

**GLENORCHY PLANNING AUTHORITY MEETING
AGENDA
MONDAY, 6 DECEMBER 2021**



GLENORCHY CITY COUNCIL

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

Chairperson: Alderman Bec Thomas

Hour: 5.00 p.m.

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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 8 November 2021 be confirmed.

**5. PROPOSED USE AND DEVELOPMENT - OUTBUILDING
(RESIDENTIAL) - 6 DOULTON COURT GLENORCHY**

Author: Planning Officer (Sylvia Jeffreys)
 Qualified Person: Planning Officer (Sylvia Jeffreys)
 Property ID: 7544377

REPORT SUMMARY

Application No.:	PLN-21-513
Applicant:	B M Muir and S Muir
Owner:	B M Muir and S Muir
Zone:	General Residential
Use Class	Residential
Application Status:	Discretionary
Discretions:	8.4.2 P2 Setbacks and building envelopes for all dwellings (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	Extension of time granted until 06/12/21
Existing Land Use:	Residential – Single Dwelling
Representations:	0
Recommendation:	Refusal

REPORT IN DETAIL

PROPOSAL

The application is for a double carport in front of an existing dwelling. The proposed carport would be 6m wide, 5.5m deep and 3.2m high. The carport would be placed in front of an existing integrated single garage and would be 0.5m from the front boundary and 0.5m from the side boundary. The application is discretionary for the frontage setback of the carport. The proposal is shown in Figure 1.

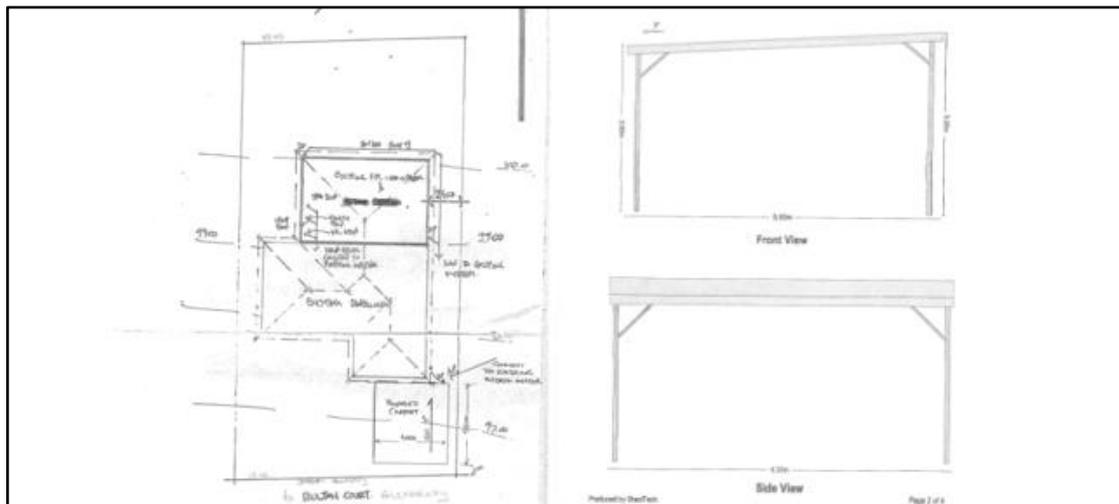


Figure 1: Proposal - Steeline Hobart

SITE and LOCALITY

The subject property is located on the northwest side of Doulton Court, which is a cul-de-sac that runs off Nagle Place. The property is rectangular, has an area of 649m² and is occupied by a single dwelling. The property has a slight slope falling towards the road. The street is characterised by dwellings that exhibit consistent setbacks. The property is shown in Figure 2 and Figure3.



Figure 2: Subject Property – TheList



Figure 3: Site Photo – 03/11/21

ZONE

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

Use Class Description (Table 6.2):

The application is for a carport in connection with a single dwelling, which is classed Residential – Single Dwelling. 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 childcare, residential care facility, residential college, respite centre, assisted housing, retirement village and single or multiple dwellings.

