

GLENORCHY PLANNING AUTHORITY MEETING
AGENDA
MONDAY, 18 MARCH 2024



GLENORCHY CITY COUNCIL

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

Chairperson: Alderman Bec Thomas

Hour: 3.30 p.m.

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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 13 December 2023 be confirmed.

**5. PROPOSED USE AND DEVELOPMENT - SPA AND SAUNA
(TOURIST OPERATION), WITH ASSOCIATED INFRASTRUCTURE
- 134 FAIRY GLEN ROAD COLLINSVALE, AND FLORAS COTTAGE
146 FAIRY GLEN ROAD COLLINSVALE**

Author: Planning Officer (Sylvia Jeffreys)
 Qualified Person: Planning Officer (Sylvia Jeffreys)
 Property ID: 3343462

REPORT SUMMARY

Application No.:	PLN-23-216
Applicant:	Myrtle Creek Farm
Owner:	E A Dunlop and J I Macalpine
Zone:	Rural
Use Class	Tourist Operation
Application Status:	Discretionary
Discretions:	20.3.1 P1 Discretionary use 20.3.1 P2 Discretionary use 20.3.1 P4 Discretionary use 20.4.2 P1 Setback C2.5.1 P1 Car parking numbers C7.6.1 P1 Buildings and works within a waterway and coastal protection area or a future coastal refugia area C7.6.1 P3 Buildings and works within a waterway and coastal protection area or a future coastal refugia area C7.6.2 P1 Clearance within a priority vegetation area (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	18 March 2024

Existing Land Use:	Single Dwelling
Representations:	6 (4 non-statutory and all supporting the proposal)
Recommendation:	Refusal

REPORT IN DETAIL

PROPOSAL

The proposal is for the construction of a spa and sauna facility to be used as a small tourist operation on a rural residential property. The spa and sauna facility would be located amongst native forest on a river bank. The property is heritage listed and contains a single dwelling, various pickers huts and a couple of outbuildings.

The proposed sauna and spa development would sit below the road and would be built into an embankment. The development comprises a sauna, outdoor spa and associated facilities, such as a multipurpose room, office, change rooms and amenities which would be housed in four small buildings. The buildings would be connected with decks in pairs. One of the decks would have a round outdoor spa. There would be landscaped pathways connecting the buildings that would be edged by a stonewall. The buildings would require minimal excavation as they would be partially supported by poles. The buildings would be box shaped and would have near flat skillion roofs. The building heights range from 2.685m to 3.7m. The cladding would be timber and glass. It is proposed to operate the facility from 7am to 10pm, seven days a week. Guests are expected to stay between 1.5 and 2.5 hours.

For transport, it is proposed to use a minibus to reduce required parking spaces and vehicular movements. It is proposed to pick people up from their accommodation, take them to the facility and return them later. The minibus would be parked in an existing shed.

As part of the proposal, it is also planned to create a service trench across the road for electricity that would run from the existing house to Building 7. Other works include the removal of five wattle trees to make way for the buildings. The proposal is shown in Figure 1.

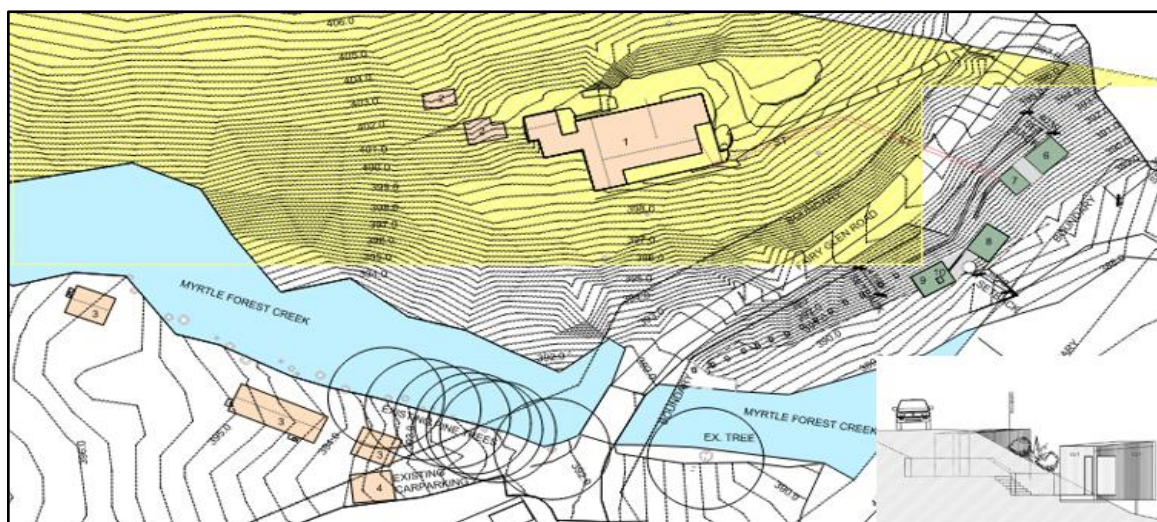


Figure 1: Proposed buildings in green – Biotope Architecture

SITE and LOCALITY

The main property of the proposal is 134 Fairy Glen Road Collinsvale (CT219456/1), but the proposal also includes the neighbouring property at 146 Fairy Glen Road Collinsvale (CT199847/1) for access and parking.

The property at 134 Fairy Glen Road is located towards the end of Fairy Glen Road and comprises an irregular shaped lot of approximately 9150m². The lot is bisected by the road and Myrtle Forrest Creek. A different watercourse, Sorell Creek runs along the bottom of the property on the southeast boundary. The existing buildings are on the western side of the road. The buildings are heritage listed and comprise a single dwelling, some old pickers huts and a couple of outbuildings. One of the buildings will be used for garaging the minibus to service the proposal used for the operations. This building is partially over the boundary with the neighbouring property at 146 Fairy Glen Road. The area with the existing buildings is largely cleared but contains a few trees. The area of the proposed development is on the eastern side of the road, on a steep, forested embankment adjacent to the creek. The vegetation is remnant *Eucalyptus regnans* wet forest. An aerial photograph of the property is in Figure 2.

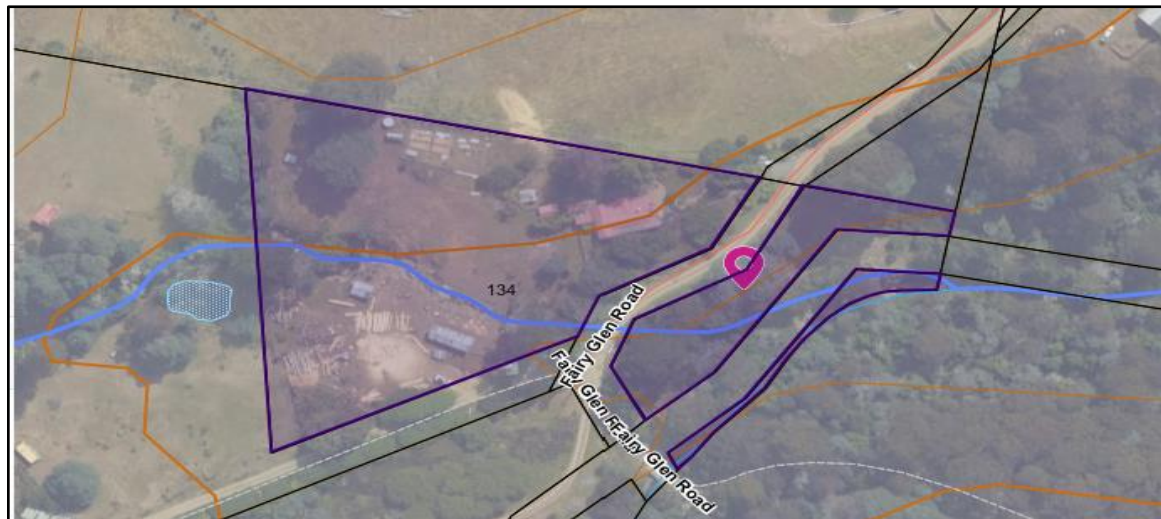


Figure 2: Subject Property - theList

ZONE

The subject property is within the Rural Zone, which also applies to the surrounding area as shown in Figure 3.

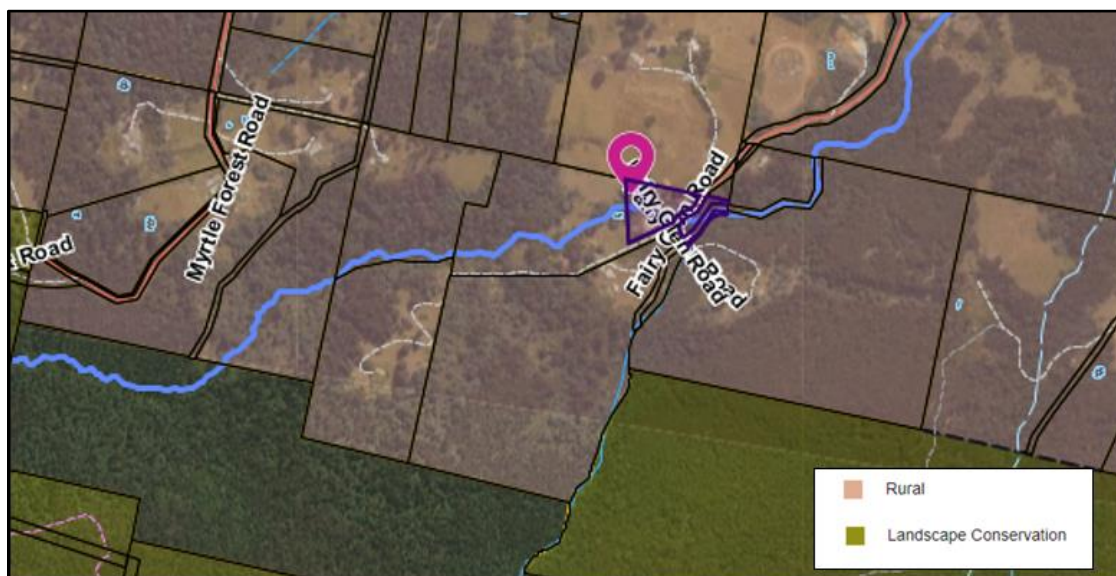


Figure 3: Zoning Map - theList

BACKGROUND

Extension of Time

The Tasmanian Heritage Council had given advice of a new assessment due date until 17/03/2024. Council received a Notice of Additional Time from the Tasmanian Heritage Council under s39(3) of the *Historic Cultural Heritage Act 1995*. The time was calculated by the Tasmanian Heritage Council as follows:

- Firstly, due to a late referral to the THC, the assessment period was paused for 9 days, which gives you a revised due date of 03/03/2024.
- Secondly, as the THC only have 35 days, the THC have agreed to extend the assessment period by 14 days in order for us to assess any representations that are received. This gives you a new due date of **17/03/2024** (THC due date: 10/03/2024). Please see the attached notice and notify the applicant accordingly.

In addition, the applicant has given an extension of time until 18/03/2024 to enable the application to be determined at a Glenorchy Planning Authority meeting.

Owner's Consent

The application includes a service trench within the road reserve and therefore requires owner's consent from the General Manger, which was received on 11/09/2023. In addition, the consent of the property owner of 146 Fairy Glen Road was obtained.

Application Documents

The application is supported by the following documents:

- Natural Values Report by Mulcahy Planning and Property Services dated August 2023
- Development Application Report Rev. 3 - Biotope Architecture and Interiors – 29/01/2024 and latest additional information response letter 29/01/2024
- Traffic Impact Assessment - Midson Traffic and Interiors – February 2024 and latest additional information response letter 01/02/2024

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

TASMANIAN PLANNING SCHEME - GLENORCHY 2021

State Planning Provisions (SPP)

Administration

Exemptions (Tables 4.1 – 4.6)

Nil.

Use Class Description (Table 6.2):

The application is for a sauna and spa which are intended to be used by tourists, which fits under the use class Tourist Operation. The use is defined in Table 6.2 Use Classes as follows:

Tourist Operation

use of land specifically to attract tourists, other than for accommodation. Examples include a theme park, visitor centre or interpretation centre, wildlife park and zoo.

Other relevant definitions (Clause 3.0):

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

applicable standard

means as defined in subclause 5.6.2 of this planning scheme.

under section 5.6.2 A standard is an applicable standard if:

(a) the proposed use or development will be on a site within:

(i) a zone;

(ii) an area to which a specific area plan relates; or

(iii) an area to which a site-specific qualification applies; or

(b) the proposed use or development is a use or development to which a relevant code applies; and

(c) the standard deals with a matter that could affect, or could be affected by, the proposed use or development.

standard

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

Discretionary Use or Development

The application is discretionary under Clause 6.8.1 as follows:

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

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

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

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

The proposal is discretionary under (a) and (b) above as it is a discretionary use and relies on performance criteria as follows:

- 20.3.1 P1 Discretionary use
- 20.3.1 P2 Discretionary use
- 20.3.1 P4 Discretionary use
- 20.4.2 P1 Setback
- C7.6.1 P1 Buildings and works within a waterway and coastal protection area or a future coastal refugia area
- C7.6.1 P3 Buildings and works within a waterway and coastal protection area or a future coastal refugia area
- C7.6.2 P1 Clearance within a priority vegetation area

General Provisions

No general provisions apply.

Zones

The land is within the Rural 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 Rural Zone is:

20.1.1 To provide for a range of use or development in a rural location:

- (a) where agricultural use is limited or marginal due to topographical, environmental or other site or regional characteristics;*
- (b) that requires a rural location for operational reasons;*
- (c) is compatible with agricultural use if occurring on agricultural land;*
- (d) minimises adverse impacts on surrounding uses.*

20.1.2 To minimise conversion of agricultural land for non-agricultural use.

20.1.3 To ensure that use or development is of a scale and intensity that is appropriate for a rural location and does not compromise the function of surrounding settlements.

Comment

It is considered that the proposed use of Tourist Operation is in accordance with the zone purpose statement. The subject site is not suitable for agriculture due to topographical and environmental constraints. The site of the proposed sauna and spa is in a treed riverbank location. The use requires the location for its natural setting and relaxing ambience. Furthermore, there would be no adverse impacts on the surrounding area. The use is relatively small so as not to attract a large patronage and

does not generate noise or pollution. For these reasons it is considered that the use is in accordance with the purpose statements of the Rural Zone.

Use Table

The use class Tourist Operation is 'discretionary' within the Rural Zone in 20.2 Use Table.

Use Standards

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

20.3.1 P1 Discretionary use

The proposal does not accord with the acceptable solution in clause 20.3.1 A1 with respect to alterations to an existing use. Therefore, the proposal relies on the related performance criteria as follows:

A use listed as Discretionary, excluding Residential, must require a rural location for operational reasons, having regard to:

- (a) the nature, scale and intensity of the use;*
- (b) the importance or significance of the proposed use for the local community;*
- (c) whether the use supports an existing agricultural use;*
- (d) whether the use requires close proximity to infrastructure or natural resources; and*
- (e) whether the use requires separation from other uses to minimise impacts.*

Comment

The acceptable solution is only for alterations or extensions to existing discretionary uses. The proposal is a new use and can therefore not fulfill the acceptable solution.

With respect to the performance criteria, the owners assert that the use would be dependent on the rural location for operational reasons. Whilst the use would not support an existing agricultural use or require the location for separation from other uses, the use would rely on natural resources. The proposed use of a Tourist Operation, being a sauna and a spa amongst trees, does rely on its natural setting for the operation and might also benefit the local community. In terms of scale and intensity, the proposed use is relatively minor. The use is not considered to adversely impact on neighbouring properties or take away from any agricultural activity. The use would not convert agricultural land for a non-agricultural use because the subject property is unsuitable for agricultural uses.

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

20.3.1 P2 Discretionary use

There is no acceptable solution in clause 20.3.1 A2 with respect to restraining existing uses on adjoining properties. Therefore, the proposal relies on the related performance criteria as follows:

A use listed as Discretionary must not confine or restrain existing use on adjoining properties, having regard to:

- (a) the location of the proposed use;*
- (b) the nature, scale and intensity of the use;*
- (c) the likelihood and nature of any adverse impacts on adjoining uses;*
- (d) whether the proposed use is required to support a use for security or operational reasons; and*
- (e) any off site impacts from adjoining uses.*

Comment

With respect to the performance criteria, it is considered that the proposed use would not confine or restrain an existing use on adjoining properties. The location of the proposed use is well away from adjoining private properties so as not to have any adverse impact. The proposed buildings are relatively small and mostly obscured by trees so that there would be no significant visual impact. The proposed use would be small scale and would not create noise or pollution that could affect neighbours. It is not expected that the proposed use would generate any offsite impacts.

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

20.3.1 P4 Discretionary use

There is no acceptable solution in clause 20.3.1 A4 with respect to the appropriateness of the use for the rural location. Therefore, the proposal relies on the related performance criteria as follows:

A use listed as Discretionary, excluding Residential, must be appropriate for a rural location, having regard to:

- (a) the nature, scale and intensity of the proposed use;*
- (b) whether the use will compromise or distort the activity centre hierarchy;*
- (c) whether the use could reasonably be located on land zoned for that purpose;*
- (d) the capacity of the local road network to accommodate the traffic generated by the use;*

and

- (e) *whether the use requires a rural location to minimise impacts from the use, such as noise, dust and lighting.*

Comment

With respect to the performance criteria, it is considered that the proposed use would be appropriate in a rural location in this instance, were it not for the capacity of the local road network.

The nature and scale of the use are not considered to create any adverse impacts on the neighbouring properties. There would be no significant visual impact, noise or pollution.

The proposed use is not considered to compromise or distort the activity centre hierarchy. The use is relatively small and would not convert agricultural land for a non-agricultural activity.

The proposed use of Tourist Operation is considered reasonable within the Rural Zone in this instance, as any long-term agricultural potential in the area is not lost. The use would not have any impact outside the subject land and would not confine or restrain any nearby agricultural activity.

The proposed use would not require a rural location to minimise adverse impacts such as noise, dust or lighting because of its characteristics.

However, the capacity of the local road network is not considered adequate to accommodate the traffic generated by the use. The application was referred to Council's Traffic Engineer who assessed the proposal in relation to the nature of the local road. The road was assessed as inadequate to accommodate the traffic generated by the proposed use because of the narrowness of the road and inadequate passing opportunities. The full assessment is included under the header Referrals - Traffic Engineer.

Therefore, the proposal fails to comply with the standard through the performance criteria in clause 20.3.1 P4.

Development Standards for Buildings or Works

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

20.4.2 P1 Setback

The proposal does not accord with the acceptable solution in clause 20.4.2 A1 with respect to the boundary setback. Therefore, the proposal relies on the related performance criteria as follows:

Buildings must be sited to provide adequate vehicle access and not cause an unreasonable impact on existing use on adjoining properties, having regard to:

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

Comment

The acceptable solution requires a setback of 5m from all boundaries. The proposed buildings have a setback from the road boundary of between 4.039m and 4.19m. The setback from the Sorell Creek boundary is 3.976m. The side setbacks comply and are more than 5m.

The proposal has the required setback of the acceptable solution in terms of adjacent private properties and has only less than the required setback next to the road and next to the creek. Therefore, it is not anticipated that there would be any unreasonable impacts on adjacent properties. In addition, the buildings would be relatively small, sit below the bank of the road and would be partially hidden amongst trees, so as not to be visually intrusive. In terms of considering room for access, the proposal relies on an existing access.

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

Codes

The following codes of the Scheme apply to this proposal:

C2.0 Parking and Sustainable Transport Code

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

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

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

walking distance of the site;

- (d) the availability and frequency of other transport alternatives;*
- (e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;*
- (f) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;*
- (g) the effect on streetscape; and*
- (h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development.*

Comment

The proposal does not provide any parking other than the outbuilding for the minibus. There are also two existing parking spaces for the residence. There would be one additional parking space required. The applicant submitted a Traffic Impact Assessment that is supportive of the parking shortfall as all guests would be picked up. For further comments, please refer to engineering assessment under the Referrals section later in this report.

