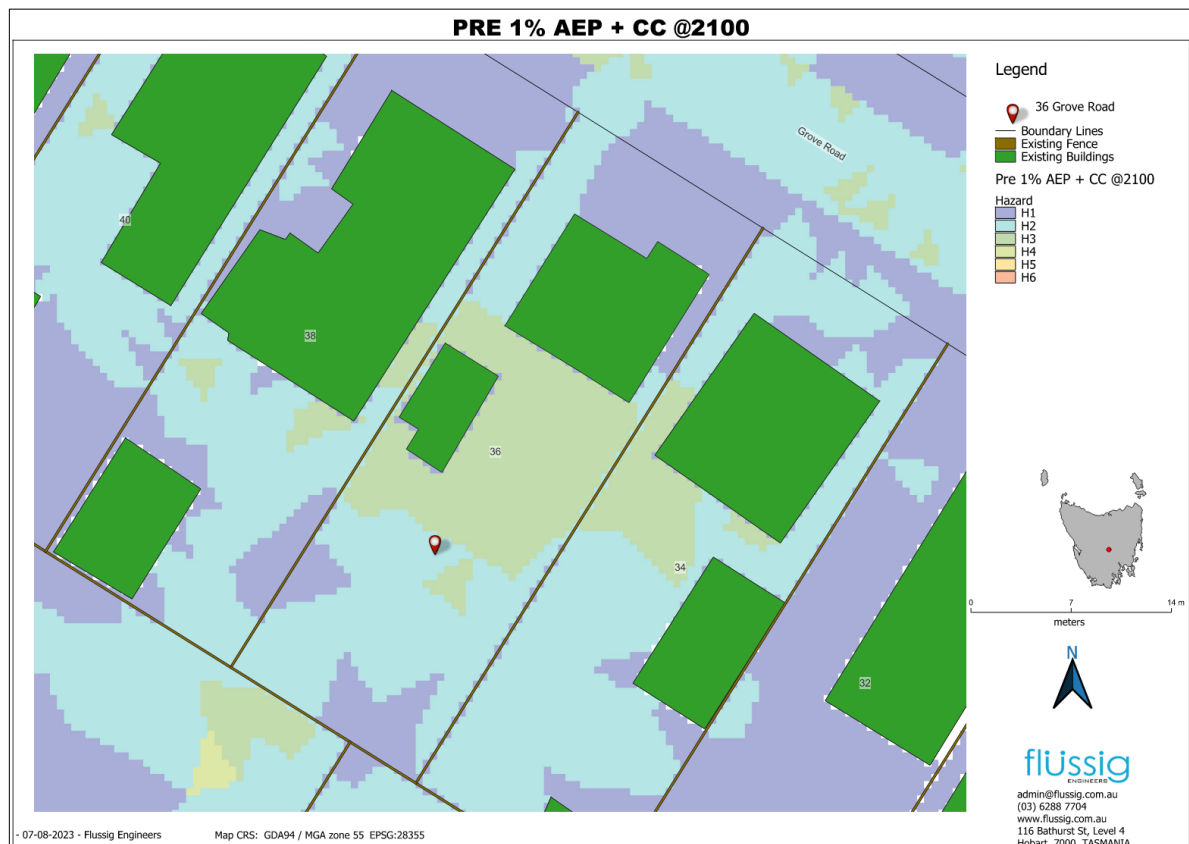


Figure 8. Pre development Flood Hazard Extents.