Other relevant definitions (Clause 3.0):

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

single dwelling

means a dwelling on a lot on which no other dwelling, other than a secondary residence, is situated.

outbuilding

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

building line

means a line drawn parallel to a frontage along the front facade of a building or through the point of a building closest to the frontage, excluding protrusions.

frontage

means a boundary of a lot which abuts a road.

primary frontage

means:

- (a) if there is only a single frontage, the frontage; or*
- (b) if there are 2 or more frontages, the frontage with the shortest dimensions measured parallel to the road irrespective of minor deviations and corner truncations.*

Discretionary Use or Development

The application is discretionary under Clause 6.8.1 as follows:

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

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

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

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

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

- *8.4.2 P2 Setbacks and building envelopes for all dwellings*

General Provisions

No general provisions apply.

Zones

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

Zone Purpose Statements

The purpose of the General Residential Zone is:

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

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

8.1.3 To provide for non-residential use that:

(a) primarily serves the local community; and

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

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

Comment

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

Use Table

The use class Residential (Single Dwelling) is 'no permit required' within the General Residential Zone in 6.2 Use Table.

Use Standards

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

Development Standards for dwellings

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

8.4.2 A2 Setbacks and building envelopes for all dwellings

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

8.4.2 P2 Setbacks and building envelopes for all dwellings

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

Comment

The front setback for the proposed carport is 0.5m. The acceptable solution requires a front setback of 5.5m for a garage/carport unless the dwelling has a floor above the garage/carport, or the existing ground has a slope with a gradient steeper than 1:5 for a distance of 10m from the frontage. The latter two of the acceptable solution do not apply.

The slope in front of the dwelling, where the carport is to be situated, is approximately 1:10 and there are no depressions or drops in the ground so that there are no topographical constraints. The street exhibits fairly uniform frontage setbacks and there are no freestanding garages or carports forward of building lines as shown in Figure 5.



Figure 5: Building Line in Doulton Court

The performance criteria require consideration of frontage setbacks of existing garages and carports in the street. There are no garages or carports forward of existing dwellings that could be considered.

In the absence of garages and carports, general front setbacks were examined, to see if the proposed carport could fit into the streetscape without standing out. The properties on the western side have front setbacks for dwellings from approximately 4.5m to 8.5m. Properties on the eastern side have frontage setbacks of approximately 5m to 10m, and properties at the head of the cul-de-sac have setbacks from approximately 7.5m to 12.8m. A street view is shown in Figure 5 that shows existing setbacks and the location of the proposed carport.



Figure 6 Street View of Doulton Court and Location of Proposed Carport

It is noted that there is a 2m-wide nature strip on either side of the street, between the footpath and front boundaries so that front boundaries are further back from the grassy verges. Nevertheless, the proposed setback is only 0.5m and even with the nature strip, the carport would be only 2.5m from the edge of the footpath.

None, of the existing front setbacks in the street are anywhere near the proposed setback of 0.5m, so that that there would be no consistency with the frontage setbacks that prevail in the street. In addition, the proposed carport would be highly visible as it would be on a straight part of the road where the land is relatively flat and there is no screening available. Therefore, the proposed carport is not compatible with existing front setbacks.

A such, the proposal fails to accord with the performance criteria in clause 8.4.2 P2 Setbacks and building envelopes for all dwellings and does not comply with the standard.

Codes

The following codes of the Scheme apply to this proposal:

C2.0 Parking and Sustainable Transport Code

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

Glenorchy Local Provisions Schedule (GLPS)

Local Area objectives

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

Particular Purpose Zones

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

Specific Area Plans

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

GLE-Site Specific Qualifications

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

GLE-Code lists

No code lists of the Scheme apply to this proposal.

GLE-Applied, Adopted and Incorporated Document

Nil.

INTERNAL REFERRALS

Development Engineer

Comments

The development application seeks an approval to install the carport over the existing driveway and parking areas.

C3.0 Road and Railway Assets Code

The Code is not applicable to the development application for the following reasons.

- The proposed development is not expected to increase vehicle movements using an existing vehicle crossing.

- The site can be accessed off the existing vehicle crossing, and no new access is proposed.
- The development is not a subdivision.