C3.0 Road and Railway Assets Code

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

C6.0 Local Historic Heritage Code

The property at 134 Fairy Glen Road is listed in Table C6.1 Local Heritage Places, however it is also on the Tasmanian Heritage Register.

The code does not apply for the following reason:

C6.2 Application of this Code

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.

C7.0 Natural Assets Code

The proposal is located within the Natural Assets Code that has a Priority Vegetation Area and a Waterway and Coastal Protection Area as show in Figure 4.



Figure 4: Priority Vegetation Area and a Waterway and Coastal Protection Area – theList

The applicant has provided a Natural Values Report as supporting documentation. According to the report, the only vegetation community impacted by the proposed sauna and spa facility is a degraded area of swamp gum (*E. regnans*) wet forest dominated by a single stand of silver wattle. This vegetation does not have significant conservation value. The proposal was also referred to Council's Environment Officer who agreed that there would be no impact on threatened vegetation communities and has found that the proposal accords with all relevant performance criteria, and this assessment is set out below. For further comments, please refer to environment assessment under the Referrals section later in this report.

C7.6 Development Standards for Buildings and Works

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

C7.6.1 P1 Buildings and works within a waterway and coastal protection area or a future coastal refugia area

The proposal does not accord with the acceptable solution in clause C7.6.1 A1 with respect to being within a building area on a sealed plan. Therefore, the proposal relies on the related performance criteria as follows:

Buildings and works within a waterway and coastal protection area must avoid or minimise adverse impacts on natural assets.

Comment

Council's Environment Officer is satisfied that any impacts would be minimised. There would be only five wattle trees removed. As there would be no impact on threatened

vegetation communities threatened species of flora. Only vegetation with no high conservation value.

C7.6.1 P3 Buildings and works within a waterway and coastal protection area or a future coastal refugia area

The proposal does not accord with the acceptable solution in clause C7.6.1 A3 with respect to stormwater discharge. Therefore, the proposal relies on the related performance criteria as follows:

Development within a waterway and coastal protection area or a future coastal refugia area involving a new stormwater point discharge into a watercourse, wetland or lake must avoid or minimise adverse impacts on natural assets, having regard to:

- (a) the need to minimise impacts on water quality; and*
- (b) the need to mitigate and manage any impacts likely to arise from erosion, sedimentation or runoff*

Comment

It is proposed that stormwater is drained via a new stormwater point and is discharged into the watercourse. Both Council's Development Engineer and Environment Officer are satisfied that the development will not increase the risk or impact to the water quality providing that appropriate measures are implemented. For further details please refer to the respective Referrals later in this report.

C7.6.2 P1.1 and P1.2 Clearance within a priority vegetation area

The proposal does not accord with the acceptable solution in clause C7.6.2 A1 with respect to clearance within a building area on a sealed plan. Therefore, the proposal relies on the related performance criteria as follows:

P1.1 Clearance of native vegetation within a priority vegetation area must be for:

- (a) an existing use on the site, provided any clearance is contained within the minimum area necessary to be cleared to provide adequate bushfire protection, as recommended by the Tasmania Fire Service or an accredited person;*
- (b) buildings and works associated with the construction of a single dwelling or an associated outbuilding;*
- (c) subdivision in the General Residential Zone or Low Density Residential Zone;*
- (d) use or development that will result in significant long term social and*

economic benefits and there is no feasible alternative location or design;

- (e) clearance of native vegetation where it is demonstrated that on-going pre-existing management cannot ensure the survival of the priority vegetation and there is little potential for long-term persistence; or*
- (f) the clearance of native vegetation that is of limited scale relative to the extent of priority vegetation on the site.*

P1.2 Clearance of native vegetation within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to:

- (a) the design and location of buildings and works and any constraints such as topography or land hazards;*
- (b) any particular requirements for the buildings and works;*
- (c) minimising impacts resulting from bushfire hazard management measures through siting and fire-resistant design of habitable buildings;*
- (d) any mitigation measures implemented to minimise the residual impacts on priority vegetation;*
- (e) any on-site biodiversity offsets; and*
- (f) any existing cleared areas on the site.*

Comment

Council's Environment Officer is satisfied that any clearance would accord with the performance criteria. There would be no threatened vegetation community or species of flora affected by the proposal. Vegetation removal would be limited to five wattle trees.

C8.0 Scenic Protection Code

The proposal is located within the C8.0 Scenic Protection Code as show in Figure 5.



Figure 5: Scenic Protection Code - theList

C8.6 Development Standards for Buildings and Works

The proposal accords with the relevant acceptable solutions as demonstrated in the attached Appendix.

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 list applies:

- GLE -Table C6.1 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-C6.1.104	8332	Collinsvale	134 Fairy Glen Road			Description Buildings.

However, as noted above, the Code does not apply as the property is listed on the Tasmanian Heritage Register.

GLE-Applied, Adopted and Incorporated Document

Nil.

INTERNAL REFERRALS

Traffic Engineer

Proposal

The proposed development at 134 Fairy Glen Road involves the construction of a spa and sauna, plus associated facilities such as a change room, massage/multipurpose room, and amenities. The property is located at the end of Fairy Glen Road and is divided into two segments as the road runs through the property.

The development is proposed on the south-east side of the road, as shown in Figure 6 below. The Sorell Creek runs through the property and a bridge is located on Fairy Glen Road. The buildings for the spa and sauna are proposed to the north of the bridge and parking to the south of the bridge.

The development proposes to use parking within the property of 146 Fairy Glen Road. It is proposed that guests will be dropped off and picked up at the existing shed located just south of the bridge via a minibus. Pedestrians will then walk to and from the parking area to the spa and sauna, along the road and bridge. Typical duration of stays will be 1.5 to 2.5 hours.



Figure 6: Site Layout

The assessment below is based on the Traffic Impact Assessment (TIA) dated February 2024 and Response to Council Request for Information Letter dated 1 February 2024, undertaken by Midson Traffic Pty Ltd. The TIA did not address or need to, the electrical cable, discussed below.

Electrical Cable

To gain electricity to the site, the development proposes a private electrical cable under the road from their existing house to the development.

TasNetworks only provide one connection to a property title which is to the residential house on the north-east side of the road. To obtain electricity to the development a private cable is proposed from the residential house under the road to the development. This is an unusual case and Council has given GM consent to lodge the planning application for the private electrical cable.

The cable will need to be designed and certified by the developer, as Council does not have experience in electrical infrastructure or delegation under the Local Government (Highway) Act.

At present the cable is just shown as a line on the plan. Substantially more work is required by the developer for this to proceed. This includes detailed designs and agreements with Council to ensure that the works are undertaken in accordance with electrical requirements, does not damage our road, and that the ownership of the cable is to the property.

A Deed of Agreement with Council would be required prior to undertaking the works. This agreement would include a detailed design completed and certified by a suitably qualified engineer to be provided by the developer. The detailed design would include a plan with exact location, cross sections, specifications, and signage at both ends of the trench. The agreement would then set out responsibilities and hold points such as for inspections, surveys, and certification of the works.

A Part 5 agreement would need to be entered into to tie the ownership and on-going maintenance of the cable to the property and require the property owner to disconnect the power cable.

Parking and Driveway

It is proposed that patrons will arrive and depart via a minibus and will not be permitted to arrive by car. Patrons will be collected and returned to their accommodation or residence via the minibus. Patrons at the site will walk from the parking area to the spa and sauna facilities, along approximately 10m of Council gravel road including the bridge.

Under the planning scheme C2.5.1 parking numbers, the proposed development is classified as a Tourist Operation that requires 1 space per 200m² of the floor area or 1 space for each 500m² of the site area, whichever is greatest. The gross floor area of the proposal is 42.5m² and estimated to be around 500m² for the site area (parking 20mx5m and buildings 40mx10m).

The TIA states that the development does not provide on-site car parking and therefore does not comply with the requirements of Acceptable Solution A1 of Clause C2.5.1 of the Planning Scheme. The development will instead utilise a minibus to transport guests to and from the site and the TIA addresses the performance criteria.

The TIA states that the minibus is appropriate for the site to reduce the overall traffic on Fairy Glen Road and thus parking is only required for the minibus. This is acceptable. The same justification applies for the requirement for bicycle parking which is not provided or appropriate for the site on a rural gravel road.

The parking space for the minibus is located within an existing driveway access to 146 Fairy Glen Road within a shed. The TIA says that the shed is approximately 5.5m long and 3.5m wide. The parking area is shown in the photo below.



Figure 7: Looking west at the parking space and looking south from the bridge

In the planning scheme under 'C2.6.1 - Construction of Parking Areas', the driveway access and parking space should be constructed with a durable all-weather pavement as per the acceptable solution.

The driveway access does not currently meet the acceptable solution for 'C2.6.2 - Design and Layout of Parking Area' as there is a level difference between the slab in the shed and the gravel surface. The access and parking spaces should also be in accordance with AS2890 'Parking Facilities', which is unclear at present. However, more details can be provided by the developer and works required, to meet code C2.6.2.

Patrons walking along the road from the parking area to the facilities is not covered under the Code C2.0 Parking and Sustainable Transport or Code C3.0 the Road and Railway, as the site and development is unique. It is covered though, as the use of the

proposed development is a Tourist Operation which is discretionary in the Rural Zone to be discussed later.

Traffic

The current traffic volume (two-way trips) on Fairy Glen Road is approximately 70 to 80 vehicles per day. This is based on there being 8 residential properties that use the road and residential dwellings generating about 9 vehicles per day, as per the Roads and Maritime Services, Road Traffic Authority (RTA) NSW Guide to Traffic Generation Development. There is one property that fronts Fairy Glen Road which has access off Springfield Road.

The development is proposing that an 8 to 9-seater minibus being less than 5.5m long, will operate between 9am and 6pm, seven days a week to deliver and return patrons to their accommodation/hotel. The duration of each session is proposed to be 1.5 to 2.5 hours with 30 minutes between bookings. Depending on demand, the TIA estimates that this will mean an increase of between 2 to 8 vehicles per day (1 to 4 trips/sessions) along Fairy Glen Road.

It is unclear in the proposal how logical it is for there to be only a 30-minute gap between sessions with one minibus operating. It is assumed that the minibus would have to collect patrons at the end of their session, drive to their accommodation/residence to drop them back, then collect the new patrons and drive back to the spa and sauna within 30 minutes. The drive time from google between Hobart CBD and 134 Fairy Glen Road is estimated to be 29 minutes, one way. This does not account for picking up from different locations. It can be assumed that it will take longer than an hour to head into Hobart, drop off then pick up patrons and drive back to Fairy Glen Road.

It would seem more realistic that while patrons are at the spa and sauna, the minibus would go and collect patrons and the cleaning of the facility would be managed quickly between sessions. If this occurred, then there could be 6 sessions/trips of 1.5 hours duration between 9am and 6pm. This would then generate 12 vehicles per day being 6 sessions.

To mitigate more than the proposed maximum of 8 vehicle trips per day, the permit would be subject to only 4 sessions to occur per day and the developer could manage how they did this.

It is acknowledged that the developer has proposed the use of the minibus to limit the number of vehicles on Fairy Glen Road. The original development had four parking spaces, so with four sessions a day, this would have been an increase 32 vehicles per day on Fairy Glen Road and by unfamiliar drivers. However, how the developer will ensure that patrons do not drive to the site is unclear and if they do, it becomes difficult to enforce.

Under the Tasmanian Planning Scheme, as the traffic volumes will not increase by more than 40 vehicles per day for a vehicle up to 5.5m long (or 20% increase, whichever is the greatest), the acceptable solution is met under C3.5.1 Traffic Generation at a Vehicle Crossing, Level Crossing or New Junction. If the minibus vehicle is longer than 5.5m, then the acceptable solution would not be met as the acceptable solution criteria changes to more than 5 vehicles movements per day (or 20% increase, whichever is the greatest).

The proposed development using a minibus no more than 5.5m long, meets the acceptable solution C3.5.1 for traffic generated at a vehicle, level crossing or new junction. The other standards under C3.0 are not relevant to this development.

It is noted that the traffic volumes do not take into consideration vehicles required to service the development, such as the delivery of water during summer if tank water runs out, the disposal of waste from the facility likely to the Council garbage collection at the start of Fairy Glen Road, and the collection of sewage. These would not occur on a daily or weekly basis but will still have an impact on the road over the years. The traffic volume also does not consider the actual construction of the facility as this will only be for a relatively short period.

Road Capacity

Planning Scheme

The proposed development is classed as a Tourist Operation which is a discretionary use in the Rural Zone. The objective of Clause 20.3.1 has four elements of which one is that the location, scale, and intensity of the use listed as discretionary is appropriate for a rural location and does not compromise the function of surrounding settlements. Under this standard one of the criteria requires the performance criteria be addressed, as there is no acceptable solution.

This performance criteria is 20.3.1 P4, and it states in relation to road capacity:

A use listed as Discretionary, excluding Residential, must be appropriate for a rural location, having regard to:

(d) the capacity of the local road network to accommodate the traffic generated by the use.

It will be discussed below if the proposed development is appropriate for the rural location, having regard to the capacity of Fairy Glen Road to accommodate the pedestrian movements and traffic generated by the development, particularly due to the lack of passing bays.

In the Oxford dictionary:

- *Capacity is defined as the maximum amount that something can contain.*
- *Traffic is defined as vehicles moving on a public highway; the movement of ships, trains, aircraft, or pedestrian; and the transportation of goods or passengers.*

Pedestrians

The proposed development main buildings are located to the north-east of the Fairy Glen Road bridge and the minibus parking for the development is to the south-west of the bridge. This means pedestrians will get off the bus, walk on the road and across the bridge then access a path onto the site. Photos of the site are shown below.



Figure 8: Photos looking north from both sides of the bridge and looking south prior to bridge

A site inspection by the road authority showed that the width of the bridge is 4m. The distance south of the bridge where the parking is located to the north of the bridge where an area has been cut into, assumed for the path to the facilities, is approximately 10m. The road width to the south of the bridge, including the parking area is at least 6.4m wide. The road width to the north of the bridge is 3.2m.

The traffic volume where pedestrians would cross the bridge to the site, is estimated to be 27 vehicles per day based on three residential properties that have access past the bridge and proposed development. The development is proposed to have 4 sessions per day with an increase of 8 vehicle trips per day and 8 times per day. This means pedestrians would be on the road (four trips to the site and four trips back to the bus).

The TIA estimates that vehicle speeds are low, around 25km/h due to the geometry of the road and bridge. It comments that movement of pedestrians is therefore considered to be a very low-risk activity at this location. However, to improve road safety the TIA has suggested that pedestrian warning signs are installed either side of where pedestrians will be on the road.

The TIA assessed stopping sight distances (SSD) for a vehicle along the pedestrian route. Based on a vehicle speed of between 20km/h to 30km/h, the SSD for a driver

to be able to stop to avoid a crash is between 14m and 26m. It is unclear in the TIA, if this stopping distance includes an increase due to grade factor and for a truck's braking distance, being approximately 28m for a car and 32m for a truck heading downhill. Australian Road Research Board (ARRB) Unsealed Roads Best Practice Guide 2, has a stopping sight distance of 30m required for unsealed roads at a vehicle speed of 20km/h.

The TIA noted the sight distance was approximately 45m to the north and unobstructed to the south. Approximate sight line distances undertaken by the Road Authority are shown below at the two entry and exit points. At the minibus parking, sight lines are 50m to the north and 40m to the end of the road reservation. At the building site access, sight lines are 45m to the north and 30m to the south.



Figure9: Sight Lines between Drivers and Pedestrians

It is acceptable that under normal conditions, sight lines for a vehicle to see a pedestrian and be able to stop in time are met. However, there is a risk that a vehicle may not stop in time, or a passing driver may hit a pedestrian. It is also not ideal for pedestrians to be walking on a gravel road with no path or protection between them and a vehicle.

Based on the above, it is viewed that the road is not suitable to accommodate the pedestrians generated from the proposed development.

Road Network and Volumes

The road network for this development consists of Fairy Glen Road and Springdale Road.

Fairy Glen Road is a narrow, unsealed rural access road that services eight residential properties and another lot that has access off Springdale Road. Four of the residential properties are prior to the proposed development, there is the proposed development lot that has residential access prior to the development and the other three properties have access off the end of Fairy Glen Road after the proposed development site and the bridge.

Fairy Glen Road is approximately 1.5 km in length and according to the TIA has a typical pavement width of 3.5m to 4m with the verge ranging from none to 1m. It has a speed limit of 80km/h as an unsealed rural road, but the operating speed is lower due to the geometry and width of the road.

Fairy Glen Road connects onto Springfield Road. Springfield Road is a sealed road that connects between Collinsvale Road and Collins Cap Road and is approximately 5m wide at the junction with Fairy Glen Road. Sight lines at junction to the east are approximately 130m and to the west approximately 80m. Assuming an 85th percentile speed of vehicles of 60km/h due to the geometry of the road, sight lines are met to the east and are limited to the west but meet the criteria for an existing junction.

Fairy Glen Road width generally prevents vehicles travelling in opposing directions / two-way traffic flow. Fairy Glen Road has passing opportunities at driveways and localised wide sections along the road. However, the section from the junction with Springfield Road to approximately 550m along the road has no passing opportunities.

All the residential properties with access onto Fairy Glen Road are located approximately 800m from the junction of Fairy Glen Road with Springfield Avenue. Thus, all the traffic to properties and the proposed development drive along the first 550m section of road.

The proposed development will generate a maximum of one vehicle per hour along Fairy Glen Road, being 8 vehicles trips per day based on 4 sessions. The current traffic volume on Fairy Glen Road is estimated to be 70 to 80 vehicles per day from the residential properties. The peak traffic including the proposed development is estimated to be in the order of 10 vehicles per hour.

The traffic generated should also consider the extra vehicles required to service the development such as for waste and water which are large, heavy vehicles that will have an increased impact on the road. It also does not consider the construction vehicles.

The proposed development will change the use of the road from residential, to residential and commercial use.

Condition of Fairy Glen Road (including Council Report)

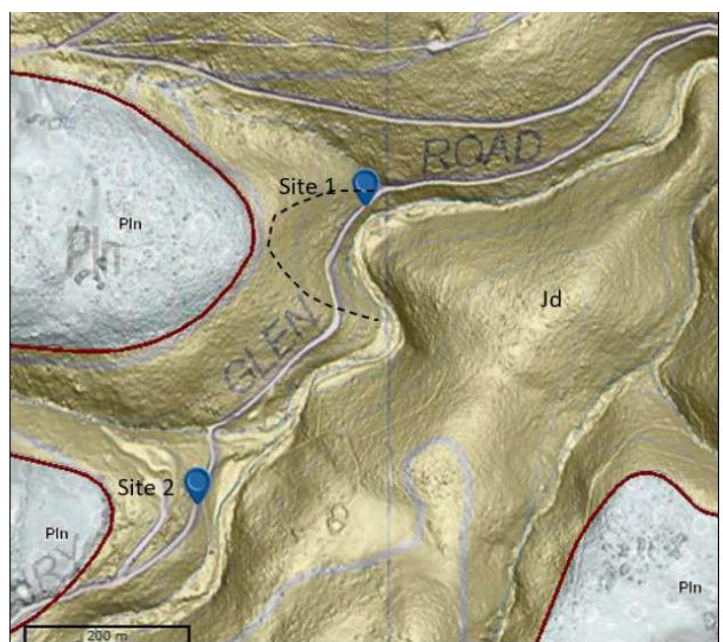
Fairy Glen Road was originally constructed as a one-lane logging route in the early days. It is not designed or constructed to a modern standard. The existing passing bays were never formally designed to be passing bays, but locations where there is localised road widening, or the road widens due to driveway accesses.