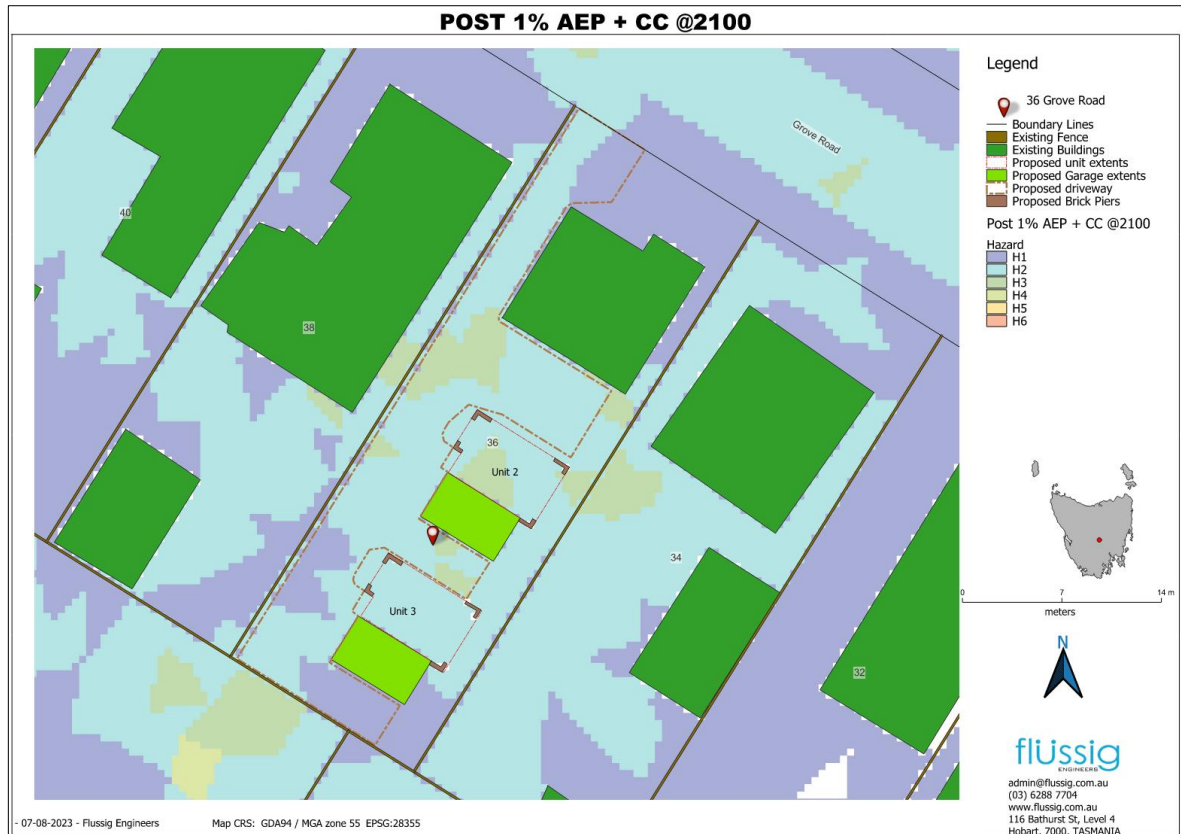


Figure 9. Post Development Flood Hazard Extents.

Due to the restricted size of the lot, it is apparent that it is nearly impossible to achieve a safer and tolerable flood risk to the proposed development. Accordingly, Flussig report has provided a range of recommendations including:

- Raising the finished floor levels higher than the 1% AEP flood in accordance with building regulations;
- Introduction of bollards/chains or metal gates to prevent vehicle displacement;
- Structural components design to incorporate flood and debris loads; and
- Adoption and maintenance of flood management plans to future owners and occupants.

The Flussig report suggests that a considerable amount of external property damage is likely to occur during a 1% AEP flood event, and that new dwellings will be inaccessible during such an event, which will impact the flood emergency management plans established by the Council and State authorities.

It is also noted that the Flussig report's flood study is limited in some areas and does not consider all the factors that could affect flood risk within the lot, such as internal solid fences, dwelling 1 carport, etc. As a result, the report's findings may underestimate the actual flood hazard. However, the report still provides a good general overview of the future development's flood risk.

The proposed development cannot therefore safely achieve and maintain a tolerable flood risk in its current configuration because it would expose critical areas to unsafe flood risks, making it difficult to evacuate occupants during a flood, and cause additional property damage.