C2.0 Parking and Sustainable Transport Code

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

Other

C15.0 Landslide Code

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

C7.0 Natural Assets Code

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

C12.0 Flood-Prone Areas Hazard Code

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

Standard Conditions and advice, if the application were approved

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

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

Advice to Applicant if the application were approved:

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

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.

EXTERNAL REFERRALS

TasWater

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

REPRESENTATIONS

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

CONCLUSION

The application is for a double carport in front of an existing dwelling. The proposed carport would have a front setback of only 0.5m, which does not accord with the acceptable solution. The performance criteria require a frontage setback that is compatible with the setbacks of existing garages and carports in the street.

There are no other garages and carports in front of dwellings in Doulton Court. Existing dwellings in the street form a building line with no other buildings forward of 4.5m. Therefore, the proposal fails to be compatible with frontage setbacks in the street and does not satisfy the performance criteria. As such, the proposal is recommended for refusal.

There were no representations received during the statutory advertising period.

RECOMMENDATION

That the application for the proposed use and development of 6 Doulton Court Glenorchy be refused for the following reasons:

1. The proposed carport fails to accord with the acceptable solution in clause 8.4.2 *A2 Setbacks and building envelopes for all dwellings* as it does not have a setback from a primary frontage of 5.5m and subclauses (b) and (c) do not apply.
2. The proposed carport fails to accord with the performance criteria in 8.4.2 P2 *Setbacks and building envelopes for all dwellings* as it does not have a setback from a primary frontage that is compatible with the setbacks of existing garages or carports in the street and there are no topographical constraints.

Attachments/Annexures

- 1 PLN-21-513 - GPA Attachment - 6 Doulton Court Glenorchy

APPENDIX

8.0 General Residential Zone

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

Standard	Acceptable Solution	Proposed	Complies?
	(a) accommodate guests in existing habitable buildings; and (b) have a gross floor area of not more than 200m ² per lot.		
	A2 Visitor Accommodation is not for a strata lot that is part of a strata scheme where another strata lot within that strata scheme is used for a residential use.		NA
8.4 Development Standards for Dwellings			
8.4.1 Residential density for multiple dwellings	A1 Multiple dwellings must have a site area per dwelling of not less than 325m ² .		NA
8.4.2 Setbacks and building envelopes for all dwellings	A1 Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, not less than 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site; (b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; (c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or	Carports are excluded	NA

Standard	Acceptable Solution	Proposed	Complies?
	(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>A2</p> <p>A garage or carport for a dwelling must have a setback from a primary frontage of not less than:</p> <ul style="list-style-type: none"> (a) 5.5m, or alternatively 1m behind the building line; (b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage. 	Frontage setback: 0.5m	No – Discretion
	<p>A3</p> <p>A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <ul style="list-style-type: none"> (a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by: <ul style="list-style-type: none"> (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building 	<p>The maximum height of the carport would be 3.2m so that the standard applies to this outbuilding in terms of the side setback only, as it is exempt from the from clause 8.2.4 in terms of the front setback.</p> <p>The carport would be 0.5m from the side boundary and complies with the building envelope but is within 1.5m of the side boundary. The carport does not exceed 9m length or one-third of the boundary, which complies with (b).</p>	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<p>height of not more than 8.5m above existing ground level; and</p> <p>(b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</p> <p>(ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).</p>		
<p>8.4.3 Site coverage and private open space for all dwellings</p>	<p>A1 Dwellings must have:</p> <p>(a) a site coverage of not more than 50% (excluding eaves up to 0.6m wide); and</p> <p>(b) for multiple dwellings, a total area of private open space of not less than 60m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer).</p>	<p>Site coverage including carport is approximately 40%</p>	<p>Yes</p>
	<p>A2 A dwelling must have private open space that:</p> <p>(a) is in one location and is not less than:</p> <p>(i) 24m²; or</p> <p>(ii) 12m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);</p> <p>(b) has a minimum horizontal dimension of not less than:</p>	<p>No change, the carport would not be over existing private outdoor space.</p>	<p>NA</p>