A Council report in February 2021 (Appendix D) regarding the condition of Fairy Glen Road recommended the following:

1. *that Council:*
 - a) *applies a five-tonne load limit to Fairy Glen Road under the Local Government (Highway) Act 1982, with all emergency services vehicles exempted from the load limit. Any domestic or commercial vehicles, including TasNetworks and TasWater service vehicles, would be required to seek written consent from the regulator and have a proper risk management plan in place before entering the road.*
 - b) *further investigates the condition of the road and its load carrying capacity, particularly to define the extent of the road base below the translated sheeting material and its stability, with potential funding subject to Council's annual budget process and allocated accordingly.*
2. *Council continues to provide a waste collection service to the residents of Fairy Glen Road, but permanently relocates the waste collection point to the road entrance near the intersection with Springdale Road.*
3. *Installation of advisory signage such as 'Local Resident Only', 'Soft Edges', 'Drive with Caution' and speed limit recommendation (e.g. 40km/h) to raise road safety awareness. Council will also install guidepost to prevent drivers from getting too close to the road edge or locations where potential failures may occur.*
4. *Council programs the maintenance activities into its works program and carries them out accordingly.*
5. *Council puts the vegetation removal and tree clearance from the embankment on-hold until further assessment is carried out as part of the future investigation recommended in 1b.*
6. *Council further explores the option of restoring the road section damaged by the Veolia truck incident in 2019 and include the restoration cost in Council's 2021/22 fiscal year capital works program if it is deemed to be feasible.*

The Council report was undertaken due to heavy rain events and a vehicle incident both in mid-2020, that caused two sections of the road to have collapsed embankments on the lower side. One slip occurred around chainage 1000m (site 2 below) where a Veolia vehicle incident occurred and the other around chainage 500m

(site 1) where there are longitudinal cracks in the road that are currently being monitored. The slip locations are shown below.



Data source: Department of Primary Industries, Parks, Water and Environment, LIST base data, 25k geology data, and hillshade, 2020.

Figure 10: GHD Geotechnical Report, December 2020

The vehicle incident that occurred was the downslope embankment collapsing under a Veolia waste truck, causing the truck to overbalance at the top of the steep embankment. It was fortunately stopped by a tree and only went a short distance down the slope.

Council engineers believe that the maintenance works, such as re-sheeting and re-grading, carried out by Council over the years have made the driveable part of the road appear to be wider, but have not changed the trafficable width of the road, which remains as a single-lane road. This means the road is fundamentally no different from its original one-lane status.

Residents would like to see Council upgrade the road to a modern standard (e.g. a dual carriageway with appropriate drainage to cater for vehicle and pedestrian traffic), rather than impose the above restrictions on its use. A letter was first received by Council in October 2020 by several residents urging Council to upgrade/widen the road to cater for a range of needs, such as door-to-door mail delivery and waste collection, pedestrian safety, fire management and other issues.

While such a project would undoubtedly provide a more acceptable solution for the residents, the geological condition of the existing embankments on both sides of the road, and its 1.5km length, mean that it would be a prohibitively expensive to upgrade the road to a modern standard.

The Council report noted that Fairly Glen Road is not a high use area, given that it only services eight local properties. Given the low number of residents and the rural nature of the area, consideration of any road widening project needs to be analysed based on its cost-benefit and prioritised against other Council projects to demonstrate a fair approach for all ratepayers in the municipality to resolving these issues.

Signage has been installed on Fairy Glen Road including a 5-tonne load limit and remedial works undertaken. These remedial works included the construction of an engineered retaining wall along with road widening and improved drainage at the accident location. Council has undertaken re-sheeting and pot holing repairs and installed additional guideposts on the narrowest sections of the road.

At site 1, there are still longitudinal cracks in the shoulder of the pavement on the downslope side. Council has been continuing to monitor these cracks after rainfall events. The load limit has remained in place while this location is still being monitored for movement. The site has frequent guideposts and signs either end saying soft edge, no overtaking or passing.

The key principles adopted in Council's Asset Management Strategy for Infrastructure Assets 2019-2023 suggested that Council will 'invest in high use areas' and 'provide services to an affordable standard'. It is also worth noting that there are up to 20km of unsealed roads across the Glenorchy municipality and a precedent set in this case would put pressure upon Council to incur even greater expenditures on other cases.

The Road Authority believes that the measures undertaken are an appropriate response to address the primary safety concerns of the residents who live on Fairy Glen Road and in line with the Level of Service that Council should be providing in a residential rural area.

Signage along Fairy Glen Road

ARRB suggests that one strategy to improve safety, is to firstly focus on actions that can help motorists drive to the conditions which includes the installation of warning signs.

The TIA suggests that the Council should install road narrowing signage at both ends of Fairy Glen Road and an advisory speed limit of 40km/h. It is not proposed to sign the road as an advisory 40km/h at this stage as the geometry of the road should dictate the speed and the actual speed of vehicles should be between 20km/h to 30km/h, or even less.

There are existing signs at the start of Fairy Glen Road warning of the narrow road, stating that it is not suitable for buses or trucks with a current 5-tonne load limit with emergencies vehicles exempt. There is No Overtaking or Passing, Soft Edge signs at between chainage 500 and 570 where the slip is. There are also road narrow signs either side of the bridge.



Figure 11: Signage at Start of Fairy Glen Road and at the Slip

It is viewed that the existing signage on the road is adequate, but this can be investigated further if required.

Duty of Care

The Australian Road Research Board (ARRB) has produced a widely used Unsealed Roads Best Practice Guide 2, dated October 2022. The TIA has used the older version of this manual although the information provided in the TIA has remained the same.

The ARRB guide details the following regarding duty of care:

In Australia, a series of court decisions established that road agencies have a duty of care towards road users. In practice, this means that they must do what is reasonable to be aware of deficiencies in the road system, to assess and priorities these deficiencies, and have a system for remedying them (Sarre 2003).

Note that the requirement of duty of care does not demand that there be no deficiencies in the road system – only that a road agency will do what is reasonable to monitor and remedy any deficiencies.

The court decisions recognised that the resources available to an organisation, including the availability of material, skilled labour and funding, may limit how quickly defects can be addressed. If this results in a delay to remedying a situation which is hazardous for road users, then the road agency should consider other alternatives such as using signs to alert road users of the hazard or, in extreme cases, closing the road. The minimum commitment to road safety is a process for identifying safety issues and prioritising them, a process for remedying these issues within a reasonable time frame and a process for managing unsafe situations until remedial works can be undertaken. Each of these processes must be defensible as 'reasonable'.

The ARRB guide notes that the standards are based on roadway engineering principals with applied engineering judgement to arrive at practical and reasonable standards relating to a range of low volume roads. The geometric design of an unsealed road should be the result of a careful balance between the purpose of the road, traffic volume, terrain, design standards, cost and the standards of maintenance to be adopted. The purpose of the road will have a significant influence on the design standards to be used.

The Council report outlines a range of measures that have been undertaken such as signage and remedial works, that are appropriate for the rural unsealed road that serves eight residential properties.

Standards for Unsealed Rural Roads

The classification and geometric design standards from ARRB are shown in Appendix A and summarised below for an Access Road both in rolling and mountainous terrain. This classified Fairy Glen Road as an Access Road 4C, which is acceptable based on the service function and road type, although the traffic volumes are slightly higher than the guide being between 10 to 50 vehicles per day.

The table also shows the LGAT standard drawings requirements for a rural road with between 30 to 100 vehicles per hour, the assessment of Fairy Glen Road from the TIA and a summary of the Road Authority assessment.

Meeting Sight Distance or Intermediate Sight Distance is for one-lane roads where enough sight distance is required for two vehicles approaching each other to stop before colliding and is twice that of Stopping Sight Distance. This sight distance is applicable for Fairy Glen Road for vehicles, as it's a one lane road.

An ARRB research report ARR354 for Road Classification, Geometric Designs and Maintenance Standards for Low Volume Roads dated September 2001, recommends that passing bays be provided every 300m and each bay is visible from each other.

The LGAT standard drawings notate that where sight distance requirements cannot be met or limit options for vehicles to pull off the road, widening or passing bays should be require which is discussed in the next section.

Reference	Road Width	Shoulder and Verge Width	Carriageway Width	Formation Width	Stopping Sight Distance	Meeting Sight Distance
ARRB Class 4C Rolling Terrain (speed 40km/h)	3m	Shoulder - 1m Verge – 1m	5m Using shoulder	7m Shoulder and verge	50m	100m
ARRB Class 4C Mountainous (speed 20km/h)	3m	Shoulder 0.5m Verge – 1m	4m Using shoulder	6m Shoulder and verge	30m	60m
LGAT Standards	4m	Shoulder – 1m Verge - none	6m Using shoulder	-	-	-
Fairy Glen Road (from TIA)	3.5m to 4.0m	Shoulder – none Verge – varies none to 1m	3.5m – 5m Using verge	3.5m – 5m Using verge	-	-

Fairy Glen Road (Road Authority) <i>Figure 7</i>	3.2m to 4m	Verge – 0m to 1.5m Shoulder where road widens – 1.5m to 4m	3.2m – 5m Using verge Passing Areas using Shoulder 5.5m to 7.5m	3.2m – 5m Using verge Passing Areas using Shoulder 5.5m to 7.5m	-	Between 50m and 100m
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Figure 12: Comparison of Widths and Sight Lines

Road Authority Site Inspection

A site inspection was undertaken on Thursday the 29 February 2024 in which the road was walked. Sight lines were checked every 100m along the road and the road widths measured. The road widths were also measured where the road widened, being where the road is 5.5m or greater to allow two-way traffic.

The results of the site inspection are in Appendix B and photos in Appendix C. A summary of the site inspection is shown on a map in the figure below.



Figure 13: Sight Lines Every 100m and Passing Bay Locations



Figure 14: Sight Lines Every 100m and Passing Bay Locations

The main concerns from the site inspection are highlighted below being, no passing bay in the first 570m section and reduced sight lines at chainage 900m and 1000m.

The other issue is the Council bridge on Fairy Glen Road between the minibus parking and the facility. The bridge is in good condition. However, the timber fence on the bridge is not a standard fence and would not stop a vehicle going over it. The fence poses a safety risk if a vehicle hits it.

The first 570m of Fairy Glen Road from the junction with Springfield Road has no passing bays. The road width is approximately 3.2m from the start to ch.400m, then widens to between 3.4m to 3.5m. There is a verge area on the eastern side mainly 1m wide, with one section being 1.5m wide.

The first 570m of Fairy Glen Road is of concern as there are no passing bays or opportunities to safely pass along its length. The stability of the verge area is uncertain and there is the area at the end of chainage 500m which Council has been monitoring, due to the slip risk.

Along Fairy Glen Road, most of the time you are not able to see the next passing bay. However, this is considered acceptable as the passing bays are a maximum of 150m apart, except the first section, and the minimum sight lines are 50m. This means that if a vehicle does encounter another vehicle, the most it would have to reverse is likely 100m.

If it is assumed the minimum speed is 20km/h on the road, then the Intermediate Sight Distance required is 60m. This is not met at chainage 900m and 1000m where sight distance is approximately 50m due to the bends in the road. However, at these

locations the trafficable road width is between 4.4m to 5.6m, so this is considered acceptable as speeds should be low due to the bends and Council has undertaken works at around chainage 1000m due to the slip. There is also a passing area at chainage 1050 of 5.9m in width.

TIA Assessment

The TIA notes that the majority of Fairy Glen Road meets the minimum ARRB requirement as well as the LGAT requirements along most of its length with some isolated 'squeeze points'. The width conditions are not met along some of the areas of the road due to various restrictions that include embankments, roadside vegetations and property boundaries.

The TIA noted the following:

It is also noted that some sections within the initial 550 metres of Fairy Glen Road permit passing of two cars in opposing directions. Where the road width is ~4-metres, it is possible for two cars to pass at low speed. Whilst this has not been witnessed in site investigations, it is likely to occur infrequently.

It is viewed by the Road Authority that 4m is not adequate to pass within the first 550m of Fairy Glen Road as we do not wish for vehicles to use the verge area due to the steep drop off and previous slip history. The actual road width is between 3.2m and 3.5m along this section of road which is not adequate for two vehicles to pass.

The Road Authority recommends that a passing bay is required in the first 550m section of Fairy Glen Road by the developer due to the increase in traffic on the road and risk that two vehicles may try to pass. Increasing the volume of traffic on the road increases the risk of a crash and/or two cars trying to pass each other on unstable ground and/or vehicles reversing until the road widens to pass.

The TIA states that the site investigations indicate that there is sufficient available sight distance for vehicles to react and utilise the passing areas based on the low operating speeds on the road. With an operating speed of between 20km/h and 30km/h, stopping sight distance is estimated to be between 14m and 26m.

The TIA explains that the existing situation of Fairy Glen Road has been in place for many years without significant issues. The very low traffic volume and low speed environment results in an acceptable operating condition. An extract from the TIA Response to Council Request for Information is provided below.

Council have requested further information regarding Fairy Glen Road compliance with standards.

Fairy Glen Road is an existing road. It has been in continuous use for decades and provides access to approximately 9 properties. It is public road that is owned and maintained by the Glenorchy City Council.

The ARRB and LGAT design standards are used in the design of new road infrastructure. In this case we are dealing with an existing road that has constraints due to topography and terrain. It is not the intent of the TIA to suggest that Fairy Glen Road is required to meet the ARRB and LGAT design requirements, but to identify any issues that may be a potential road safety or efficiency issue. The reference to the ARRB and LGAT standards was to gain an understanding of the adequacy of the road to cater for additional traffic generated by the proposed development.

In this case the TIA identified that there are sections of Fairy Glen Road that would be considered a deficiency under the Standards (ie. no passing bay for 550 metres, location and function of passing bays, road width, etc). The TIA identified that in general terms the road can broadly satisfy the road design requirements "with some localised squeeze points' identified.

The TIA then provided some basic recommendations to overcome the issues identified (road widening signage and advisory speed signage). These recommendations were based on the existing function of the road and should be considered adequate for ongoing operational safety and efficiency.

The TIA recognises that there are constraints associated with the Fairy Glen Road access to the site. On this basis it was determined that the use of a minibus was preferable to private car transport for guests. The use of the minibus will significantly reduce the traffic generation associated with the proposed development. A minibus would traverse the road 1 to 4 trips per day (2 to 8 two-way trips).

The existing traffic volume of Fairy Glen Road is low, in the order of 80 vehicles per day (based on land use generation). The addition of up to 8 vehicle movements per day will not have any significant impacts on the operational efficiency of the road, nor will it alter the classification of the road as determined by the ARRB and LGAT standards. On this basis it should be safe to assume that the function of the road will continue to be satisfactory for road users. If Council considers the existing use of the road to be substandard or unsafe for normal use, then it is the responsibility of Council as the road authority to take actions to overcome issues irrespective of the proposed development.

Road Authority View

The proposed development meets or can meet, the standards for parking and traffic in C2.0 and C3.0. However, the proposed use of the development is a Tourist Operation, which is discretionary in the Rural Zone. This means that the performance criteria 20.3.1 P4 needs to be met, in which this captures the impact of a commercial development in a rural area that may otherwise not be captured under the standard codes. The standard states:

A use listed as Discretionary, excluding Residential, must be appropriate for a rural location, having regard to:

(d) the capacity of the local road network to accommodate the traffic generated by the use.

The Road Authority is of the view that the proposed development is not appropriate for the rural location, as Fairy Glen Road is unable to cater for pedestrian movements from the proposed minibus parking to the facilities which involved pedestrian walking on the unsealed 3.2m to 4m wide road and bridge.

It is not appropriate for pedestrians to be walking on a gravel road with no path or protection between them and a vehicle. There is also a risk that a vehicle may not stop in time, or a passing driver may hit a pedestrian.

The Road Authority is of the view that the proposed development is not appropriate for the rural location, as Fairy Glen Road does not have the capacity to accommodate the traffic generated by the use, particularly due to the lack of passing bays in the first 570m section of road.

Fairy Glen Road does not meet the requirements under ARRB or LGAT for passing bays, sight lines, road width or barrier fence on the bridge. However, it is considered acceptable for the current eight residential properties that use it. The proposed Tourist Operation, although minimising the traffic generated using the minibus, is not appropriate for the rural location.

The development will not only have the increase in traffic from the minibus but will need to be serviced for sewage, waste, and water; along with the construction of it. Even though the service vehicles will be infrequent, it still has an impact on the road with the use of these heavy vehicles.

The main concern is that the first 570m section of Fairy Glen Road does not have adequate passing bays to accommodate the traffic generated by the development. There are also locations where sight lines are not met for two vehicles to be able to stop in time to avoid a crash. The road width is that of a one-lane road being between 3.2m to 4m and the stability of the verge in areas uncertain. The fence on the bridge is non-standard.

Representations

Six representations were made (four of which were non-statutory), and all representations were in favour of the development.

Regarding traffic and the capacity of the road, all representations expressed that they did not have any concerns related to the increase in traffic on the road and supported the development. They were satisfied that the applicant had considered the traffic on the road, and adequately addressed this by proposing the use of the minibus.

However, the Road Authority's view still stands that the application be refused.

Conclusion

Based on the TIA and assessment by the Road Authority the proposed development is refused, as the use is discretionary and under 20.3.1 P4 the proposed development is not appropriate for the rural location, as the capacity of Fairy Glen Road is not sufficient to accommodate both the pedestrian and vehicle traffic generated by the development.

Please find the Appendixes referred to in this referral at the very end of the planning report.

Development Engineer

Comments

The development application seeks an approval for spa and sauna at the subject site. The scope of work can be seen in the figure below.

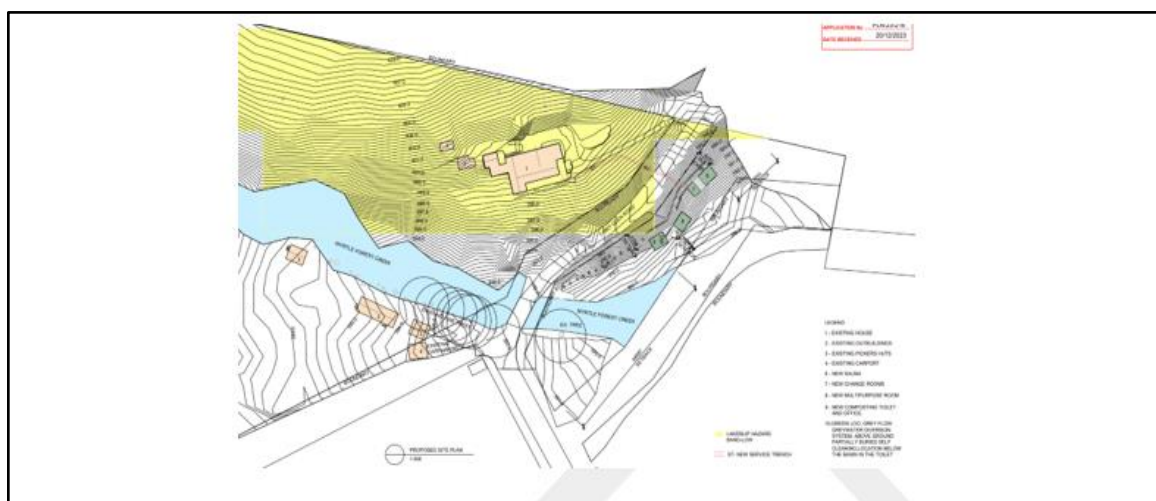


Figure 1: Scope of works

Runoff is proposed to be drained via an existing Stormwater system to the spoon drain to the creek. The General Manager's consent to interfere with stormwater infrastructure can be granted.

C2.0 Parking and Sustainable Transport Code

Due to the concerns with road safety issues the developer proposes no additional parking to cater for the development but a drop off and pick up area, service by a minibus instead. While the development can comply with the Code; Council's Transport Engineer has concern regarding the development being appropriate for the rural location having regard to the capacity of Fairy Glen Road to accommodate the traffic generated by the use. Please refer to Transport Engineer referral document for a thorough assessment.