Conclusion

Based on the findings from Flussig's Report, it is evident that the proposed development will not be able to achieve and maintain a tolerable risk for the intended life during a 1% AEP flood event.

Given the flood extent and the flash flood behaviour within this area, it is recommended that future development needs to be carefully planned and may need to be considered at a larger scale beyond individual lot level, to provide more design flexibility to achieve a tolerable flood risk.

The developer has not sufficiently addressed the concerns under C12.0 Flood-Prone Areas Hazard Code and therefore this development is recommended for refusal from a hydraulic engineering perspective.

Environmental Health Officer

The application is for the redevelopment of 36 Grove Road, Glenorchy with the proposal including multiple dwellings (one existing and two proposed). The property falls within the Inner Residential Zone.

The proposed sensitive use also falls within the attenuation distance to the McKay Timber Yard located at 22 Wrights Avenue, Glenorchy which is zoned Light Industrial. McKay Timber Yard is classified as a Level 2 Activity under the provisions of the *Environmental Management Pollution Control Act 1994* (Schedule 2) and is regulated by an Environment Protection Notice issued by the Environment Protection Authority Tasmania (No. 7102/3). Given the proximity of the proposal to the timber yard C9.0 Attenuation Code of the Tasmanian Planning Scheme is triggered. The attenuation distance specified within Table C9.1 of the Tasmanian Planning Scheme is 500m.

Thus, further information was requested of the applicant to satisfy *C9.0 Attenuation Code, C9.5.2 Sensitive use within an attenuation area*. The applicant was requested to provide *"information which addresses the relevant criteria of clause C9.5.2 Sensitive use within an attenuation area, specifically with regard for how the proposed sensitive use will not interfere with or constrain the existing wood processing works at 22 Wrights Avenue, Glenorchy (McKays Timber). The further information provided must at a minimum include an indication as to measures in the design, layout and construction of the development which are intended to eliminate, mitigate or manage effects of noise and particulate emissions generated from the activity"*.

The applicant engaged the services of “Assured Environmental” to provide an Air Monitoring Report and “Enfield, Acoustic Noise Vibration” to provide an Acoustic Report to satisfy the request for further information.

“Assured Environmental” was appointed by the applicant to undertake an air impact assessment of the wood processing site to determine the suitability of the subject site to minimise the risk of adverse reverse amenity impacts on the on-going operation of the wood processing site. The report summarises the methodology, results and conclusions of the air monitoring study.

With consideration to the data that was obtained, Assured Environmental concluded that McKay Timbers would not have an adverse effect on the overall amenity of the subject site with regard to air quality.

“Enfield, Acoustic Noise Vibration”, were engaged to undertake an acoustic assessment and provide a report with findings to Council in relation to the application and the uses at McKay Timber.

Within the findings of the consultant’s report it was concluded that the proposal satisfies the Performance Criteria of C9.5.2 and that no further noise mitigation works are required for this application. Within the conclusions there is a suggestion that as a cautious approach, that “any form of laminated glazing installed to west facing windows of bedrooms and living areas would be adequate”.

With the information provided by “Assured Environmental” and “Enfield, Acoustic Noise Vibration”, the proposal is therefore deemed to satisfy *C9.0 Attenuation Code*, of the Tasmanian Planning Scheme

Advice to applicant:

As per the acoustic assessment provided by Enfield, Acoustic Noise Vibration, the applicant may wish to install laminated glazing to west facing windows of bedrooms and living areas.

Waste Management Officer

The proposal has been referred to Council’s Waste Services Coordinator who has provided the following comments:

Waste Services to the proposed multiple dwelling development at 36 Grove Road would be Council’s standard bin service collected fortnightly.

- The Council’s Standard Bin Service includes one (1) x 140L wheelie bin for Waste, one (1) x 240L wheelie bin for recycling and (1) x 240L FOGO bin to each of the dwelling, collected fortnightly.