Standard	Acceptable Solution	Proposed	Complies?
	<ul style="list-style-type: none"> (i) 4m; or (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and (d) has a gradient not steeper than 1 in 10. 		
<p>8.4.4 Sunlight to private open space of multiple dwellings</p>	<p>A1 A multiple dwelling, that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 8.4.3, must satisfy (a) or (b), unless excluded by (c):</p> <ul style="list-style-type: none"> (a) the multiple dwelling is contained within a line projecting (see Figure 8.4): <ul style="list-style-type: none"> (i) at a distance of 3m from the northern edge of the private open space; and (ii) vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal; (b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00am and 3.00pm on 21st June; and (c) this Acceptable Solution excludes that part of a multiple dwelling consisting of: <ul style="list-style-type: none"> (i) an outbuilding with a building height not more than 2.4m; or 		<p>NA</p>

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

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 glazing extending to a height of not less than 1.7m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m 		<p>NA</p>

Standard	Acceptable Solution	Proposed	Complies?
	<p>above floor level, with a uniform transparency of not more than 25%</p> <p>A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than:</p> <p>(a) 2.5m; or (b) 1m if:</p> <p>(i) it is separated by a screen of not less than 1.7m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level.</p>		NA
<p>8.4.7 Frontage Fences for all dwellings</p>	<p>A1 No Acceptable Solution¹.</p> <p><i>(¹ An exemption applies for fences in this zone – see Table 5.6 in Exemptions)</i></p>		NA
<p>8.4.8 Waste Storage for multiple dwellings</p>	<p>A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is not less than 1.5m² per dwelling and is within one of the following locations:</p> <p>(a) an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</p>		NA

Standard	Acceptable Solution	Proposed	Complies?
	<p>(b) a common storage area with an impervious surface that:</p> <ul style="list-style-type: none"> (i) has a setback of not less than 4.5m from a frontage; (ii) is not less than 5.5m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height not less than 1.2m above the finished surface level of the storage area. 		

APPENDIX

C2.0 Parking and Sustainable Transport Code

Standard	Acceptable Solution	Proposed	Complies?
C2.5 Use Standards			
<p>C2.5.1 Car parking numbers</p>	<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 spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or (ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car 	<p>No change – 2 spaces</p>	<p>Yes</p>

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

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

Standard	Acceptable Solution	Proposed	Complies?
<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>	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: <ul style="list-style-type: none"> (a) be constructed with a durable all weather pavement; (b) be drained to the public stormwater system, or contain stormwater on the site; and (c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement. 		NA
C2.6.2 Design and layout of parking areas	A1.1 Parking, access ways, manoeuvring and circulation spaces must either: <ul style="list-style-type: none"> (a) comply with the following: 		NA

Standard	Acceptable Solution	Proposed	Complies?
	<ul style="list-style-type: none"> (i) have a gradient in accordance with <i>Australian Standard AS 2890 - Parking facilities, Parts 1-6</i>; (ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces; (iii) have an access width not less than the requirements in Table C2.2; (iv) have car parking space dimensions which satisfy the requirements in Table C2.3; (v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces; (vi) have a vertical clearance of not less than 2.1m above the parking surface level; and (vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or <p>(b) comply with <i>Australian Standard AS 2890- Parking facilities, Parts 1-6</i>.</p> <p>A1.2</p> <p>Parking spaces provided for use by persons with a disability must satisfy the following:</p> <ul style="list-style-type: none"> (a) be located as close as practicable to the main entry point to the building; 		

Standard	Acceptable Solution	Proposed	Complies?
	(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 Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.		NA
C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone	A1 In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roads and pedestrian paths serving 5 or more car parking spaces, which are used outside daylight hours, must be provided with lighting in accordance with Clause 3.1 “Basis of Design” and Clause 3.6 “Car Parks” in <i>Australian Standard/New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements</i> .		NA