C3.0 Road and Railway Assets Code

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

Other

C7.0 Natural Assets Code

The site is subject to the Natural Assets Code. The runoff from the development is proposed to be drained via new proposed stormwater point of discharge into the watercourse. Therefore, the development is unable to comply with the acceptable solution C7.6.1 A3 and the assessment against the performance criteria is required. It is considered the development will not increase the risk or impact to the water quality providing that during construction including demolition and earthworks the sediment and erosion control measures to be installed to prevent soil and other materials entering the local stormwater system and the water sensitive urban design is part of the proposed development. These would be conditioned if a permit was to be issued. Therefore, the development complies with the Code and is considered that the site is capable of being developed and the natural assets are not expected to be significantly affected.

C12.0 Flood-Prone Areas Hazard Code

The site is not subject to the Flood Prone Area.

C15.0 Landslide Code

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

Environment Officer

Supporting Documentation

Natural Values Assessment of proposed spa and sauna facility at 134 Fairy Glen Road, Collinsvale (Jim Mulcahy, December 2023)

Stormwater Water Assessment for Myrtle Creek Farm Development (Pinion, November 2023)

Summary of Natural Values

Vegetation

One native vegetation community is present onsite, *E. regnans* wet forest (WRE), with the rest of the lot consisting of largely modified land (FRG, FAG, FUM). None of these communities are listed as threatened. No impacts expected on threatened vegetation from the proposal.

Flora

No listed species of flora observed during surveys or recorded in the NVA. No impacts expected on threatened flora from the proposal.

Fauna

No threatened fauna or their associated sensitive / significant sites were found during surveys or recorded in the NVA. Negligible impacts are expected to threatened fauna from the proposal.

Weeds

Two declared weeds are present onsite: holly *Ilex aquifolium* and blackberry *Rubus fruticosus* agg. Neither declared weed species is present within the footprint of the proposed works. Works associated with the development footprint are unlikely to spread these declared weeds. Five environmental weeds were present, with a number within the footprint and likely to be spread by the works.

C7.0 Natural Assets Code

Application of C7.0 Natural Assets Code

The proposed development traverses through land that triggers the application of C7.0 Natural Assets Code, as per C7.2 Application of Code:

- (a) Waterway and Coastal Protection
- (c) Priority Vegetation Area only if within the following zones:
 - (ii) Rural Zone

C7.6.1 Building and works within a waterway and coastal protection area or a future coastal refugia area

Acceptable Solutions	Performance Criteria	Assessment outcome
A1	P1.1	A1 cannot be met, but satisfied the proposal meets all applicable performance criteria under P1.1.
A3	P3	A3 cannot be met, but satisfied the proposal meets all applicable performance criteria under P3.

The proposed development application was assessed as satisfactory in relation to C7.6.1 and associated clauses.

C7.6.2 Clearance within a priority vegetation area

Acceptable Solutions	Performance Criteria	Assessment outcome
A1	P1.1	A1 cannot be met but satisfied proposal meets performance criteria under P1.1.
	P1.2	A1 cannot be met but satisfied proposal meets performance criteria under P1.2.

The proposed development application was assessed as satisfactory in relation to C7.6.2 and associated clauses.

Environmental Health

The application is for the installation of a public sauna and spa facility. There aren't any considerations for Environmental Health under the provisions of the *Tasmanian Planning Scheme*.

However, given that the property is in a non-sewered area, the disposal of wastewater for the proposed facility will need to be considered.

Consideration also needs to be given to the proposed spa, for requirements under the Public Health Act 1997, Recreational Water Quality Guidelines 2007.

EXTERNAL REFERRALS

Tasmanian Heritage Council

The Tasmanian Heritage Council consents to the discretionary permit being granted in accordance with documentation submitted with Development Application PLN-23-216.

REPRESENTATIONS

The application was advertised for the statutory 14-day period with 2 representation(s) and 4 non-statutory representations being received. All representations were in support of the proposal as follows:

Support for the application

The first representor states that the applicants have engaged with residents in the area and is in support of the application. In particular, that access and anticipated traffic to the development was appropriately addressed. Furthermore, that the proposed buildings would be sympathetic to their surroundings as they would be well hidden from the road.

The second representation is also in support of the proposal for the same reasons. In addition, that the proposed shuttle bus would ensure that traffic volumes on the road would remain reasonable.

The third representation is likewise in support of the proposal and states that the road is fine. The representor lives at the end of the road and has used the road multiple times a day for the last ten years. Whilst the road is narrow, it is fine according to the representation. Furthermore, using FCR road base for fixing potholes has improved the road.

The fourth representation is from the applicants themselves, reiterating their commitment and dedication to this proposal and its contribution to the local community, economy and sustainability. Moreover, that its position in the small rural community of Collinsvale would attract visitors to the area and to other businesses as well as provide a heritage experience. It is also indented to provide comprehensive traffic management measures that are targeted to reduce the overall impact of the development on the local traffic network. The measures include the use of a shuttle service, operating within non-peak times and offering longer booking times. The representation concludes by hoping that the merits of the proposal would be recognised.

The fifth representation is hopeful the boutique scale and environmentally friendly project will soon commence and feels that the natural beauty and stunning vistas should be shared with others. Moreover, the representation states that the applicants have taken on a community minded collaborative approach and are well liked. Also, that the applicants had been diligent in addressing traffic concerns.

The last representation also voices the support for the project and commends the community consultation by the applicants. It is in particular appreciative of the practical mitigation measures to minimise impact on the road network. The representation goes on to say that the health and wellbeing hub would enhance the community's image and pride.

Planner's Comment:

The representations are all appreciative of the community consultation by the applicant and like the proposed development. Moreover, the traffic measures are also appreciated and no particular concerns about the road were raised. Although traffic issues were not a concern for the representors, traffic is a significant issue for this location and was assessed in detail by Council's Traffic Engineer in the Referrals section of this report.

CONCLUSION

The application is for the construction of a spa and sauna facility near the end of Fairy Glen Road, approximately 2.4km southwest of the township of Collinsvale. The proposal would be located on a residential property within the Rural Zone. The development comprises of a series of four small buildings, joined in pairs by two decks and surrounded by landscaping, including paths and retaining walls. It is intended to use a minibus to ferry patrons to and from the site. The use is classed as a Tourist Operation. There would be also a service trench over the road as part of the proposal.

The application is discretionary for the use and for several performance criteria. The performance criteria relate to the discretionary use (including road capacity), boundary setbacks, car parking numbers, construction of car parking areas and the Natural Assets Code. It is considered that the use of this nature and at this location would satisfy the relevant performance criteria in general, except for road capacity. Likewise, the setback discretion accords with the performance criteria as there would be no adverse impacts on neighbours. In regard to buildings and works within a watercourse protection area and vegetation clearance it was also found that the proposal meets the performance criteria as there will be no significant impacts on the creek.

Nevertheless, the issues relating to road capacity are significant and the performance criterion in clause 20.3.1 P4 (d) is not satisfied. The application was referred to Council's Traffic Engineer, who is not satisfied that the proposal can be approved because the local road is not designed to accommodate traffic other than for the eight existing residences.

There were 2 representations and 4 non-statutory representations being received. All representations were in support of the proposal.

In conclusion the application is assessed as failing to satisfy the performance criteria in clause 20.3.1 P4 relating to road capacity and is recommended for refusal accordingly.

Recommendation:

That the application for the Spa and Sauna (Tourist Operation), with associated infrastructure of 134 and 146 Fairy Glen Road Collinsvale be refused for the following reasons:

1. The application fails to demonstrate compliance with the performance criteria in clause 20.3.1 P4 as the capacity of the local road network cannot accommodate the traffic generated by the use.

Attachments/Annexures

- 1 GPA Attachment - 134 and 146 Fairy Glen Road, Collinsvale



APPENDIX

20.0 Rural Zone

Standard	Acceptable Solution	Proposed	Complies?
20.3.1 Use Standards			
20.3.1 Discretionary use	A1 A use listed as Discretionary, excluding Residential, is for an alteration or extension to an existing use, if: (a) the gross floor area does not increase by more than 30% from that existing at the effective date; and (b) the development area does not increase by more than 30% from that existing at the effective date.	The application is for a new use and therefore cannot accord with the acceptable solution.	Discretion
	A2 No Acceptable Solution.		Discretion
	A3 No Acceptable Solution.	The proposal is not converting agricultural land. Therefore, this standard is not applicable.	N/A
	A4 No Acceptable Solution.		Discretion
20.4.1 Building Height	A1 Building height must be not more than 12m.	The buildings range in height from 2.685m to 4.375m	Yes
20.4.2	A1		

Standard	Acceptable Solution	Proposed	Complies?
Setback	Buildings must have a setback from all boundaries of: (a) not less than 5m; or (b) if the setback of an existing building is within 5m, not less than the existing building.	Road Boundary: Between 4.19m and 4.039m Sorell Creek Boundary: 3.976m Side Boundary- East:13.935m	Discretion
	A2 Buildings for a sensitive use must be separated from an Agriculture Zone a distance of: (a) not less than 200m; or (b) if an existing building for a sensitive use on the site is within 200m of that boundary, not less than the existing building.	The proposal is not within 200m of the Agricultural Zone	Yes
20.4.3 Access for new dwellings	A1 New dwellings must be located on lots that have frontage with access to a road maintained by a road authority.	The proposal is not for a new dwelling. Nevertheless, the proposed buildings would be located on a lot that has frontage with access to a road.	N/A

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 	No additional parking is proposed.	No

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

Standard	Acceptable Solution	Proposed	Complies?
	C= Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.		
C2.5.2 Bicycle parking numbers	A1 Bicycle parking spaces must: (a) be provided on the site or within 50m of the site; and (b) be no less than the number specified in Table C2.1.		NA
C2.5.3 Motorcycle parking numbers <i>This applies to:</i> <i>Business and Professional Services;</i> <i>Community Meeting and Entertainment;</i> <i>Custodial Facility;</i> <i>Crematoria and Cemeteries;</i> <i>Educational and Occasional Care;</i> <i>Food Services;</i>	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?
<i>General Retail and Hire; Hospital Services; Hotel Industry; Pleasure Boat Facility; Residential if for a communal residence, multiple dwellings or hostel use; Sports and Recreation; and Tourist Operation.</i>			
C2.5.4 Loading bays <i>This applies to: Bulky Goods Sales; General Retail and Hire; Manufacturing and Processing; and Storage.</i>	A1 A loading bay must be provided for uses with a floor area of more than 1000m ² in a single occupancy.	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>	A1 Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for:	Not required	NA

Standard	Acceptable Solution	Proposed	Complies?
<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>	(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.		
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	Parking and driveway area proposed to be all weather surface and surfaced water are to be drained to the proposed stormwater connection.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(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.		
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; 	Layout and gradients are provided in accordance with the AS2890.1 (further information and works by developer should satisfy this)	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<p>(iv) have car parking space dimensions which satisfy the requirements in Table C2.3;</p> <p>(v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces;</p> <p>(vi) have a vertical clearance of not less than 2.1m above the parking surface level; and</p> <p>(vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or</p> <p>(b) comply with <i>Australian Standard AS 2890-Parking facilities, Parts 1-6</i>.</p> <p>A1.2</p> <p>Parking spaces provided for use by persons with a disability must satisfy the following:</p>		

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.		Yes
	A2		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> .		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,		NA

Standard	Acceptable Solution	Proposed	Complies?
	<p>excluding where crossing access ways or parking aisles, by:</p> <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 <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	A1		NA

Standard	Acceptable Solution	Proposed	Complies?
	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.		
	A2 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> .		
C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 “Basis of Design” and clause 3.6 “Car Parks” in AS/NZS		NA

Standard	Acceptable Solution	Proposed	Complies?
	1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.		
	<p>A2</p> <p>Bicycle parking spaces must:</p> <p>(a) have dimensions not less than:</p> <ul style="list-style-type: none"> (i) 1.7m in length; (ii) 1.2m in height; and (iii) 0.7m in width at the handlebars; <p>(b) have unobstructed access with a width of not less than 2m and a gradient not steeper than 5% from a road, cycle path, bicycle lane, shared path or access way; and</p> <p>(c) include a rail or hoop to lock a bicycle that satisfies <i>Australian Standard AS 2890.3-2015 Parking facilities - Part 3: Bicycle parking</i>.</p>		NA
C2.6.8 Siting of parking and turning areas	<p>A1</p> <p>Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General</p>		NA

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

Standard	Acceptable Solution	Proposed	Complies?
	(b) not be increased above existing parking numbers.		

APPENDIX**C3.0 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.	Vehicular traffic is not increased by 40 vpd.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<p>A1.4</p> <p>Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:</p> <p>(a) the amounts in Table C3.1; or</p> <p>(b) allowed by a licence issued under Part IVA of the <i>Roads and Jetties Act 1935</i> in respect to a limited access road.</p> <p>A1.5</p> <p>Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>		
C3.6 Development Standards for Buildings and Works			

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: <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 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>. 		N/A
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.		NA

APPENDIX**C7.0 Natural Assets Code**

Standard	Acceptable Solution	Proposed	Complies?
C7.6 Development Standards for Buildings and Works			
C7.6.1 Buildings and works within a waterway and coastal protection area or a future coastal refugia area	A1 Buildings and works within a waterway and coastal protection area must: (a) be within a building area on a sealed plan approved under this planning scheme; (b) in relation to a Class 4 watercourse, be for a crossing or bridge not more than 5m in width; or (c) if within the spatial extent of tidal waters, be an extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway that is not more than 20% of the area of the facility existing at the effective date.		Discretion

Standard	Acceptable Solution	Proposed	Complies?
	A2 Buildings and works within a future coastal refugia area must be located within a building area on a sealed plan approved under this planning scheme.		N/A
	A3 Development within a waterway and coastal protection area or a future coastal refugia area must not involve a new stormwater point discharge into a watercourse, wetland or lake.		Discretion
	A4 Dredging or reclamation must not occur within a waterway and coastal protection area or a future coastal refugia area.		N/A
	A5 Coastal protection works or watercourse erosion or inundation protection works must not occur within a waterway and coastal protection area or a future coastal refugia area.		N/A
C7.6.2 Clearance within a priority vegetation area	A1 Clearance of native vegetation within a priority vegetation area must be within a building area on a sealed plan approved under this planning scheme.		Discretion

APPENDIX**C8.0 Scenic Protection Code**

Standard	Acceptable Solution	Proposed	Complies?
E14.7 Development Standards			
C8.6.1 Development within a scenic protection area	A1 Buildings or works, including destruction of vegetation, within a scenic protection area must: <ul style="list-style-type: none"> (a) be on land no less than 50 m (in elevation) from a skyline; (b) be no more than 500 m² in extent. 	The land is approximately 390m in elevation, the nearest point in the skyline is at 640m elevation. Area of proposed buildings access and decking is 124m ² according to the applicant's DA report (p28)	Yes
C8.6.2 Development within a scenic road corridor	A1 Destruction of exotic trees with a height more than 10m, native vegetation, or hedgerows within a scenic road corridor must not be visible from the scenic road.	The road is not a scenic road corridor	N/A
	A2 Buildings or works within a scenic road corridor must not be visible from the scenic road.	The road is not a scenic road corridor	N/A

Appendix A – ARRB Classification and Geometric Design Standards

Table 3.9: Unsealed roads classification system

Road class	Class type	Service function description	Road type description
4A	Main road > 150 ADT	This type of road is used for major movements between population centres and connection to adjacent areas. High traffic volumes occur, and the road can carry large vehicles.	<ul style="list-style-type: none"> All weather road, predominantly two-lane and unsealed. Can be sealed if economically justified. Operating speed standard of 50–80 km/h according to terrain. Minimum carriageway width is 7 m.
4B	Minor road 50–150 ADT	This type of road is used for connection between local centres of population and links to the primary network. Roads may or may not be sealed depending on the importance and function of the road.	<ul style="list-style-type: none"> All-weather two-lane road formed and gravelled or single-lane sealed road with gravel shoulders. Operating speed standard of 30–70 km/h according to terrain. Minimum carriageway width is 5.5 m.
4C	Access road 10–50 ADT	Provides access to low use areas or individual rural property sites and forest areas. Caters for low travel speed and a range of vehicles and may be seasonally closed.	<ul style="list-style-type: none"> Substantially a single lane two-way, generally dry weather, formed road. Operating speeds standard of < 20–40 km/h according to terrain. Minimum carriageway width is 4 m. May be restricted to four-wheel drive vehicles.
4D	Tracks < 10 ADT	Mainly used for fire protection purposes, management access and limited recreational activities.	<ul style="list-style-type: none"> Predominantly a single-lane two-way earth track (unformed) at or near the natural surface level. Predominantly not conforming to any geometric design standards. Minimum cleared width is 3 m. Primarily for four-wheel drive vehicles.

Table 3.10: Guidelines for the main geometric design standards for unsealed roads

Road classification	4A Main			4B Minor			4C Access			4D Tracks			Comments
Terrain type	Flat	Rolling	Mountainous	Flat	Rolling	Mountainous	Flat	Rolling	Mountainous	Flat	Rolling	Mountainous	
Main geometric characteristic based on safety, costs and environmental considerations													
Operating speed value (km/h)	80	70	50	70	50	30	60	40	20	N/A	N/A	N/A	Based on 85 th percentile speed
Cross-section elements													
Number of traffic lanes	2	2	2	2	2	2	1	1	1	1	1	1	Unsealed lanes
Minimum cross fall (%)	5	5	5	5	5	5	5	5	5	4	4	4	Min. of 4% to drain rainfall off tracks
Maximum superelevation (%) ¹	6	7	8	6	8	10	6	8	10	N/A	N/A	N/A	
Minimum traffic lane width (m) ²	3.5	3	3	3	3	3	3	3	3	3	3	3	
Minimum shoulder width (m)	1	1	0.5	0.5	0.5	0.5	1.5	1	0.5	0	0	0	
Minimum carriageway width (lanes + shoulder) (m)	9	8	7	7	7	7	6	5	4	3	3	3	
Minimum formation width (including verges) (m) ³	11	10	9	9	9	9	8	7	6	3	3	3	
Horizontal geometry													
Minimum curve radius (m) ⁴	320	250	140	250	100	35	170	60	15	N/A	N/A	N/A	

Road classification	4A Main			4B Minor			4C Access			4D Tracks			Comments
Terrain type	Flat	Rolling	Mountainous	Flat	Rolling	Mountainous	Flat	Rolling	Mountainous	Flat	Rolling	Mountainous	
Minimum stopping sight distance (m) ⁵	150	120	70	120	70	30	90	50	30	N/A	N/A	N/A	
Minimum meeting sight distance (m) ⁶	290	230	130	230	130	60	180	100	60	N/A	N/A	N/A	
Vertical geometry													
Maximum vertical grade (%) ⁷	6	8	12	6	8	12	6	8	12	N/A	N/A	N/A	Avoid steep grades to reduce soil erosion along tracks
Minimum crest vertical curve (K value) ⁸	50	30	10	30	10	5	19	8	2	N/A	N/A	N/A	
Minimum sag vertical curve (K value) ⁹	11	8	4	8	4	3	6	3	2	N/A	N/A	N/A	

¹ The maximum superelevation value will need to consider the number of loaded heavy vehicles, speed and curve radii.

² In cases where there are a high percentage of heavy vehicles (> 20%) minimum lane widths can be increased by 0.5 m.

³ Allows for 1 m verge/table drain width. This must be reviewed based on actual locations where for drainage reasons greater widths may be required.

⁴ Values rounded up. For minimum radius curves, widening on the inside of a curve may be necessary to accommodate longer vehicles.

⁵ Based on a reaction time of 2 seconds and surface coefficients relating to unsealed surfaces. Values rounded up. Values based on flat grades and allowances will need to be made for up and down grades.

⁶ This is mainly a requirement for single lane two-way roads. Values rounded up.

⁷ In some cases, higher grades of up to 20% can be allowed for short sections (about 150 m). Keep grades on unsealed roads lower due to ravelling and scouring of surface.