- Please note that this property would have a total of nine (9) bins, three (3) Waste bins and three (3) Recycling Bins, and three (3) FOGO bins.
- This property has an existing kerbside/nature strip area for placement of the bins therefore the dwellings would have their own individual bins.
- All bins are to be placed on the kerbside for collection. Please note there will be three (3) waste and three (3) recycling bins out for collection one week and three (3) FOGO bins out for collection the following week.
- Council's Waste Management Contractor collection trucks will not enter the property to collect and empty the wheelie bins.

EXTERNAL REFERRALS

TasWater

The proposal has been referred to TasWater which has provided a submission to be appended to any permit issued.

REPRESENTATIONS

The application was advertised for the statutory 14-day period with 3 representations being received. Of the three, two were in support of the application, and one opposed. An additional representation was received outside of the statutory period, though the matters raised within that representation have still been considered.

For matters in opposition to the proposal the following points have been raised:

- Privacy of upper floor balconies relative to adjoining properties.

Comment

The upper floor balconies are setback 3m from the western boundary. As such the balconies comply with the acceptable solution for Clause 9.4.6 Privacy for all dwellings.

- Removal of side fencing and common wall.

Comment

An approval (if issued) would not vitiate the rights of an adjoining property owner with respect to boundary fencing.

- Landscaping will result in large trees.

Comment

The suitability of species is not specifically a matter for consideration, except to note that the windows adjacent to the shared driveway are to be partially screened by

vegetation and this screen would be required to be maintained in event of an approval being issued.

- On street parking on Grove Road is problematic.

Comment

The proposal has been referred to Council's Development Engineer who has made comment in the referrals section of this report, including specific comment on the suitability to park on-street. The proposal is considered to comply.

CONCLUSION

The proposal is for an additional two dwellings to be constructed at 36 Grove Road, Glenorchy. As outlined in this report, though the proposal complies with a number of applicable standards, including where reliant on performance criteria for 9.4.3 (P2) Site coverage and private open space for all dwellings, 9.4.6 (P1) Privacy for all dwellings, C2.5.1 Car parking numbers, and C9.5.2 (P1) Sensitive use within an attenuation area, the proposal fails to comply with two applicable standards, being 9.4.2 Setback and building envelope for all dwellings, and C12.6.1 (P1.1 and P1.2) Buildings and works within a flood-prone hazard area. As such, the proposal is recommended to be refused.

Recommendation:

That the application for the Multiple Dwellings (Residential) of 36 Grove Road Glenorchy be refused for the following reasons:

1. The proposal fails to comply with either the Acceptable Solution or the Performance Criteria of Clause 9.4.2 Setback and building envelope for all dwellings, which is an applicable standard; and
2. The proposal fails to comply with either the Acceptable Solution or the Performance Criteria of Clause C12.6.1 Buildings and works within a flood-prone hazard area, which is an applicable standard.

Attachments/Annexures

- 1 GPA Attachment - 36 Grove Road, Glenorchy



9.0 Inner Residential Zone

Standard	Acceptable Solution	Proposed	Complies?
9.4 Development Standards for Buildings and Works			
9.4.1 Residential density for multiple dwellings	<p>A1</p> <p>Multiple dwellings must have a site area per dwelling of not less than 200m².</p>	Site area per dwelling equates to 1/232m ²	Yes
9.4.2 Setbacks and building envelope for all dwellings	<p>A1</p> <p>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:</p> <p>(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;</p>	Dwellings located to the rear of the existing dwelling.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<p>(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;</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>		

Standard	Acceptable Solution	Proposed	Complies?
	<p>A2</p> <p>A garage or carport for a dwelling must have a setback from a primary frontage of not less than:</p> <ul style="list-style-type: none"> (a) 4m, or alternatively 1m behind the building line; (b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or (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>No garage proposed within the 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>Dwelling protrudes along the south east boundary.</p>	<p>No - see 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 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 		