Standard	Acceptable Solution	Proposed	Complies?
<p>C2.6.5 Pedestrian access</p>	<p>A1.1</p> <p>Uses that require 10 or more car parking spaces must:</p> <p>(a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by:</p> <p>(i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or</p> <p>(ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and</p> <p>(b) be signed and line marked at points where pedestrians cross access ways or parking aisles.</p> <p>A1.2</p> <p>In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.</p>		<p>NA</p>
<p>C2.6.6 Loading bays</p>	<p>A1</p> <p>The area and dimensions of loading bays and access way areas must be designed in accordance with <i>Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Off-</i></p>		<p>NA</p>

Standard	Acceptable Solution	Proposed	Complies?
	<p><i>street commercial vehicle facilities, for the type of vehicles likely to use the site.</i></p>		
	<p>A2</p> <p>The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward direction in accordance with <i>Australian Standard AS 2890.2 – 2002, Parking Facilities, Part 2: Parking facilities Offstreet commercial vehicle facilities.</i></p>		
<p>C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone</p>	<p>A1</p> <p>Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 “Basis of Design” and clause 3.6 “Car Parks” in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.</p>		<p>NA</p>
	<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>NA</p>

Standard	Acceptable Solution	Proposed	Complies?
	<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 Siting of parking and turning areas</p>	<p>A1 Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas must be located behind the building line of buildings, excluding if a parking area is already provided in front of the building line.</p>		NA
	<p>A2 Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must:</p> <p>(a) have no new vehicle accesses, unless an existing access is removed;</p> <p>(b) retain an active street frontage; and</p> <p>(c) not result in parked cars being visible from public places in the adjacent roads.</p>		NA
C2.7 Parking Precinct Plan			
<p>C2.7.1 Parking Precinct Plan</p>	<p>A1</p>		NA

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

6. PROPOSED USE AND DEVELOPMENT - FOUR LOT SUBDIVISION AND BALANCE - 2 TURNBULL CRESCENT ROSETTA, 63 AND 65 RADCLIFF CRESCENT ROSETTA

Author: Planning Officer (Sylvia Jeffreys)

Qualified Person: Planning Officer (Sylvia Jeffreys)

Property ID: 5346713

REPORT SUMMARY

Application No.:	PLN-21-507
Applicant:	Rogerson & Birch Surveyors
Owner:	J L Davey
Zone:	General Residential
Use Class	Subdivision
Application Status:	Discretionary
Discretions:	8.6.1 P1 Lot Design (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	Extension of time to 6 Dec 2021
Existing Land Use:	Vacant and Single Dwelling
Representations:	1
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The proposal involves the creation of four lots. The main property to be subdivided is 65 Radcliffe Crescent, which is vacant but has an 11m-wide easement. The property at 2 Turnbull Crescent, that contains a dwelling, would have a boundary altered to add land to one of the lots. The property at 63 Radcliff Crescent would be affected by the installation of a sewer main within a right-of-way. Access to Lots 1 and 2 would be from Radcliff Crescent. Access for Lots 3 and 4 would be from Turnbull Crescent. The proposed lots are as follows:

- Lot 1: Area 1284m² – frontage 17.8m
- Lot 2: Area 596m² – frontage 29.5m
- Lot 3: Area 910m² – frontage 15.7m
- Lot 4: Area 563m² – frontage 15.7m
- Lot 5: Area 1399m² – frontage 32.1m (existing house)

All lots can accommodate the required building area. The application is discretionary for a side boundary setback of the building areas of Lots 3 and 4. The proposal is shown in Figure 1.