⁸ Calculation of these values is to be based on information contained in Austroads (2016c). The length of the vertical curve (L) is based on the product of K multiplied by the algebraic difference in grades percentage A (i.e. $L = K \times A$).

⁹ Sag values are based on comfort control criteria.

Appendix B – Site Inspection

Chainage	Road Width (m)	Verge East Side (m)	Verge West Side (m)	Trafficable Width (m)	Btw Widen Sections (m)	Sight Lines (m)	Comments
0	7.2	0.0	0.0	7.2		80	Start at Junction
80	3.2	1.5	0.0	4.7			
100	3.2	1.0	0.0	4.2		70	
170	3.2	1.5	0.0	4.7			
200	3.2	1.0	0.0	4.2		100	
300	3.2	1.0	0.0	4.2		100	
400	3.5	1.0	0.0	4.5		75	
475	3.5	1.0	0.0	4.5			
500	3.4	1.0	0.0	4.4		70	Start of Soft Edge Area to Ch.570
570	3.2	2.5	0.0	5.7	570		Widen section
600	3.2	1.0	0.5	4.7		60	
660	5.5	2.0	0.0	7.5	90		Widen section
700	3.8	1.0	0.0	4.8		80	
780	3.5	4.0	0.0	7.5	120		Driveway on east side/downhill
800	3.5	1.0	0.5	5.0		70	
860	4.2	0.0	2.5	6.7	80		Widened with creek on east side
900	3.6	2.0	0.0	5.6	40	50	Driveway on east side/downhill
950	3.4	1.0	0.0	4.4			
1000	3.2	1.5	0.0	4.7		50	
1050	4.4	1.0	0.5	5.9	150		
1100	3.8	0.5	0.5	4.8		60	
1125	3.4	2.0	1.5	6.9	75		Driveway on west side/uphill
1160	3.4	1.0	0.5	4.9			
1200	3.4	1.0	0.0	4.4		70	
1250	4.2	1.5	1.5	7.2	125		Driveway on east side/downhill
1270	3.4	0.5	1.0	4.9			
1300	3.4	1.5	1.5	6.4	50	80	Driveways on east and west sides
1380	3.4	1.0	1.5	5.9	80		Driveway on west side/uphill
1400	3.4	1.0	0.0	4.4		60	
1450	3.2	1.0	0.0	4.2			Between Bridge and Path
1455	4.0	0.0	0.0	4.0			Bridge
1460	4.4	1.5	0.5	6.4	80		Between Bridge & Park and Photo

Appendix C - Photos from Site Visit 29 February 2024



*Ch.0 - Sight Distance: 80m. Road Width: 7.2m
Ch.100 - Sight Distance: 70m. Road Width: 3.2m*





Ch.0 - Sight Distance: 80m. Road Width: 7.2m
Ch.100 – Sight Distance: 70m. Road Width: 3.2m





*Ch.400 – Sight Distance: 75m. Road Width: 3.5m
Ch.500 – Sight Distance: 70m. Road Width: 3.4m
Widened section at Ch.570*





*Ch.600 – Sight Distance: 60m. Road Width: 3.2m
Widened section at Ch.660*

*Ch.700 – Sight Distance: 80m. Road Width: 3.8m
Widened section/Driveway at Ch.780*





Ch.800 – Sight Distance: 70m. Road Width: 3.5m

Widened section at Ch.860 and Ch.870

Ch.900 – Sight Distance: 50m. Road Width: 3.6m. Widened section at Ch.900





*Ch.1000 – Sight Distance: 50m. Road Width: 3.2m
Widened section and at Ch.1050*

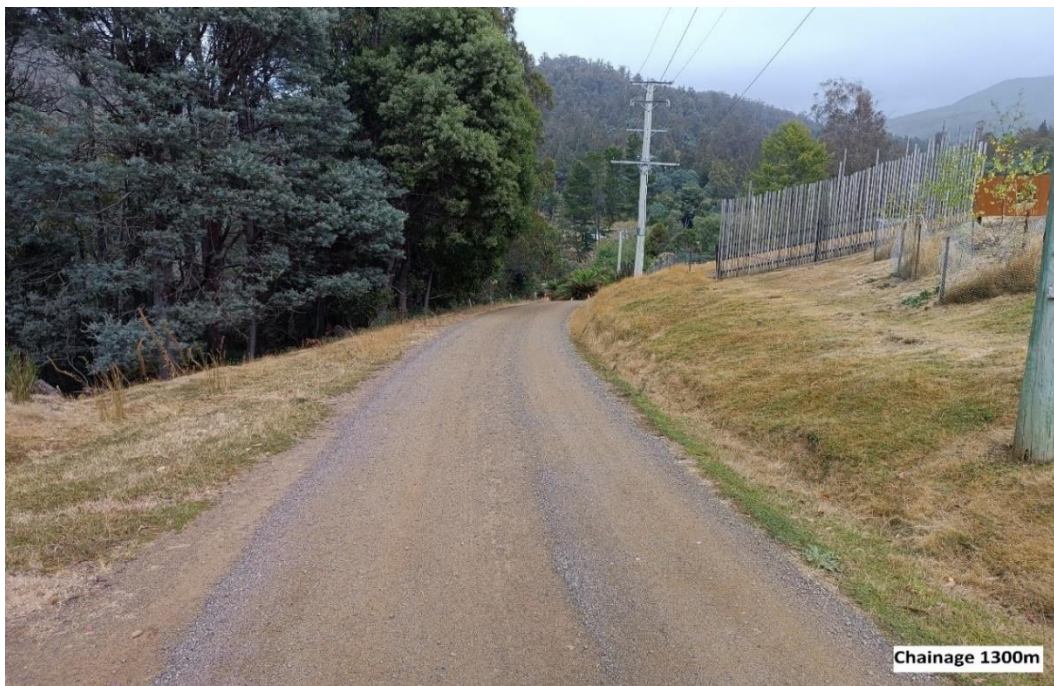
*Ch.1100 – Sight Distance: 60m. Road Width: 3.8m
Widened section at Ch.1125*





*Ch.1200 – Sight Distance: 70m. Road Width: 3.4m
Widened section at Ch.1250*

*Ch.1300 – Sight Distance: 80m. Road Width: 3.4m. Widened section at Ch.1300 and
Ch.1380*



*Ch.1400 – Sight Distance: 60m. Road Width: 3.4m
Widened section at Ch.1460 (Between bridge and parking area)*



*Ch.1400 – Sight Distance: 60m. Road Width: 3.4m
Widened section at Ch.1460 (Between bridge and parking area)*

Appendix D – Council Report 22 February 2021

13. FAIRY GLEN ROAD COLLINSVALE - RECOMMENDED MANAGEMENT ACTIONS

Author: Acting Director Infrastructure and Works (Frank Chen)

Qualified Person: Acting Director Infrastructure and Works (Frank Chen)

ECM File Reference: Road Maintenance

Community Plan Reference:

Leading Our Community

The communities of Glenorchy will be confident that Council manages the community's assets soundly for the long-term benefit of the community.

Strategic or Annual Plan Reference:

Making Lives Better

Objective 1.1 Know our communities and what they value

Strategy 1.1.1 Guide decision making through continued community engagement based on our Community Plan

Valuing Our Environment

Objective 3.1 Create a liveable and desirable City

Strategy 3.1.4 Deliver new and existing services to improve the City's liveability

Leading our Community

Objective 4.1 Govern in the best interests of our community

Strategy 4.1.2 Manage the City's assets soundly for the long-term benefit of the Community

Reporting Brief:

The purpose of this report is to:

- brief Council on the condition of Fairy Glen Road in Collinsvale
- present the outcomes of consultation with local residents and key stakeholders on recommended management actions
- seek Council's approval to implement 7 actions that are recommended for the management of the road.

Proposal in Detail:

Background

Fairy Glen Road is an unsealed/gravel road, approximately 1.5 km in length which services 8 residential properties in Collinsvale. Originally constructed as a one-lane logging route in the early days, it is not designed or constructed to a modern standard that caters for residential or farming vehicles. However, Council has carried out regular re-sheeting (topping-up with gravel) and re-grading (levelling the surface) works to maintain the road in an accessible condition for the benefit of the local residents.

Due to heavy rain events and a vehicle incident in mid-2020, two sections of the road currently have collapsed embankments on the lower side meaning that only one vehicle can pass at a time. The vehicle incident that occurred was the downslope embankment collapsing under a Veolia waste truck, causing the truck to overbalance at the top of the steep embankment (although it was fortunately stopped by a tree and only went a short distance down the slope).

After the embankment collapse, Council officers immediately implemented traffic management measures to ensure the road was safe and notified the residents of the issue. The works undertaken to rectify the embankment collapse to-date have included:

- installation of guideposts and safety bunting to prevent drivers from getting close to the collapsed sites or locations where further potential collapses or failures may occur
- barricading the locations where the failures occurred
- sealing tension cracks along the soft edges
- cleaning roadside drainage to prevent sheet flow of water crossing the road
- temporarily relocating waste collection for the 8 properties to the mailbox collection area at the head of the road (where it intersects with Springdale Road) to further reduce heavy vehicle movements along the road.

Road Condition Assessment Outcomes

Council engaged a geotechnical engineer from GHD to investigate the damage to the road and the extent of the localised landslides, and to seek advice about how best to mitigate any future safety risks.

Having reviewed the external advice and undertaking further assessments of the road's condition, Council engineers now propose to implement the following actions to ensure the safety of the residents in the short to medium term:

- implement a five-tonne (5t) load limit to eliminate damage from non-passenger vehicles (e.g. over-size and over-mass vehicles such as garbage trucks)
- relocate residents' waste collection permanently to the mailbox collection area at the intersection with Springdale Road to further reduce heavy vehicle movements along the road

- further improve the traffic management onsite by installing advisory signage such as 'Local Resident Only', 'Soft Edges', 'Drive with Caution' and speed limit recommendation (e.g. 40km/h) to raise the road safety awareness
- carry out minor works to improve roadside drainage to protect the gravel surface and road embankment
- remove trees at selected locations to reduce the static load on the existing steep embankments.

Council engineers believe that the maintenance works, such as re-sheeting and re-grading, carried out by Council over the years have made the driveable part of the road appear to be wider, but have not changed the trafficable width of the road, which remains as a single-lane road.

Local residents would like to see Council upgrade the road to a modern standard (e.g. a dual carriageway with appropriate drainage to cater for vehicle and pedestrian traffic), rather than impose the above restrictions on its use. The residents are particularly concerned about the five-tonne (5t) vehicle limitation and the potential restriction of access to services, including the need to relocate garbage collection to the head of the road rather than outside each individual property. Detailed information about consultation with local residents is provided below.

While such a project would undoubtedly provide a more acceptable solution for the local residents, the geological condition of the existing embankments on both sides of the road, and its 1.5km length, mean that it would be a prohibitively expensive to upgrade the road to a modern standard. While a precise costing and investigation has not been prepared for carrying out such a project, it would be in the multiple millions of dollars, depending on site conditions (once known). That estimate is based on the cost of similar localised road widening at nearby Molesworth Road in early 2019.

The key principles established in Council's *Asset Management Strategy for Infrastructure Assets 2019-2023* included that Council will 'invest in high use areas' and 'provide services to an affordable standard'.

Fairly Glen Road is not a high use area, given that it only services 8 local properties. Given the low number of residents, and the rural nature of the area, consideration of any road widening project needs to be analysed based on its cost-benefit and prioritised against other Council projects to demonstrate a fair approach for all ratepayers in the municipality to resolving these issues (e.g. would spending millions of dollars for the benefit of 8 residents be a reasonable use of ratepayer funds)?

It is also worth noting that there are up to 20km of unsealed roads across the Glenorchy municipality and a precedent set in this case would put pressure upon Council to incur even greater expenditures on other cases.

Consultations with affected residents and key stakeholders

Consultation with affected stakeholders has been undertaken and to inform Council's decisions on the recommended actions given the profound impact and potential consequence from the activities recommended by Council.

The chronology below shows the consultation undertaken by Council with affected residents, property owners and key stakeholders and the correspondence received. All personal information, such as names, email addresses, and contact details, contained in the attachments were redacted for privacy reasons.

- on 21 October 2020, Council received a letter signed by several local residents ([Attachment 1](#)) urging Council to upgrade/widen the road to cater for a range of needs, such as door-to-door mail delivery and waste collection, pedestrian safety, fire management and other issues
- on 9 November 2020, Council officers provided a response ([Attachment 2](#)) to all the residents and property owners advising that Council's engineers would evaluate the extent of the damages and explored possible options to remediate the road
- on 4 December 2020, Council officers sent all the residents and property owners at Fairy Glen Road with a letter signed by the General Manager, providing an update on the maintenance activities Council had undertaken and sought feedback for a list of recommended actions ([Attachment 3](#))
- on 15 December 2020, Council's Manager Infrastructure, Engineering Design (Frank Chen) approached the author of the letter Council received on 21 October 2020 (the Author), seeking assistance in coordinating responses between residents and Council
- On 18 December 2020, the Author advised Mr Chen that she would not be taking on the role of liaison person, but indicated that the residents and property owners are concerned by some of the actions that Council has recommended and will provide a coordinated response by January 2021. Mr Chen agreed to defer the Council report to the February 2021 Council meeting to allow the residents and property owners sufficient time to discuss Council's proposal and provide feedback. Mr Chen again urged all the residents and road users to take extra precautions while driving along Fairy Glen Road and to report any defects or further damage to Council during the Christmas and New Year period
- on 6 January 2021, in addition to the consultation with the affected residents and property owners, Council officers wrote to TasPolice, Ambulance Tasmania, Tasmania Fire Service, TasWater and TasNetworks advising of the recommended 5t load limit for Fairy Glen Road and seeking their feedback
- on 14 January 2021, the Senior District Officer from the Tasmanian Fire Service (TFS) provided a response highlighting that the standard TFS fire tankers are 15t in weight and extinguish structural and vegetation fires. Having a 5t load limit applied to Fairy Glen Road would restrict TFS' access to the area to perform relevant tasks ([Attachment 4](#))
- on 16 January 2021 and 19 January 2021, Council received two separate responses provided by individual residents and a letter from the resident group (representing 10 residents) at Fairy Glen Road. The correspondence from individual residents and the resident group ([Attachments 5, 6 and 7](#)) raised several concerns regarding the recommended actions, mainly around the

impact of applying the load limit to the road, the reduced road width at the location where the Veolia truck incident occurred, and the permanent relocation of the waste service to the road entrance. The resident group urged Council to upgrade the road to a modern standard to cater for the current and future residential and commercial uses of their properties

- on 20 January 2021, TasNetworks' field engineer responded to the recommended load limit and advised that TasNetworks' service vehicles go up to 20t. Hence, load limit less than that will impact its operational capability ([Attachment 8](#)).

At the time of this report was prepared, no representation or objections had been received from TasPolice, TasWater or Ambulance Tasmania regarding Council's recommended actions.

Consultation results, officers' comments and recommendations

Council officers have reviewed each of the matters and issues raised by the individual residents, the residents group and other key stakeholders. Response and recommendations for each are provided below.

Issue 1: Implement five-tonne (5t) load limit to minimise road damage from non-passenger vehicles (e.g. over-size and over-mass vehicles).

Consultation results:

The residents and key stakeholders are strongly against this recommended action because it will significantly limit their ability to access the site and to carry out their various activities.

Residents indicated that they regularly engage heavy vehicles such as water trucks for drinking water delivery and pump trucks for septic tank maintenance for individual properties. TasNetworks and the TFS have advised that their vehicles could weight up to 20t and 15t respectively.

Residents are also concerned that imposing a load limit, would limit the future growth and development of businesses operating from Fairy Glen Road.

Residents are urging Council to further investigate the load carrying capacity of the road and potentially remove the load limit in the future if possible.

Officer comments:

Section 41 and 42 of the *Local Government (Highways Act) 1982* provides Council with the right to prohibit traffic likely to cause damage to highways or close the highway to a particular traffic class.

As a result of the consultation with residents, Council officers understand that there is a reasonable need from the residents, TFS and utility providers to access the road using heavy vehicles which may well exceed the recommended load limit (5t).

Having a total ban on heavy vehicles in excess of the recommended load limit would have a detrimental effect on some of the critical services, such as property services, fire protection and infrastructure maintenance.

However, despite of the fact there is a need for heavy vehicles to access the road, Council engineers feel uncomfortable having heavy vehicles accessing the road regularly in an uncontrolled manner, as these vehicles may or may not be aware of the condition of the road and associated risks.

It is considered that it would be a reasonable compromise for Council to apply the load limit to domestic and commercial vehicles only, but provides an exemption for all emergency service vehicles, including fire trucks, police vehicles and ambulances.

It is also suggested that any domestic and commercial vehicles which exceed the load limit but wish to access properties at Fairy Glen Road with a genuine need are eligible to apply for a permit with conditions attached (e.g. undertaking a risk assessment prior to entering the road and, potentially, indemnifying Council for any damage or loss from the use of the road). This would allow certain activities to continue but mitigate the risks associated with unregulated commercial and domestic heavy vehicle use of the road.

Recommendation 1a:

Council applies a five (5) tonne load limit to Fairy Glen Road under the *Local Government (Highways) Act 1982*, with all emergency services vehicles exempted from the load limit.

Any domestic or commercial vehicles, including TasNetworks and TasWater service vehicles, would be required to seek written consent from Council and have a proper risk management plan in place before entering the road.

Recommendation 1b:

Council further investigates the condition of the road and its load carrying capacity, particularly to define the extent of the road base below the translated sheeting material and its stability. The funding for the investigation will be subject to Council's annual budgeting process and allocated accordingly.

Issue 2: Permanent relocation of waste collection to the road entrance

Consultation results:

Council has temporarily relocated the waste collection to the head of Fairy Glen Road at its intersection with Springdale Road after the Veolia truck incident. Residents are opposed to the recommended permanent relocation of the waste collection point. They are concerned about the potential for vandalism, illegal dumping, and environmental impact. One of the residents suggested that Council should explore the options of using smaller vehicles for the waste collection service at this location.

Officer comments:

Council relocated the waste collection to the road entrance because it is considered unsafe for Veolia trucks to access Fairy Glen Road due to their excessive weight and the risk of further road damage or vehicle incidents.

After consulting with Veolia (Council's contracted waste services provider), it is understood that all Veolia self-loading trucks are above 10t in weight. Use of a light-

weight vehicle, such as utility vehicle, would not be a practical solution, as this involves manual lifting or the manual handling of bins, which is considered unacceptable due to its Work Health and Safety risks to the contractor and Council.

The area currently used for hosting the bins is at the entrance of Fairy Glen Road with a fence erected at the rear to prevent bins falling off the road edge. Council will continue to monitor the garbage collection at this location.

Council officers believe that the permanent relocation of the waste collection point to the road entrance is a reasonable and practical solution to maintain the waste collection service to the Fairy Glen Road residents.

Recommendation 2:

Council continues to provide the waste collection service to the residents at Fairy Glen Road but permanently relocates the waste collection point to the road entrance.

Issue 3: Future improvement of traffic safety along Fairy Glen Road with additional traffic management devices installed

Consultation results:

The feedback Council received suggested that residents of Fairy Glen Road are generally aware of the road's poor condition and lack of vehicle passing space. The residents, in general, are not opposed to the proposed measures to further improve traffic safety along the road.

Officer comments:

Council officers believe it is necessary to highlight the hazards along the road, particularly at night, as well as for those who may not be familiar with the road condition (e.g. visitors/emergency services/utilities) and recommend that Council should further improve the traffic management onsite.

Recommendation 3:

Council installs advisory signage such as 'Local Resident Only', 'Soft Edges', 'Drive with Caution' and speed limit recommendation (e.g. 40km/h) to raise road safety awareness. Council will also install guideposts to prevent drivers from getting too close to the road edge or locations where potential failures may occur.

Issue 4: Carrying out maintenance activities, such as drain cleaning, crack sealing and road surface maintenance

Consultation results:

No major concerns have been raised regarding this proposed action.

Officer comments:

Council should undertake the maintenance activities.