Standard	Acceptable Solution	Proposed	Complies?
	(ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser).		
<p>9.4.3 Site coverage and private open space for all dwellings</p>	<p>A1 Dwellings must have:</p> <p>(a) a site coverage of not more than 65% (excluding eaves up to 0.6m wide); and</p> <p>(b) for multiple dwellings, a total area of private open space of not less than 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>	<p>Unit 1 min 50m²</p> <p>Unit 2 63m² including balcony</p> <p>Unit 3 62.5m² including balcony</p>	<p>Yes</p>
	<p>A2 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>Balconies for unit 2 and unit 3 are approximately 22m²</p> <p>The private open space for unit 1 is orientated in accordance with the acceptable solution.</p>	<p>No – see report</p>

Standard	Acceptable Solution	Proposed	Complies?
	<ul style="list-style-type: none"> <li data-bbox="539 327 1097 555">(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); <li data-bbox="443 576 1097 917">(b) has a minimum horizontal dimension of: <ul style="list-style-type: none"> <li data-bbox="539 635 719 667">(i) 4m; or <li data-bbox="539 687 1097 917">(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); <li data-bbox="488 938 1097 1150">(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 <li data-bbox="488 1171 1097 1214">(d) has a gradient not steeper than 1 in 10. 		

Standard	Acceptable Solution	Proposed	Complies?
<p>9.4.4 Sunlight to private open space of multiple dwellings</p>	<p>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 9.4.3, must satisfy (a) or (b), unless excluded by (c):</p> <ul style="list-style-type: none"> (a) the multiple dwelling is contained within a line projecting (see Figure 9.4): <ul style="list-style-type: none"> (i) at a distance of 3m from the northern edge of the private open space; and (ii) vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal. (b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight within the hours of 9.00am to 3.00pm on 21st June. (c) this Acceptable Solution excludes that part of a multiple dwelling consisting of: 	<p>The dwellings are aligned predominately on a north south axis. Despite this, owing to the dwellings being reliant on an upper floor balcony in order to demonstrate compliance with P2 of clause 9.4.3, it is determined that the dwellings will not cause 50% of that area to be receive less than 3hrs of sunlight between 9.00am and 3.00pm on 21st June in accordance with (b) of the acceptable solution.</p>	<p>Yes</p>

Standard	Acceptable Solution	Proposed	Complies?
	<p>(i) an outbuilding with a building height not more than 2.4m; or</p> <p>(ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling.</p>		
<p>9.4.5 Width of openings for garages and carports for all dwellings</p>	<p>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</p>	<p>No garage is within 12m of the frontage.</p>	<p>N/A</p>

Standard	Acceptable Solution	Proposed	Complies?
	frontage of not more than 6m or half the width of the frontage (whichever is the lesser).		
9.4.6 Privacy for all dwellings	<p>A1</p> <p>A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above existing ground level must have a permanently fixed screen to a height of not less than 1.7m above the finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a:</p> <ul style="list-style-type: none"> (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 3m from the side boundary; (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and 	<p>Balcony 3.2m from northern boundary.</p> <p>No windows to habitable rooms shown for upper floors of dwellings in proximity to south east boundary.</p> <p>No windows to habitable rooms shown at south-west elevation.</p>	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<p>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m:</p> <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 	<p>Though the upper floor windows of unit 3 are within 6m of unit 2, the windows do not afford views to other windows or the private open space.</p>	<p>Yes</p>

Standard	Acceptable Solution	Proposed	Complies?
	<p>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> <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 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%. 		