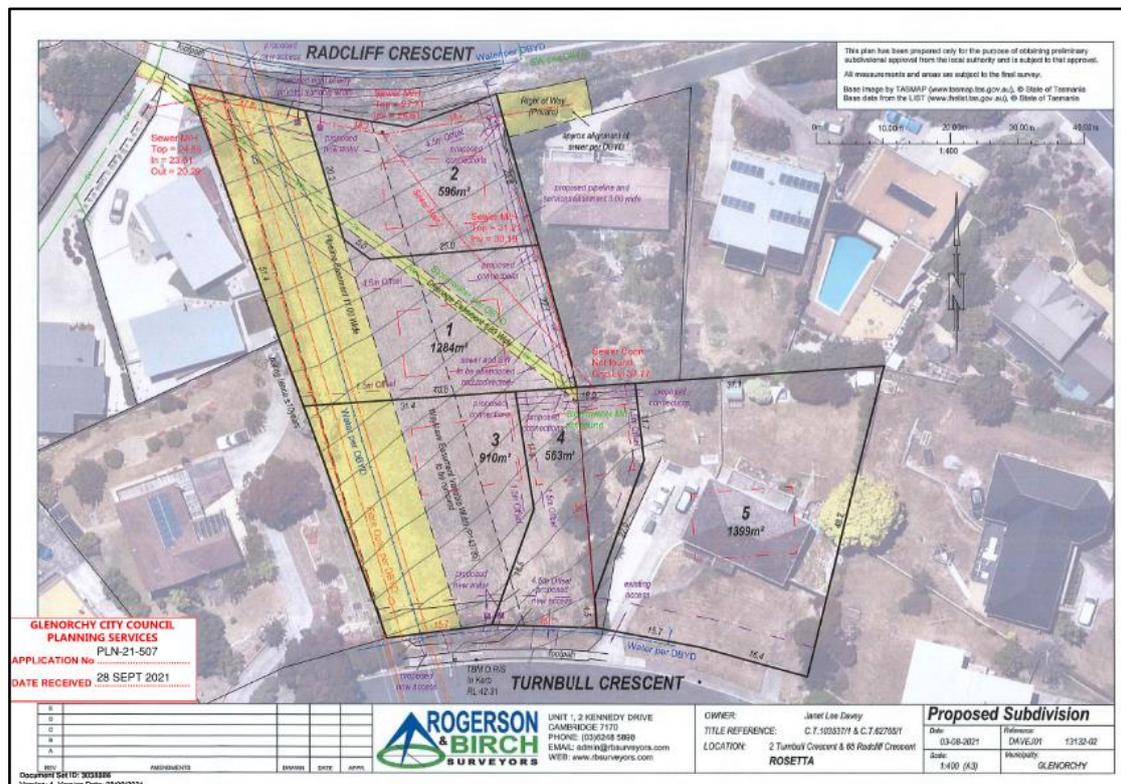


Figure 1: Proposed Subdivision

SITE and LOCALITY

The site comprises three properties at 2 Turnbull Crescent and at 63 and 65 Radcliff Crescent. The property at 65 Radcliffe Crescent is vacant but has an 11m-wide easement along the western boundary. The properties at 63 Radcliffe Crescent and 2 Turnbull Crescent contain a single dwelling each. The site adjoins six properties, all with single dwelling, except for one that has two dwellings. The site is shown in Figure 2.