Recommendation 4:

Council programs the maintenance activities into its ongoing capital works program and carries them out accordingly.

Issue 5: Remove trees at selected locations to reduce the load on the existing steep embankments.

Consultation results:

In general, residents are not opposed to this recommended action, but have raised questions regarding the benefit and necessity of the action. Some comments such as *"the amount of vegetation clearance necessary to make any real difference to road surface drying would be very significant, and not worth the risk to site stability"* were made during the consultation process.

Officer comments:

Council officers accept the concerns raised by the residents and will further investigate the impact and benefit of the recommended tree removal.

Recommendation 5:

Council puts the vegetation removal and tree clearance on-hold until further assessment has been carried out as part of the future investigation recommended in Recommendation 1b (above).

Issue 6: Repair the localised road failure caused by the Veolia truck

Consultation results:

Residents have raised the concern that after the Veolia truck went off the soft road edge and caused the localised road failure, the road width at the point where the incident occurred has been reduced significantly. This reduced road width has hindered the access of large vehicles, including (potentially) fire trucks, and may cause difficulty for domestic and commercial vehicles using the road.

Officer comments:

While not included in the previous action list communicated with the residents, Council engineers recognise the need to restore the road width and suggest that Council may restore the road width at this location without triggering major road upgrades under relevant legislation and standards. However, most of the road should remain with proper traffic management measures in place as suggested in the letter due to the significant cost involved in bringing it to the modern standard and limited benefit to a broader community.

Recommendation 6:

Council further explores the option of restoring the road section damaged by the Veolia truck, and includes the restoration cost in Council's 2021/22 capital works program if it is deemed to be feasible.

Conclusion:

Council officers believe that the actions detailed above are an appropriate response to address the primary safety concerns of the residents who live on Fairy Glen Road and is in line with the levels of service that Council should be providing in a rural area.

It would be cost prohibitive to upgrade Fairy Glen Road to a modern standard and subsequently setting a precedent for the upgrade of all the other unsealed roads in the municipality.

While Council officers acknowledge these actions may not satisfy all the demands and are less convenient, these are reasonable and practical actions that the Council can afford and justify its spending at one particular location to the broader community.

It is recommended that Council endorses the actions recommended in the report.

Human Resource / Financial and Risk Management Implications:

Section 21 of the *Local Government (Highways) Act 1982* provides "*a corporation [Council, in this case] is not liable for any injury or loss arising from the condition of a highway unless that condition results from the improper carrying out of highway works that are carried out by, or at the direction of, the corporation*".

This means that if Council wishes to improve Fairy Glen Road in terms of its accessibility, any upgrade or modification to the existing road such as road widening works need to be designed and constructed to the most current standard, unless it is willing to accept a substantial risk from non-conforming works.

The cost of widening 120 metres of nearby Molesworth Road in 2019 cost Council approximately \$300,000. It is envisaged that upgrading the 1.5km length, of Fairy Glen Road to the current standard would require significant investment from the Council (in the millions of dollars) and set a precedent for other unsealed roads, up to 20km, in the Council area.

The actions recommended in this report would still require Council to invest additional resources, such as carrying out the traffic management set-up and to perform more frequent maintenance works on these existing and new assets. However, these actions are deemed necessary to ensure the residents' and road users' safety and should be contained in its annual maintenance program.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation	Major (C4)	Rare (L1)	Medium	Implement the actions recommend the report to reduce the likelihood of incidents occurring at Fairy Glen Road due to its inadequate capacity of carrying heavy vehicles.
Incident causing property damage, injury or loss of life occurred at Fairy Glen Road due to inadequate capacity of the road to carry heavy vehicles.				
Dissatisfaction by local residents with the outcomes of the recommendations and their impact.	Minor (C2)	Possible (L3)	Medium	Council works with residents to simplify, as much as possible, the process for obtaining an exemption for vehicles over 5 tonnes to access Fairy Glen Road.
Do not adopt the recommendation	Major (C4)	Possible (L3)	High	Investigate other options such as road widening and upgrade to reduce the likelihood, noting a probable multi-million dollar expenditure and establishment of a precedent in respect of other rural roads in the City.
Incident causing property damage, injury or loss of life occurred at Fairy Glen Road due to inadequate capacity of the road to carry heavy vehicles.				

Community Consultation and Public Relations Implications:

Council officers carried out extensive consultation before forming the options and recommendations to the Council, including:

Aldermen
 Executive Leadership Team
 Acting Manager Infrastructure, Engineering and Design
 Manager Property, Environment and Waste
 Manager Works
 Senior Legal Counsel
 Transport Engineer
 Residents and property owners at Fairy Glen Road
 Tasmania Fire Service
 Ambulance Tasmania
 TasPolice
 TasWater
 TasNetworks

Recommendation:

That Council:

ENDORSE the following actions for the improvement of safety and access to Fairy Glen Road, Collinsvale:

1. that Council:
 - a) applies a five (5) tonne load limit to Fairy Glen Road under the Local Government (Highway) Act 1982, with all emergency services vehicles exempted from the load limit. Any domestic or commercial vehicles, including TasNetworks and TasWater service vehicles, would be required to seek written consent from the regulator and have a proper risk management plan in place before entering the road
 - b) further investigates the condition of the road and its load carrying capacity, particularly to define the extent of the road base below the translated sheeting material and its stability, with potential funding subject to Council's annual budget process and allocated accordingly.
2. Council continues to provide a waste collection service to the residents of Fairy Glen Road, but permanently relocates the waste collection point to the road entrance near the intersection with Springdale Road.
3. Installation of advisory signage such as 'Local Resident Only', 'Soft Edges', 'Drive with Caution' and speed limit recommendation (e.g. 40km/h) to raise road safety awareness. Council will also install guidepost to prevent drivers from getting too close to the road edge or locations where potential failures may occur.
4. Council programs the maintenance activities into its works program and carries them out accordingly
5. Council puts the vegetation removal and tree clearance from the embankment on-hold until further assessment is carried out as part of the future investigation recommended in Recommendation 1b.
6. Council further explores the option of restoring the road section damaged by the Veolia truck incident in 2019 and include the restoration cost in Council's 2021/22 fiscal year capital works program if it is deemed to be feasible.

6. PROPOSED USE AND DEVELOPMENT - MULTIPLE DWELLINGS (ONE EXISTING AND ELEVEN NEW), DEMOLITION AND CONSOLIDATION OF THREE TITLES – 72, 74 AND 76 GROVE ROAD GLENORCHY

Author: Planning Officer (Sylvia Jeffreys)

Qualified Person: Planning Officer (Sylvia Jeffreys)

Property ID: 3183250

REPORT SUMMARY

Application No.:	PLN-22-437
Applicant:	MinD Architects
Owner:	Zlleok Pty Ltd
Zone:	Inner Residential Zone
Use Class	Residential
Application Status:	Discretionary
Discretions:	<p>9.4.2 P3 Setbacks and building envelopes for all dwellings</p> <p>9.4.3 P2 Site coverage and private open space for all dwellings</p> <p>C2.5.3 P1 Motorcycle parking numbers</p> <p>C2.6.5 P1 Pedestrian access</p> <p>C3.5.1 P1 Traffic generation at a vehicle crossing, level crossing or new junction</p> <p>C9.5.2 P1 Sensitive use within an attenuation area</p> <p>C12.6.1 P1 Buildings and works within a flood-prone hazard area</p> <p>C14.5.1 Suitability for intended use</p> <p>C14.6.1 P1 Excavation works, excluding land subject to the Macquarie Point Development Corporation Act 2012</p> <p>(The proposal meets all other applicable standards as demonstrated in the attached appendices)</p>

Level 2 Activity?	No
42 Days Expires:	Extension of time to 18 March 2024
Existing Land Use:	Single dwellings on three individual lots
Representations:	2
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The application proposes eleven dwellings over three properties where an existing dwelling will remain and two dwellings together with outbuildings are to be demolished. The dwellings would be arranged in two rows with a driveway in the middle. There would be a total of 24 car parking spaces.

The proposed dwellings would be double storey, constructed with bricks and fibre cement sheeting, and capped with flat metal sheet roofs. The maximum height would be 6.912m. Units 2 to 6 would all be conjoined to form one building, whilst Units 7 to 12 would be conjoined in pairs.

Units 2 to 6 would have open plan living and a double garage on the ground floor. There would be three bedrooms on the first floor. Units 2 and 3 would also have a balcony on the first floor. Units 2 to 6 would have private outdoor space at the rear, which is west facing.

Units 7 to 12 would have two bedrooms and a double garage on the ground floor. There would be open plan living and a third bedroom on the first floor, as well as a 18m² balcony for each dwelling.

The application is discretionary for setback, private outdoor space, motorcycle parking, pedestrian access, separation from an industrial use and flood hazard. The proposal is shown in Figure 1.



Figure 1: Proposal - MinD. Architects

SITE and LOCALITY

The subject site comprises three properties on the southern side of Grove Road. The addresses are 72, 74 and 76 Grove Road, Glenorchy. The title references are CT34439/3, CT34893/1, and CT210253/1. Each property contains a single dwelling and outbuildings, although formally used for a different purpose. The lots are rectangular and have a combined area of 2792m². The site adjoins a property with two dwellings to the east and a property with a single dwelling to the west. There is an industrial property at the rear with a large warehouse near the common boundary. A timberyard is on the other side of the adjoining industrial property, approximately 100m from the rear boundary of the subject site. The subject site is shown in Figure 2.



Figure 2: Subject Site – theList



Figure 3: Street View

ZONE

The subject site is within the Inner Residential Zone in maroon, which generally applies to the surrounding area, except for the properties to the rear. The properties to the rear (south) are within the Light Industrial Zone in fuchsia. The zoning map is shown in Figure 4.



Figure 4: Zoning Map - theList

BACKGROUND

Existing Use

The subject site had non-conforming use rights for Motor Repairs and a Scrapyard, according to Council planning advice on file provided on 10/08/2021. It appears from aerial photos that two of the dwellings were still used as dwellings, as the dwellings and backyards were fenced off from the scrapyard operations which occurred on the remainder of the properties as shown in Figure 5.



Figure 5: Site context plan - MinD Architects

Supporting Documents

The following supporting documents were submitted with the application:

- Site Assessment (Soils), April 2022 by Geo-Environmental Solutions
- Traffic Impact Assessment, November 2022 by Midson Traffic
- Flood Hazard Report, 27 April 2023 Flüssig Engineers
- Hydraulics Calculations, 6 August 2022 by GE Consulting Engineers
- Environmental Site Assessment, 10 February 2023 by Environmental Service & Design
- Air Monitoring Report, 21 April 2023 by Assured Environmental
- Noise Impact Assessment, 21 April 2022 by Assured Environmental

Extension of Time

The applicant granted an extension of time until 18 March 2024 to enable the application to be determined at a Glenorchy Planning Authority meeting.

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.

Use Class Description (Table 6.2):

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

Residential

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

Other relevant definitions (Clause 3.0):

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

applicable standard

means as defined in subclause 5.6.2 of this planning scheme.

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

dwelling

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

multiple dwellings

means 2 or more dwellings on a site.

outbuilding

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

sensitive use

means a residential use or a use involving the presence of people for extended periods except in the course of their employment such as a caravan park, childcare centre, dwelling, hospital or school.

standard

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

Discretionary Use or Development

The application is discretionary under Clause 6.8.1 as follows:

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

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

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

- 9.4.2 P3 Setbacks and building envelopes for all dwellings
- 9.4.3 P2 Site coverage and private open space for all dwellings
- C2.5.3 P1 Motorcycle parking numbers
- C2.6.5 P1 Pedestrian access
- C3.5.1 P1 Traffic generation at a vehicle crossing, level crossing or new junction
- C9.5.2 P1 Sensitive use within an attenuation area
- C12.6.1 Buildings and works within a flood-prone hazard area
- C14.5.1 Suitability for intended use
- C14.6.1 P1 Excavation works, excluding land subject to the Macquarie Point Development Corporation Act 2012

General Provisions

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

7.9 Demolition

The application proposes the demolition of two dwellings and five outbuildings, which is permitted under clause 7.9.1. The proposed demolition would not raise any issues.

Zones

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

Zone Purpose Statements

The purpose of the 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 accords with the zone purpose statements as it would be for multiple dwellings with a higher density and would make use of existing infrastructure.

Use Table

The use class Residential (Multiple Dwellings) is 'permitted' within the Inner Residential Zone in 9.2 Use Table.

Use Standards

The standards in clause 9.3 Use Standards specifically relate to discretionary uses and visitor accommodation and are therefore not applicable to this proposal.

Development Standards for dwellings

The proposal accords with the relevant acceptable solutions as demonstrated in the

attached Appendix, except as follows:

9.4.2 P3 Setbacks and building envelopes for all dwellings

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

The siting and scale of a dwelling must:

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

Comment

All units comply with the building envelope, except for a small corner of Unit 6, as shown in Figure 6.

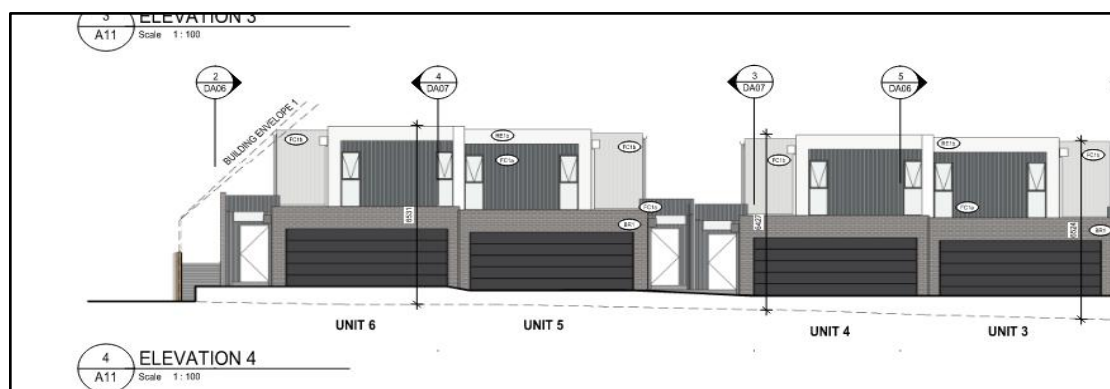


Figure 6: Building Envelope - Mind Architects

The discrepancy of Unit 6 is so small that it is considered that there would be no adverse impacts and that the proposal accords with the performance criteria. Furthermore, the unit is located along the north-western side boundary so that any shadows would fall on the subject site. In regard to the other side boundary, in particular Unit 11 and Unit 12, the dwellings would be within the building envelope and have therefore the correct setback. Moreover, the adjacent property would be to the south-east so that any overshadowing would not be unreasonable, including overshadowing of neighbouring solar installations.

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

9.4.3 P2 Site coverage and private open space for all dwellings

The proposal does not accord with the acceptable solution in clause 9.4.3 A2 with private outdoor space in one location. Therefore, the proposal relies on the related performance criteria as follows:

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

Units 1 to 6 have private outdoor spaces at the rear accessible from the lounge room. The private outdoor space is on level ground and 4m, except for Unit 6 that is marginally short where the width is 3.859m. The small shortfall in width is acceptable, especially as the area is larger than the minimum required. The private outdoor space areas would be oriented to the north-west so as to take advantage of sunlight.

Units 7 to 12 have the lounge room on Level 1 and have a balcony each, as well as outdoor space on the ground level. The balconies are adjacent to the lounge room and are facing to the north-west to take advantage of sunlight. Each balcony would be 18m² (3m x 5.85m). The area on the ground level would range between 50.58m² and 67.89m² and would be accessible from the hallway, where the laundry is situated. Therefore, it is considered that the private outdoor space areas would be conveniently located and take advantage of sunlight.

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

Codes

The following codes of the Scheme apply to this proposal:

C2.0 Parking and Sustainable Transport Code

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

C2.5.3 P1 Motorcycle parking numbers

The proposal does not accord with the acceptable solution in clause C2.5.3 A1 with respect to motorcycle parking. Therefore, the proposal relies on the related performance criteria as follows:

Motorcycle parking spaces for all uses must be provided to meet the reasonable needs of the use, having regard to:

- (a) the nature of the proposed use and development;*
- (b) the topography of the site;*
- (c) the location of existing buildings on the site;*
- (d) any constraints imposed by existing development; and*
- (e) the availability and accessibility of motorcycle parking spaces on the street or in the surrounding area*

Comment

The proposal does not provide motorcycle parking spaces as required by the acceptable solution. However, the Development Engineer is satisfied that this would not be unreasonable because of the nature of the proposal and parking opportunity within the garages or on the visitor spaces. For further comments, please refer to engineering assessment under the Referrals section later in this report.

C2.6.5 P1 Pedestrian access

The proposal does not accord with the acceptable solution in clause C2.6.5 P1 with respect to a footpath. Therefore, the proposal relies on the related performance criteria as follows:

Safe and convenient pedestrian access must be provided within parking areas, having regard to:

- (a) the characteristics of the site;*
- (b) the nature of the use;*
- (c) the number of parking spaces;*
- (d) the frequency of vehicle movements;*
- (e) the needs of persons with a disability;*

- (f) *the location and number of footpath crossings;*
- (g) *vehicle and pedestrian traffic safety;*
- (h) *the location of any access ways or parking aisles; and*
- (i) *any protective devices proposed for pedestrian safety*

Comment

The acceptable solution requires a 1m wide separate footpath for uses that require more than 10 car parking spaces. There is no separate pedestrian path to the driveway and the area is a shared road. The Development Engineer is satisfied that pedestrian access to the site is safe. 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 P1 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 traffic generation. Therefore, the proposal relies on the related performance criteria as follows:

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 exceeds 20% or 40 vehicle movements per day as per acceptable solution. The traffic generation was assessed by a Traffic Impact Assessment and by the Development Engineer. It is found that the additional traffic would not have any significant adverse impacts in terms of efficacy and safety. For further comments, please refer to engineering assessment under the Referrals section later in this report.

C9.0 Attenuation Code*C9.5.2 P1 Sensitive use within an attenuation area*

There is no acceptable solution in clause C9.5.2 A1. Therefore, the proposal relies on the related performance criteria as follows:

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

There is no acceptable solution in clause C9.5.2 A1. The site is located within the attenuation distance to a wood processing facility. The applicant submitted an emission (dust) and noise assessment. It was concluded that the wood processing site is not expected to negatively impact upon the amenity of the subject site. For further comments, please refer to environmental health assessment under the Referrals section later in this report.

C12.0 Flood Prone Areas Hazard Code*C12.6.1 P1 Buildings and works within a flood-prone hazard area*

There is no acceptable solution in clause C12.6.1 A1. Therefore, the proposal relies on the related performance criteria as follows:

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.*
- and*

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

There is no acceptable solution in clause C12.6.1 A1. The proposed use is located within a Flood Prone Area. The applicant submitted a flood report that accords with the performance criteria. For further comments, please refer to hydrological assessment under the Referrals section later in this report.

C14.0 Potentially Contaminated Land Code

C14.5.1 Suitability for intended use

The proposal does not accord with the acceptable solution in C14.5.1 A1. Therefore, the proposal relies on the related performance criteria as follows:

For a sensitive use, or a specified use listed in Table C14.1, the land is suitable for the intended use, having regard to:

- (a) an environmental site assessment that demonstrates there is no evidence the land is contaminated;*
- (b) an environmental site assessment that demonstrates that the level of contamination does not present a risk to human health or the environment; or*
- (c) an environmental site assessment that includes a plan, to manage contamination and associated risk to human health or the environment that includes:*
 - (i) any specific remediation and protection measures required to be implemented before any use commences; and*
 - (ii) a statement that the land will be suitable for the intended use.*

Comment

A residential use is a sensitive use. There is site contamination from the historical use of the property for a scrapyard. The applicant provided a site contamination report and samples were collected. Remediation will be required to accord with the performance criteria. For further comments, please refer to environmental health assessment under the Referrals section later in this report.