Standard	Acceptable Solution	Proposed	Complies?
	<p>A3</p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than:</p> <p>(a) 2.5m; or</p> <p>(b) 1m if:</p> <p>(i) it is separated by a screen of not less than 1.7m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level.</p>	<p>The proposal will cause for the kitchen window of the existing dwelling to be a window which albeit frosted, is no less a window to a habitable room within 1m of a shared driveway.</p> <p>As well, the proposed bed 1 window of unit 2 is within 2.5m of the trafficable section of the driveway serving unit 3, and so though screened with vegetation, is reliant on performance criteria.</p>	<p>No, see report</p>
<p>9.4.7 Frontage fences for all dwellings</p>	<p>A1</p> <p>No Acceptable Solution. [S8]</p>	<p>None proposed</p>	<p>N/A</p>

Standard	Acceptable Solution	Proposed	Complies?
<p>9.4.8 Waste storage for multiple dwellings</p>	<p>A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of not less than 1.5m² per dwelling and is within one of the following locations:</p> <ul style="list-style-type: none"> (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: <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 of not less than 1.2m above the finished surface level of the storage area. 	<p>Each dwelling has identified an area for the storage of bins.</p>	<p>Yes</p>

C2.0 Parking and Sustainable Transport Code

Standard	Acceptable Solution	Proposed	Complies?
C2.5 Use Standards			
<p>C2.5.1 Car parking numbers</p>	<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 	<p>7 spaces required – 6 proposed.</p>	<p>No – see report</p>

Standard	Acceptable Solution	Proposed	Complies?
	<p>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</p>		

Standard	Acceptable Solution	Proposed	Complies?
	required for the proposed use or development specified in Table C2.1.		
<p>C2.5.2 Bicycle parking numbers</p>	<p>A1</p> <p>Bicycle parking spaces must:</p> <p>(a) be provided on the site or within 50m of the site; and</p> <p>(b) be no less than the number specified in Table C2.1.</p>	Not required	N/A
<p>C2.5.3 Motorcycle parking numbers</p> <p><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></p>	<p>A1</p> <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>	Not required	N/A

Standard	Acceptable Solution	Proposed	Complies?
<p><i>Hotel Industry; Pleasure Boat Facility; Residential if for a communal residence, multiple dwellings or hostel use; Sports and Recreation; and Tourist Operation.</i></p>			
<p>C2.5.4 Loading bays <i>This applies to: Bulky Goods Sales; General Retail and Hire; Manufacturing and Processing; and Storage.</i></p>	<p>A1 A loading bay must be provided for uses with a floor area of more than 1000m² in a single occupancy.</p>	<p>Not required</p>	<p>N/A</p>
<p>C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential Zone <i>This applies to: Business and Professional Services;</i></p>	<p>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 100m² floor area or 30 seats, whichever is the greater; and</p>	<p>Not required</p>	<p>N/A</p>

Standard	Acceptable Solution	Proposed	Complies?
<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;</i> <i>and</i> <i>Utilities, if not for minor utilities.</i>	(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.		
C2.6 Development Standards for Building Works			
C2.6.1 Construction of parking areas	A1 All parking, access ways, manoeuvring and circulation spaces must: (a) be constructed with a durable all weather pavement; (b) be drained to the public stormwater system, or contain stormwater on the site; and (c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be	Parking and driveway area proposed to be paved surface and surfaced water are to be drained to the stormwater connection.	Yes

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

Standard	Acceptable Solution	Proposed	Complies?
	<p>(b) be incorporated into the overall car park design; and</p> <p>(c) be designed and constructed in accordance with <i>Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities.</i> [S35]</p>		
<p>C2.6.3 Number of accesses for vehicles</p>	<p>A1</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>		Yes
	<p>A2</p> <p>Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.</p>		N/A
<p>C2.6.4 Lighting of parking areas within the General</p>	<p>A1</p> <p>In car parks within the General Business Zone and Central Business Zone, parking and vehicle</p>		N/A

Standard	Acceptable Solution	Proposed	Complies?
<p>Business Zone and Central Business Zone</p>	<p>circulation roads and pedestrian paths serving 5 or more car parking spaces, which are used outside daylight hours, must be provided with lighting in accordance with Clause 3.1 “Basis of Design” and Clause 3.6 “Car Parks” in <i>Australian Standard/New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements</i>.</p>		
<p>C2.6.5 Pedestrian access</p>	<p>A1.1</p> <p>Uses that require 10 or more car parking spaces must:</p> <p>(a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by:</p> <p>(i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or</p> <p>(ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and</p>		<p>N/A</p>