C14.6.1 P1 Excavation works, excluding land subject to the Macquarie Point Development Corporation Act 2012

There is no acceptable solution in clause C14.6.1 A1. Therefore, the proposal relies on the related performance criteria as follows:

Excavation, excluding on land subject to the Macquarie Point Development Corporation Act 2012, must not have an adverse impact on human health or the environment, having regard to:

- (a) an environmental site assessment that demonstrates there is no evidence the land is contaminated;*
- (b) an environmental site assessment that demonstrates that the level of contamination does not present a risk to human health or the environment; or*
- (c) an environmental site assessment, including a plan to manage contamination and associated risk to human health and the environment, that includes:*
 - (i) any specific remediation and protection measures required to be implemented before excavation commences; and*
 - (ii) a statement that the excavation does not adversely impact on human health or the environment.*

Comment

There is no acceptable solution in clause C14.6.1 A1. There is site contamination from the historical use of the property for a scrapyard. The applicant provided a site contamination report and samples were collected. Remediation will be required to accord with the performance criteria. For further comments, please refer to environmental health assessment under the Referrals section later in this report.

Glenorchy Local Provisions Schedule (GLPS)

Local Area objectives

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

Particular Purpose Zones

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

Specific Area Plans

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

GLE-Site Specific Qualifications

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

GLE-Code lists

No code lists of the Scheme apply to this proposal.

GLE-Applied, Adopted and Incorporated Document

Nil.

INTERNAL REFERRALS

Traffic Engineer

The Traffic Engineer has provided comments in response to issues raised by the representors as follows:

Traffic concerns raised include the increase in traffic on Grove Road including at the junction with Elwick Road, insufficient parking on the street near the development and the safety of the driveway for vehicles and pedestrians.

Grove Road is a collector which carries around 6,000 vehicles per day. The increase of approximately 60 vehicles per day onto Grove Road from this development is considered acceptable and should not have a detrimental effect on the road network including at the junction with Elwick Road.

At the development site the road width is approximately 9m allowing for parking on both sides of the road and two way traffic. Parking is available within the proposed development which should be sufficient, but if not, on-street parking is available for all to use.

Drivers have adequate sight lines when leaving or entering the driveways to see on-coming car and pedestrians, and vice versa in accordance with AS2890.

Development Engineer

Comments

The development application seeks an approval for 12 multiple dwellings (one existing and eleven additional dwellings) across the current 3 lots which will be consolidated into 1 lot. The works include demolition to the existing dwellings, shed and structures, relocating the driveways and accesses and works associated to new stormwater infrastructures. The scope of work can be seen in the figure below.



Figure 7: Scope of works

Traffic Impact Assessment (TIA) by Midson Traffic Pty Ltd dated November 2022 was submitted as part of the application to support and address the relevant traffic and parking code. The TIA is accepted.

Stormwater runoff is proposed to be drained via an on-site detention (OSD) and water sensitive urban design (WSUD) element to the new stormwater connection to the new side entry pit (which is located outside of the 72 Grove Road property boundary and over the kerb line closes to the junction) to a new pipe across the road meeting up with the existing Stormwater network. New assets are being created; therefore, engineering drawings will need to be submitted for approval prior to any works commencing. The General Manager's consent to interfere with stormwater infrastructure can be granted.

C2.0 Parking and Sustainable Transport Code

The development complies with the Code. 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 is proposed to be accessed off the 2 vehicular accesses, a double width access to a parking/driveway area for the existing dwelling and another double width access for the 11 multiple dwellings. The TIA assessed sight distances for these accesses and found that the available sight distance is approximately 65 metres to the west and greater than 200 metres to the east; therefore, the accesses are with adequate sight distances exceeding the required sight distance of 45 metres.

The requirement under the C2.5.1 and table C2.1, A1 requires the total of two (2) car parking spaces for each residential dwelling plus 1 visitor parking space for every 4 dwellings. This equals to a total of 27 car parking spaces consisting of 24 spaces allocated to units and 3 visitor parking spaces. The applicant proposes to comply with the requirements providing car parking area for the total of 27 spaces for the entire

site; hence the application complies with the acceptable solution. There are no requirements for accessible car parking, bicycle parking spaces and commercial vehicle applicable to the development application. Although the motorcycle parking spaces are required, it is not provided as it is considered not relevant to the nature of the development and motorcycles can be stored at the dwellings or parked at one of the visitor spaces for visitors.

The layout of parking area complies with the standard AS2890.1:2004. The turning swept path has been provided to 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. Due to the number of parking spaces required, a pedestrian footpath is required. While a footpath is provided the proposed development does not provide a separate pedestrian path to the driveways. The TIA stated that the driveway accesses are considered 'shared zones' where vehicles must give way to pedestrians which is a relatively commonplace treatment in medium density residential developments. Therefore, it is not expected the development will have adverse impacts to the local network as it complies with the scheme requirements.

C3.0 Road and Railway Assets Code

The site can be accessed off the two vehicle crossings. The number of accesses to Grove Road reduces from 3 to 2 with one serving the existing dwelling at 72 Grove Road and another caters for the 11 dwellings. Both accesses are double width. The TIA estimates the proposed development is expected to generate vehicle movements of 74 vehicle trips per day. The TIA assessed the impact to road network considering the increase in traffic, the nature of traffic, the nature of road and the nature of use, and concluded the accesses are safe and the traffic generated will not have any significant adverse impacts in terms of efficiency or safety. Council's Transport Engineer and Development Engineer agree with the conclusion of the TIA. Therefore, the proposed development complies with the code requirements.

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

The site is subjected to flood hazard overlay, please refer to Hydraulics referral for a thorough assessment.

Hydrologist

Comments

The development works at 72-76 Grove Road Glenorchy aims to consolidate 3 lots for 12 multiple dwellings. This includes demolition of several existing buildings and construction of 11 proposed dwellings. The site is within the 1% AEP flood zone and therefore triggers C12.0 Flood-Prone Areas Hazard Code

Referenced Documents

- (a) Architectural Drawings by MinD. Architects RevDA Date: 03/01/2024
- (b) Civil Plans by MinD. Architects RevDA Date: 15/11/2022
- (c) Development plans by MinD. Architects Rev001 Date: 26/04/2023
- (d) Hydraulic Report by GE Consulting Engineers Rev1 dated 06/08/2022
- (e) Site Assessment Report by GE Consulting Engineers Rev1 dated 03/01/2024
- (f) Flood Hazard Report prepared by Flussig Engineers Rev1 dated 27/04/2023

C12.0 Flood Prone Areas Hazard Code

Flood Hazard Report prepared by Flussig Engineers dated 27/04/2023 addresses the performance criteria under C12.6.1. Building and works within a flood prone area. The 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. This premises is subjected to 'H1 category – Generally safe for people, vehicles and buildings' as defined in Australian Disaster and Resilience Handbook. Post development model demonstrates that there is no change to the hazard rating, and the small increase in flood depths on the neighbouring property at 78 Grove Road is due to the site infill. Such increases are more likely a consequence of model sensitivity and does not pose any impact on neighbouring properties.

Therefore, the proposal satisfies the performance criteria under C12.6.1 such that the development can achieve and maintain a tolerable risk during a 1% AEP flood event without needing any additional mitigation measures.

Comparison of pre and post flood hazard maps extracted from the report are included below for reference.

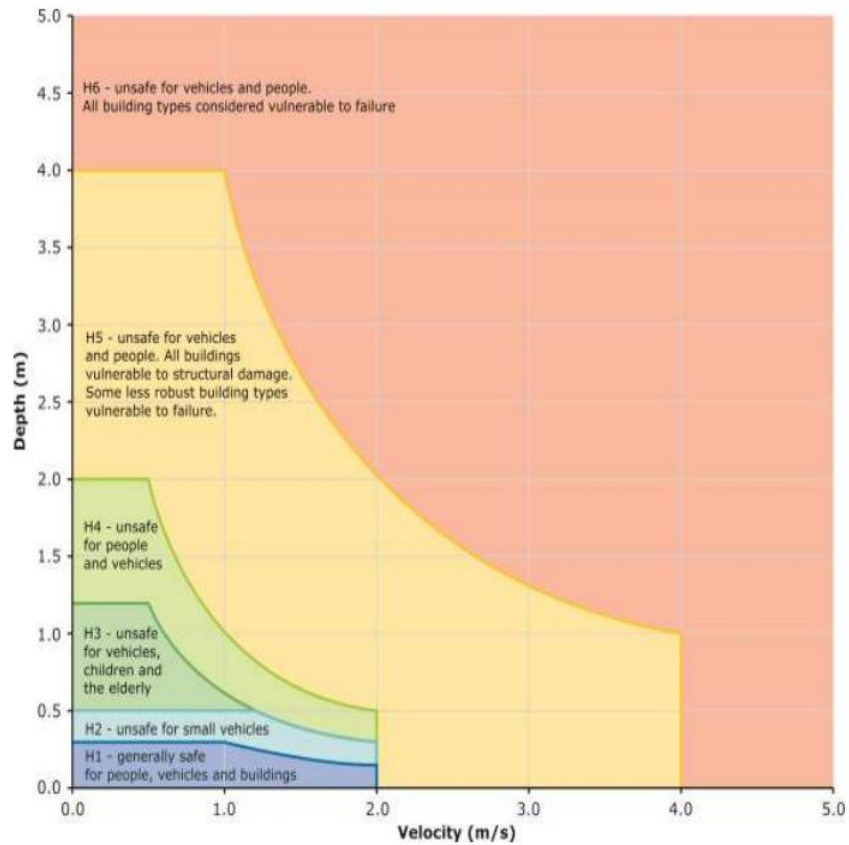


Figure 1 General flood hazard vulnerability curves

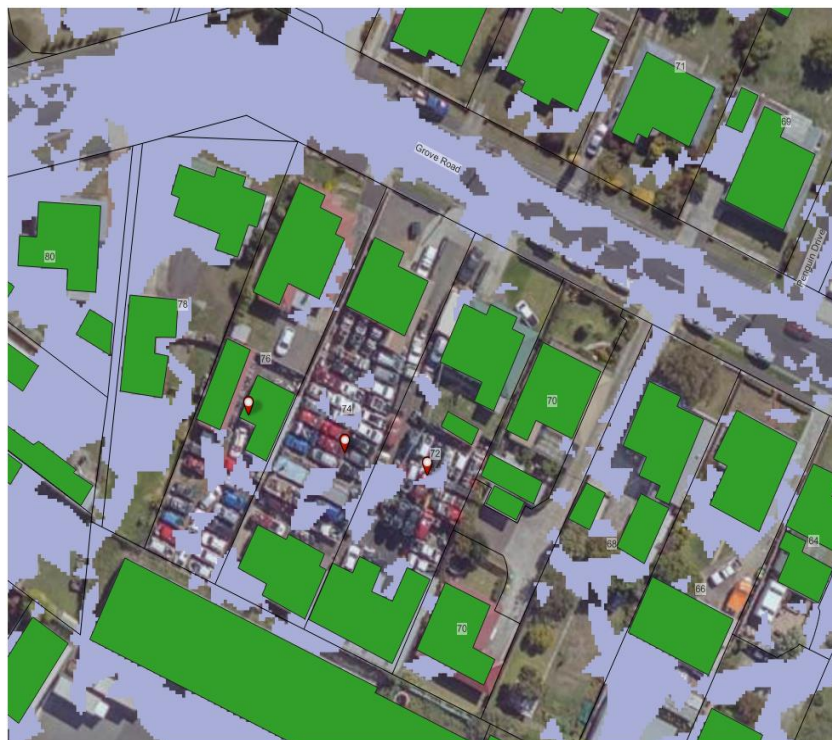


Figure 2 Pre-development extent of flood hazard in and around the development site

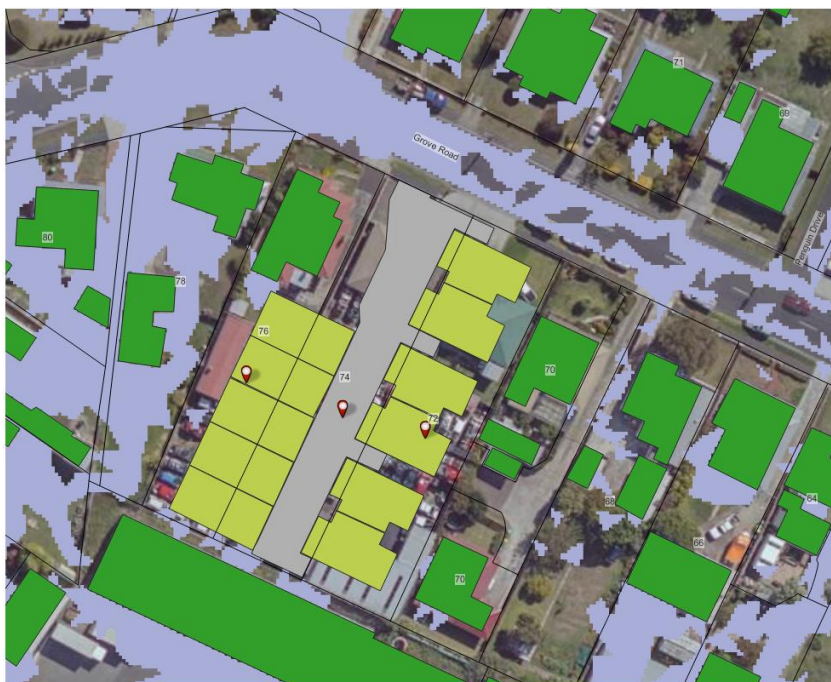


Figure 3 Post development extent of flood hazard in and around the development site

Stormwater Management Policy

a. Stormwater Disposal Method Requirements:

Stormwater generated from new development areas will drain to existing stormwater systems by gravity. Therefore, satisfies the stormwater policy.

b. Stormwater Quality Management Requirements:

The stormwater system will incorporate water sensitive urban design principles for the treatment and disposal of stormwater given the new impervious is greater than 500m². Proprietary water treatment devices have been proposed to the stormwater system. Therefore, satisfies the stormwater policy.

c. Stormwater Quantity Management Requirements:

On site detention in form of individual eleven (11) 1300L rain water tanks for each unit have been proposed to ensure post developed flows can be maintained to the pre developed levels. Therefore, satisfies the stormwater policy.

d. Stormwater System Design Requirements:

The major stormwater system and the minor stormwater system have been demonstrated in Site Assessment Report and civil drawings by GE Consulting Engineers dated 10 November 2023. Series of underground pipes with convey the surface runoff to the public stormwater network, while additional cut off swale drains have been designed to safely convey overland flows during major rain events. Therefore, the proposal satisfies the stormwater policy.

Conclusion

In summary there are no objections with the proposal from a hydraulics perspective, provided the recommended conditions are met.

Environmental Health

This development is located within the attenuation distance to a wood processing facility. As such, this development was required to consider the potential emission impacts of noise and dust to address the Attenuation Code C9.0.

The applicant engaged Assured Environmental (AE) to undertake an assessment for both noise and dust.

In designing the study to address dust, AE adopted the National Environmental Protection (Ambient Air Quality) Measures (NEPM) standards as these were considered more stringent than the Environmental Protection Policy (Air Quality) 2004 (EPP (Air)) levels.

An air monitoring station was established on-site and ran for the duration of March 2023. An observation during this monitoring period was that the dominant wind direction was from the northeast. The development site is situated to the north of the wood processing facility.

Findings from the air monitoring found that no PM10 or PM2.5 24-hour levels were recorded above the 24-hour criteria as outlined in EPP (Air) and NEPM. With AE concluding that the wood processing site is not expected to negatively impact upon the amenity of the subject site.

Noise predictions were used by AE to determine the likely noise levels experienced at each unit. The Environmental Protection Policy (Noise) 2009 (EPP (Noise)) sets the strategic framework for noise management in Tasmania, it also provides acoustic environment indicators that were adopted for this assessment.

Based on the predicted noise modelling, the highest predicted noise level is 44 dBA. This is below the EPP (Noise) guidance of 45 dBA for night times, and therefore suitable at all times.

AE concluded, based on the noise predictions, the proposed development is not constrained by the operations of the nearby wood processing site. As such, the Subject Site is considered appropriate for the proposed development.

Based on the assessments made by AE for both dust and noise, Environmental Health is satisfied that this development has met the Performance Criteria C9.5.2.

To address the Potentially Contaminated Land Code C14.0, the applicant engaged Environmental Service & Design to undertake an investigation into these sites to determine the level of contamination from historical use. Soil samples were collected from 11 bore holes that were drilled across the 3 sites. Analysis of these samples found

that 9 of the bore holes were contaminated. The consultant concluded that “metals and hydrocarbons are above HSL A & HIL Residential Guidance and so risk is unacceptable.” To overcome the unacceptable level of risk, the following has been proposed:

Post demolition and prior to development the following measures are required:

1. Remediation of the contaminated soil on the site. This will require the top 300mm of topsoil on the site to be replaced and validated.
2. Vapour risk at 2.0 meters requires ground penetration radar to check for a UPSS, if found it will require decommissioning. Otherwise, groundwater may need to be tested if contaminated soil is not validated.
3. Soil to be removed will need to be disposed of via the EPA waste tracking system.

It is recommended that the above measures are added to the permit as conditions to ensure that the land is returned to an acceptable level for a sensitive use. With the above applied as a condition, Environmental Health is satisfied that this development has met the Performance Criteria C14.5.1.

Waste Management

Waste management services to the proposed multiple dwelling development at 72-76 Grove Rd Glenorchy would be Councils shared bin service, collected weekly. There will be a total number of twelve x 240L Shared Bins. The wheelie bins should be stored in a bin enclosure within the property boundary and are not to be taken to individual units.

Please note: the original house (Number 76) will have Councils standard three bin fortnightly collection service.

All wheelie bins should be placed on the kerbside for collection.

EXTERNAL REFERRALS

TasWater

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

REPRESENTATIONS

The application was advertised for the statutory 14-day period with 2 representations being received. The issues raised are as follows:

Overshadowing of Solar Panels

The representor states that the proposed Unit 11 and Unit 12 will overshadow the solar panels on the roof of the neighbouring residence to the east after to 2pm.

Planner's Comment:

This issue has been previously addressed under the heading *Setbacks and building envelope for all dwellings*. In summary, these units have the required setback distance. It is also considered that there would be no significant overshadowing as the neighbouring would be to the south-east of Units 11 and 12 so that there will be afternoon sun.

Loss of privacy

The representor states that that the proposed Unit 11 and Unit 12 have windows, especially on the upper floor, that will look straight into their bedrooms and lounge. The representor requests that the windows are placed on the side of the units.

Planner's Comment:

A window or glazed door to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level is to have a setback of not less than 3m from a side boundary as set out in clause 9.4.6 A2 of the *Tasmanian Planning Scheme*. The proposal has a distance of at least 3m from the boundary and therefore meets the requirement.

Demolition of Older Homes

The representor states that older style homes from the 30s, 40s and 50s should not be demolished because it ruins the existing streetscape.

Planner's Comment:

This issue cannot be considered because the two dwellings to be demolished are not heritage listed.

Cross Overs

The representor states that the two crossovers might pose a safety issue for pedestrian on the footpath if there is a fence, due to inadequate sight lines.

Planner's Comment:

This issue has been previously addressed under the heading Traffic Engineer. In summary, drivers will have adequate sightlines when leaving or entering the driveways. In addition, it is noted that the number of accesses will be reduced as there are currently three accesses for the same amount of frontage.

Insufficient Visitor Parking

The representor states that the proposed visitor parking is insufficient as there is no parking available on the side of Grove Road, especially after 5pm.

Planner's Comment:

This issue has been previously addressed under the heading Traffic Engineer and Development Engineer. In summary, there is sufficient parking available within the site and in addition there would be on-street parking available.

Traffic Volumes

The representor states that the development would negatively impact on the area by increasing the traffic volume in an area that has existing issues and risks and will raise safety and amenity issues. Furthermore, that increased traffic with more high density housing in the area will impact on the traffic flow at the intersection Elwick Road – Grove Road and therefore on the amenity of the nearby residents.

Planner's Comment:

This issue has been previously addressed under the heading Traffic Engineer and Development Engineer. In summary, the additional traffic would not have a detrimental impact on the road network, including the junction with Elwick Road.

CONCLUSION

The application is for the construction of an additional eleven dwellings over three properties where an existing dwelling will remain.

The application is discretionary for setback, private outdoor space, motorcycle parking, pedestrian access, separation from an industrial use and flood hazard. All discretions satisfy the relevant performance criteria as outlined within the report.

The application received two representations. The issues raised are impact on solar panels, loss of privacy, demolition of older homes, number of crossovers, visitor parking and traffic volumes. The issues were assessed in as far as they are related to the planning scheme provisions and were found to satisfy the requirements.

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

Recommendation:

That a permit be granted for the proposed use and development of 72,74 and 76 Grove Road Glenorchy subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-22-437 and Drawings submitted on 03/03/2023 (1 page), 27/04/2023 (11 Pages) and 25/01/2024 (7 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 2022/01728-GCC, dated 08/02/2024, form part of this permit.
3. Titles of the land subject to the use and development approved herewith must be consolidated as shown on the approved Boundary Consolidation Plan prior to the lodgement of a Building Permit application, or if agreed to by the Coordinator of Building Service.
4. Fences within 4.5m of a frontage with a height more than 1.2m must have openings with uniform transparency of at least 30% (excluding any posts or uprights) above the 1.2m height level as shown on the approved plan. The fences must be no more than 1.8m in height.

Engineering

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

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

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

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

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

6. The loading and unloading of goods from vehicles, including building materials and equipment, must only be carried out on the land.
7. 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.
8. The new stormwater infrastructure including connection must be constructed to Council's satisfaction prior to the sealing of the final plan. An approved Road Opening Permit from Council is required prior to start of works in the road reserve.
9. Digital copies of a post construction work CCTV video and associated report(s) of any proposed Council stormwater main must be submitted to Council after completion of all work and prior to the issue of any Certificate of Completion. CCTV footage must clearly label the Asset IDs, direction of footage, include chainage, identify any defects, date-time stamps, and operator ID.
10. A detailed estimate for the works in the following conditions that require assessment of engineering drawings must be provided and payment of the engineering drawing approval fee must be made prior to the issue of approved engineering drawings or the issuing of the building approval. Under Council Schedule of fees and charges 2023/2024, the engineering drawings approval fee is 2.1% of the value of the civil works. This amount is subject to annual adjustment in accordance with the Council Fees and Charges Register. Construction must not commence until the approved engineering plans have been issued.
11. Prior to the issuing of the building approval or the commencement of any works (whichever occurs first) submit detailed Engineering design drawings to the satisfaction of Council's Senior Civil Engineer for approval. The engineering drawings must:

- (a) Be certified by a qualified and experienced Engineer.
 - (b) Manhole SW-1 location shall be moved outside of the shared driveway of 75 Grove Road in to the nature strip while maintaining falls towards the main.
 - (c) Clearly indicate reinstatement details with shading the extents to ensure all affected areas are covered. Where the new pipe trench is laid under footpath, entire section of the footpath must be replaced with like for like materials, not just the width of the trench.
 - (d) Provide a more detailed section of the proposed on-site roof water detention tanks. Clearly indicate detention storage, orifice detail, overflow mechanism and access to maintenance. The orifice flow must be open at all times and not be associated with any taps or valves to facilitate detention function.
 - (e) Show in both plan and long-section the proposed stormwater mains, including but not limited to, connections, flows rates, velocities, hydraulic grade lines, clearances to other utility services, location related to other services, cover, gradients, sizing, material, pipe class, adequate working platforms around manholes, easements, and inspection openings.
 - (f) Clearly distinguish between public and private infrastructure.
 - (g) Be substantially in accordance with the LGAT Standard Drawings and Tasmanian Subdivision Guidelines 2013.
 - (h) The new stormwater infrastructure must be constructed prior to the sealing of the final plan / issue of an occupancy certificate. An approved Road Opening Permit from Council is required prior to start of works in the road reserve.
12. 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. Engineering drawings demonstrating the driveway details in accordance with the Australian Standard must be submitted for approval by Council's Development Engineer prior to the commencement of works on site. The proposed driveway and parking must comply with the following:
- (a) Be constructed to a sealed finish and the finished gradient shall not exceed the maximum gradient of 20% or 1 in 5;
 - (b) Vertical alignment shall include transition curves (or straight sections) at all grade changes greater than 12.5%;
 - (c) Total of 27 clearly marked car parking spaces (2 spaces per each dwelling plus 3 visitor spaces) must be provided in accordance with the approved plan received by Council and always kept available for these purposes;
 - (d) All runoff from paved and driveway areas must be discharged into Council's stormwater system;

- (e) The crossfall along the footpath must not exceed 4%;
- (f) The gradient of any parking areas must not exceed 5% and
- (g) Minimum carriageway width is to be no less than 3.0 metres.

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

13. Prior to the commencement of the use or development, new stormwater connections to Council's public stormwater system onto the property boundary must be installed in accordance with the approved plans. The engineering drawing must be submitted and approved prior to the commencement of the works. Any existing abandoned connections must be made redundant and sealed at owner's expense. The stormwater connection(s) must be constructed by a suitably qualified person to the satisfaction of Council and be inspection by Council's Senior Civil Engineer. The applicant must contact Council and submit for approval the Stormwater Connection Request Form. A copy of the Stormwater Connection Request Form can be obtained via Council's Customer Service or via Council's website:

<https://www.gcc.tas.gov.au/council/documents-and-publications/forms/>,

which outlines the process and conditions for stormwater connections.

- (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.
14. The new vehicle crossing must be constructed and installed 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 engineering detailed design drawing must be submitted and approved prior to the commencement of the works. Prior to the commencement of any work within the road reservation by a private contractor, the contractor must obtain a Road Opening Permit from the Council's Compliance Officer. This permit shall include items such as hours of work, road safety, reinstatement, soil and water management, etc. The Road Opening Permit Application Form is available via Council's website:

<https://www.gcc.tas.gov.au/wp-content/uploads/2022/08/Road-Opening-Permit-Application-Form-1.pdf>

15. A maintenance schedule for the ongoing maintenance of the on-site stormwater detention infrastructure and the water sensitive urban design infrastructure must be provided to Council's Senior Civil Engineer for approval prior to the commencement of the use and/or the issuing of the plumbing approval. When approved, the maintenance schedule forms part of this permit.
16. The landowner must maintain the on-site stormwater detention and water sensitive urban design infrastructure in accordance with the approved maintenance schedule.

Environmental Health

17. Post demolition and prior to commencement of the construction of the multiple dwellings, the following measures are required:
 - (a) Remediation of the contaminated soil on the site. This will require the top 300mm of topsoil on the site to be replaced and validated.
 - (b) Vapour risk at 2.0 meters requires ground penetration radar to check for a UPSS, if found it will require decommissioning. Otherwise, groundwater may need to be tested if contaminated soil is not validated.
 - (c) Soil to be removed will need to be disposed of via the EPA waste tracking system.

Waste Management

18. The design for the bin enclosure must comply with the following:
 - (a) Built on a flat surface with a concrete base/pad and surround of a brick or painted block enclosure or other suitable material to Councils approval.
 - (b) It must have concrete at the entrance to the bin enclosure.
 - (c) It must suit twelve (12) X 240L wheelie bins of size 1100 height x 600mm wide x 800mm deep and must allow for 300mm space in between each bin;
 - (d) Recommended minimum height of the enclosure is 1200mm and minimum recommended depth is 930mm;
 - (e) The front of the bin enclosure should face the internal access driveway, and be left open throughout the length of the bin enclosure, it may be fenced and/or gated, but must enable wheelie 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 dwelling/s the bin enclosure must be constructed to the satisfaction of Council's Waste Services Co-ordinator.

Advice to Applicant

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

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.

General Managers 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-22-437, dated 29 February 2024, form part of 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.

Waste Management

The proposed multiple dwellings would be eligible for a maximum of twelve (12) x 240L wheelie bins. Four (4) x 240L Waste Bins (Red lids), four (4) x 240L Recycling Bins, four (4) x 240L FOGO bins, collected weekly to be shared by all eleven (11) Unit dwellings.

Collection of all bins would be from the existing kerbside.

Council's Waste Services Contractor would not enter the property to collect and empty bins.

Storage and Collection of Shared Waste, Recycling and FOGO Bins

The bins would be stored in a bin enclosure. The bin enclosure would be built within the property boundary preferably at the entrance of the property allowing a 4.5 metre distance from the entrance to prevent impacting on sight distances for vehicles leaving the site.

Attachments/Annexures

- 1** GPA Attachment - 72, 74 and 76 Grove Road, Glenorchy



APPENDIX

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.		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.		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:		NA

Standard	Acceptable Solution	Proposed	Complies?
	(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.		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.		NA
	A2 Visitor Accommodation is not for a strata lot that is part of a strata scheme where another strata lot within that strata scheme is used for a residential use.		NA

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 .	Land Area 2792m ² /12=232.67m ²	Yes
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 more than the greater, or less than the lesser, 	Front setback: 3m	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<p>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>	Garage for Unit 12: Front setback 3m first floor located above, complies with (b).	Yes
	<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 9.1, 9.2 and 9.3) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 3m from</p>	All dwellings except for a small corner of Unit 6 are within the building envelope.	No – Discretion

Standard	Acceptable Solution	Proposed	Complies?
	<p>the rear boundary of a property with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 9.5m above existing ground level; and</p> <p>(b) only have a setback within 1.5m of a side or rear boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</p> <p>(ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser).</p>		
9.4.3 Site coverage and private open space for all dwellings	<p>A1</p> <p>Dwellings must have:</p> <p>(a) a site coverage of not more than 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</p>	<p>Site coverage: 48.72% (plan DA00)</p> <p>Total POS: ranges from 40.02m² to 90.69m²</p>	<p>Yes</p>

Standard	Acceptable Solution	Proposed	Complies?
	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> <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:</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>	See report	No – Discretion

Standard	Acceptable Solution	Proposed	Complies?
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> <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: <ul style="list-style-type: none"> (i) an outbuilding with a building height not more than 2.4m; or (ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling. 	None of the dwellings are the north of POS	Yes
9.4.5 Width of openings for garages and carports for all dwellings	<p>A1</p> <p>A garage or carport for a dwelling within 12m of a primary frontage, whether the garage or carport is free-standing or part of the dwelling, must have a total width of openings</p>	Garages are not facing the frontage	Yes

Standard	Acceptable Solution	Proposed	Complies?
	facing the primary 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 (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. 	There would be full height walls on the sides of each balcony, higher than 1.7m.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<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> <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 	<p>The dwellings are all more than 3m from the side boundaries. Unit 6 has two windows with a sill height of 1.7m facing the rear boundary and Unit 7 has upper level windows the required 4m from the rear boundary.</p>	<p>Yes</p>

Standard	Acceptable Solution	Proposed	Complies?
	<p>glazing extending to a height of at least 1.7m above the floor level; or</p> <p>(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>		
	<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>There would be no windows of habitable rooms adjacent to the driveway, only the hallway doors and garage doors would face the driveway on the ground floor.</p>	Yes
9.4.7 Frontage fences for all dwellings	<p>A1</p> <p>No Acceptable Solution. [S8]</p>		Yes

Standard	Acceptable Solution	Proposed	Complies?
		There would be a 1.7m high fence on the front boundary with 30% transparency, which complies with the exemption in clause 4.6.3.	
9.4.8 Waste storage for multiple dwellings	<p>A1</p> <p>A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of 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. 	The proposal provides for a bin enclosure for shared bins, which has a front setback of more than 4.5m, separation from the nearest dwelling of 5.5m and is screened from the frontage.	Yes
9.6 Development Standards for Subdivision			
9.6.1 Lot design	<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> (a) have an area of not less than 200m² and: 	The proposal is for the consolidation of three lots with a total area of 2792m ² . There would be no new boundaries, but the existing dwelling complies with setbacks and	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<p>(i) be able to contain a minimum area of 10m x 12m with a gradient not steeper than 1 in 5, clear of:</p> <p>a. all setbacks required by clause 9.4.2 A1, A2 and A3, and 9.5.1 A1 and A2; and</p> <p>b. easements or other title restrictions that limit or restrict development; and</p> <p>(ii) existing buildings are consistent with the setback required by clause 9.4.2 A1, A2 and A3, and 9.5.1 A1 and A2;</p> <p>(b) be required for public use by the Crown, a council or a State authority;</p> <p>(c) be required for the provision of Utilities; or</p> <p>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</p>	there are no easements in the way of the proposed development.	
	<p>A2</p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 3.6m.</p>	Frontage would be 45.738m	Yes
	<p>A3</p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the</p>	There will be a new vehicular access centrally located for the new dwellings and the existing vehicular access would be retained for the existing dwelling.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	lot to a road in accordance with the requirements of the road authority.		
9.6.2 Roads	A1 The subdivision includes no new roads.	No new road is proposed	Yes
9.6.3 Services	A1 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a full water supply service.		Yes
	A2 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.		Yes
	A3 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.		Yes

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</p> <p>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 	27 spaces required and 27 spaces proposed.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<p>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	Not required	NA

Standard	Acceptable Solution	Proposed	Complies?
	<p>Bicycle parking spaces must:</p> <p>(a) be provided on the site or within 50m of the site; and</p> <p>(b) be no less than the number specified in Table C2.1.</p>		
<p>C2.5.3</p> <p>Motorcycle parking numbers</p> <p><i>This applies to:</i></p> <p><i>Business and Professional Services;</i></p> <p><i>Community Meeting and Entertainment;</i></p> <p><i>Custodial Facility;</i></p> <p><i>Crematoria and Cemeteries;</i></p> <p><i>Educational and Occasional Care;</i></p> <p><i>Food Services;</i></p> <p><i>General Retail and Hire;</i></p> <p><i>Hospital Services;</i></p> <p><i>Hotel Industry;</i></p> <p><i>Pleasure Boat Facility;</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>	<p>Not provided but it is considered the performance criteria can be met.</p>	<p>NA</p>

Standard	Acceptable Solution	Proposed	Complies?
<i>Residential if for a communal residence, multiple dwellings or hostel use; Sports and Recreation; and Tourist Operation.</i>			
C2.5.4 Loading bays <i>This applies to: Bulky Goods Sales; General Retail and Hire; Manufacturing and Processing; and Storage.</i>	A1 A loading bay must be provided for uses with a floor area of more than 1000m ² in a single occupancy.	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>	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	Not required	NA

Standard	Acceptable Solution	Proposed	Complies?
<i>Business and Professional Services; Community Meeting and Entertainment; Educational and Occasional Care; Emergency Services; Food Services; General Retail and Hire; Sports and Recreation; and Utilities, if not for minor utilities.</i>	(b) 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	<p>A1</p> <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>	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?
	(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.		
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 	Layout and gradients are provided in accordance with the AS2890.1	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<p>requirements in Table C2.3 where there are 3 or more car parking spaces;</p> <p>(vi) have a vertical clearance of not less than 2.1m above the parking surface level; and</p> <p>(vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or</p> <p>(b) comply with <i>Australian Standard AS 2890- Parking facilities, Parts 1-6</i>.</p> <p>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	A1	3 existing, proposed to reduce to 2.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<p>The number of accesses provided for each frontage must:</p> <p>(a) be no more than 1; or</p> <p>(b) no more than the existing number of accesses, whichever is the greater.</p>		
	<p>A2</p> <p>Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.</p>		NA
<p>C2.6.4</p> <p>Lighting of parking areas within the General Business Zone and Central Business Zone</p>	<p>A1</p> <p>In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roads and pedestrian paths serving 5 or more car parking spaces, which are used outside daylight hours, must be provided with lighting in accordance with Clause 3.1 "Basis of</p>		NA

Standard	Acceptable Solution	Proposed	Complies?
	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>		
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. 	The pedestrian path is a shared zone with driveway.	No

Standard	Acceptable Solution	Proposed	Complies?
	<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
	A2		

Standard	Acceptable Solution	Proposed	Complies?
	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 Off-street commercial vehicle facilities.</i>		
C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 “Basis of Design” and clause 3.6 “Car Parks” in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.		NA
	A2		NA

Standard	Acceptable Solution	Proposed	Complies?
	<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>		
<p>C2.6.8</p> <p>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</p>		NA

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

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

APPENDIX**C3.0 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.	Vehicular traffic is expected to be 74 vpd. TIA assessed the road network and concluded the additional traffic can be absorbed with no detriment impact expected.	No

Standard	Acceptable Solution	Proposed	Complies?
	<p>A1.4</p> <p>Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:</p> <p>(a) the amounts in Table C3.1; or</p> <p>(b) allowed by a licence issued under Part IVA of the <i>Roads and Jetties Act 1935</i> in respect to a limited access road.</p> <p>A1.5</p> <p>Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>		
C3.6 Development Standards for Buildings and Works			

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: <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 sensitive use; (c) located or designed so that external noise levels are not more than the level in Table C3.2 measured in accordance with Part D of the <i>Noise Measurement Procedures Manual, 2nd edition, July 2008</i>. 		NA
C3.7 Development Standards for Subdivision			

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.		NA

APPENDIX**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: <ul style="list-style-type: none"> (a) a site used for a sensitive use which is existing; (b) a site that has a planning permit for a sensitive use; or (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. 		N/A
C9.5.2 Sensitive use within an attenuation area	A1 No Acceptable Solution.	Please see Environmental Health referral	No – Discretion
C9.6 Development Standards for Subdivision			

Standard	Acceptable Solution	Proposed	Complies?
C9.6.1 Lot design	<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, within an attenuation area must:</p> <p>(a) be for the creation of separate lots for existing buildings;</p> <p>(b) be for the creation of a lot where a building for a sensitive use can be located entirely outside the attenuation area; or</p> <p>(c) not be for the creation of a lot intended for a sensitive use..</p>	There would be consolidation of 3 existing lots	N/A

APPENDIX**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.		N/A
C12.5.2 Critical use, hazardous use or vulnerable use	A1 No Acceptable Solution.		N/A
	A2 No Acceptable Solution.		N/A
	A3 No Acceptable Solution.		N/A
	A4 No Acceptable Solution.		N/A
C12.6 Development Standards for Buildings and Works			
C12.6.1 Buildings and works within a flood-prone hazard area	A1 No Acceptable Solution.	Please see Hydraulics Referral	No – Discretion

Standard	Acceptable Solution	Proposed	Complies?
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. 	It is considered that this standard is not applicable. Whilst there will lot consolidation of three titles that will result in a new title, the flooding risk is already being assessed for the new buildings.	N/A

APPENDIX**C14.0 Potentially Contaminated Land Code**

Standard	Acceptable Solution	Proposed	Complies?
C14.5 Use Standards			
C14.5 Use Standards	<p>A1</p> <p>For a sensitive use, or a specified use listed in Table C14.1, the Director, or a person approved by the Director for the purpose of this code:</p> <p>(a) certifies that land is suitable for the intended use;</p> <p>or</p> <p>(b) certifies a plan to manage contamination and associated risk to human health or the environment, so that the land is suitable for the intended use, or</p> <p>if in relation to redevelopment on land subject to the Macquarie Point Development Corporation Act 2012, the intended use must be in accordance with a certificate that has been or will be granted by an accredited environmental auditor.</p>		No –Discretion
C14.6 Development Standards			

Standard	Acceptable Solution	Proposed	Complies?
C14.6.1 Subdivision	A1 For subdivision of land, the Director, or a person approved by the Director for the purpose of this Code: (a) certifies that the land is suitable for the intended use; or (b) approves a plan to manage contamination and associated risk to human health or the environment, that will ensure the subdivision does not adversely impact on health or the environment and is suitable for its intended use.		N/A
C14.6.2 Excavation	A1 No acceptable solution.		No –Discretion