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>		
<p>C2.6.6 Loading bays</p>	<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>		N/A
	<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</i></p>		

Standard	Acceptable Solution	Proposed	Complies?
	<p><i>2: Parking facilities Offstreet commercial vehicle facilities.</i></p>		
<p>C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone</p>	<p>A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 “Basis of Design” and clause 3.6 “Car Parks” in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.</p>		<p>N/A</p>
	<p>A2 Bicycle parking spaces must: (a) have dimensions not less than: (i) 1.7m in length; (ii) 1.2m in height; and (iii) 0.7m in width at the handlebars; (b) have unobstructed access with a width of not less than 2m and a gradient not steeper than</p>		<p>N/A</p>

Standard	Acceptable Solution	Proposed	Complies?
	<p>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>		
<p>C2.6.8 Siting of parking and turning areas</p>	<p>A1</p> <p>Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas must be located behind the building line of buildings, excluding if a parking area is already provided in front of the building line.</p>		<p>N/A</p>
	<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>		<p>N/A</p>

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.		N/A

Footnotes

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

C3.0 Road and Railway Assets Code

Standard	Acceptable Solution	Proposed	Complies?
C3.5 Use Standards			
<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>Vehicular traffic is not increased by 40 vpd.</p>	<p>Yes</p>

Standard	Acceptable Solution	Proposed	Complies?
	<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>(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>		
<p>C3.6 Development Standards for Buildings and Works</p>			

Standard	Acceptable Solution	Proposed	Complies?
<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> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (i) the existing habitable building; or (ii) an adjoining habitable building for a sensi (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>. 		<p>NA</p>

Standard	Acceptable Solution	Proposed	Complies?
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

C9.0 Attenuation Code

Standard	Acceptable Solution	Proposed	Complies?
9.5 Use Standards			
C9.5.1 Activities with potential to cause emissions	A1 The attenuation area of an activity listed in Tables C9.1 or C9.2 must not include: (a) a site used for a sensitive use which is existing;	Not applicable	N.A

Standard	Acceptable Solution	Proposed	Complies?
	<p>(b) a site that has a planning permit for a sensitive use; or</p> <p>(c) land within the General Residential Zone, Inner Residential Zone, Low Density Residential Zone, Rural Living Zone A, Rural Living Zone B, Village Zone or Urban Mixed Use Zone.</p>		
<p>C9.5.2 Sensitive use within an attenuation area</p>	<p>A1No Acceptable Solution.</p>		<p>No – see report.</p>

C12.0 Flood-Prone Areas Hazard Code

Standard	Acceptable Solution	Proposed	Complies?
C12.5 Use Standards			
C12.5.1 Uses within a flood-prone hazard area	A1 No Acceptable Solution.	Not applicable	N/A
C12.5.2 Critical use, hazardous use or vulnerable use	A1 No Acceptable Solution.	Not applicable	N/A
	A2 No Acceptable Solution.	Not applicable	N/A
	A3 No Acceptable Solution.	Not applicable	N/A
	A4 No Acceptable Solution.	Not applicable	N/A

Standard	Acceptable Solution	Proposed	Complies?
C12.6 Development Standards for Buildings and Works			
C12.6.1 Buildings and works within a flood-prone hazard area	A1 No Acceptable Solution.	The proposal is reliant on the performance criteria	No - see report.
C12.7 Development Standards for Subdivision			
C12.7.1 Subdivision within a flood-prone hazard area	A1 Each lot, or a lot proposed in a plan of subdivision, within a flood-prone hazard area, must: <ul style="list-style-type: none"> (a) be able to contain a building area, vehicle access, and services, that are wholly located outside a flood-prone hazard area; (b) be for the creation of separate lots for existing buildings; (c) be required for public use by the Crown, a council or a State authority; or (d) be required for the provision of Utilities. 	Not applicable	N/A