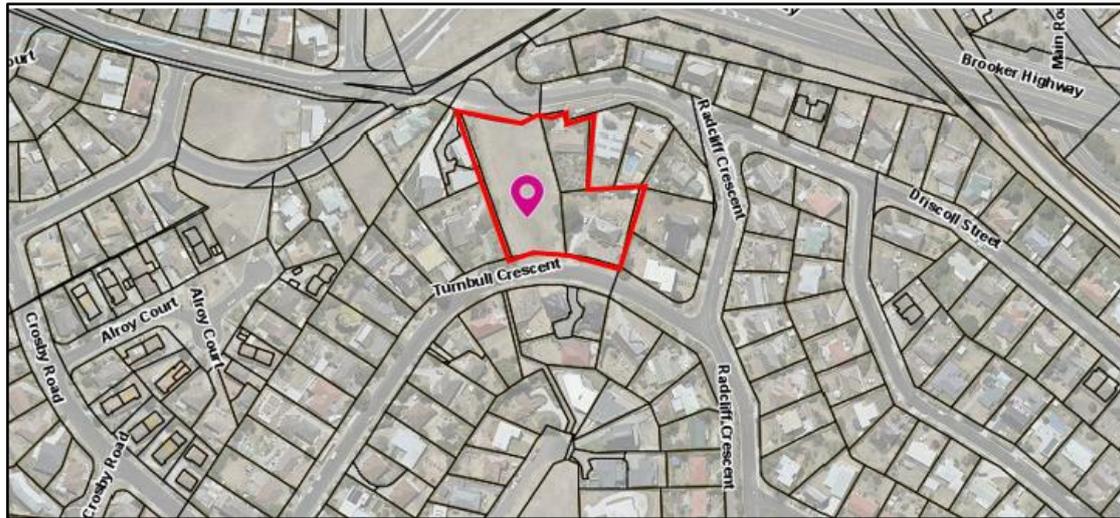


Figure 2: Subject Site – TheList

ZONE

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

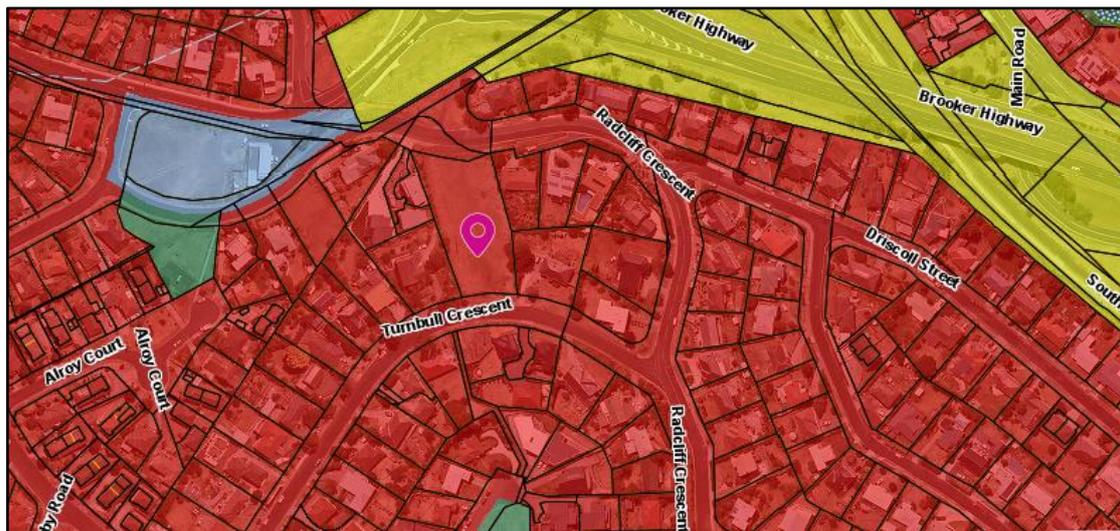


Figure 3: Zoning Map - TheList

BACKGROUND

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

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

TASMANIAN PLANNING SCHEME - GLENORCHY 2021

State Planning Provisions (SPP)

Administration

Exemptions (Tables 4.1 – 4.6)

Nil.

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

General Provision

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

Codes

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

Use Class Description (Table 6.2):

NA

Other relevant definitions (Clause 3.0):

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

subdivide

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

- (a) a lease of a building or of the land belonging to and contiguous to a building between the occupiers of that building;*
- (b) a lease of airspace around or above a building;*

- (c) a lease of a term not exceeding 10 years or for a term not capable of exceeding 10 years;*
- (d) the creation of a lot on a strata scheme or a staged development scheme under the Strata Titles Act 1998; or*
- (e) an order adhering existing parcels of land.*

subdivision

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

Discretionary Use or Development

The application is discretionary under Clause 6.8.1 as follows:

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

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

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

- *8.6.1 P1 Lot Design*

General Provisions

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

7.10 Development not Required to be Categorised into a Use Class

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

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

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

Comment

The purpose of the General Residential Zone and applicable codes are addressed under the relevant headers later in this report. There are no local area objectives or specific area plan applicable.

Zones

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

Zone Purpose Statements

The purpose of the General Residential Zone is:

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

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

8.1.3 To provide for non-residential use that:

(a) primarily serves the local community; and

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

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

Comment

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

Use Table

NA

Use Standards

NA

Development Standards for Subdivisions

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

8.6.1 A1 Lot Design

The proposal does not accord with the acceptable solution in clause 8.6.1 A1 Lot Design with respect to a side boundary setback of the building area of Lots 3 and 4. Therefore, the proposal relies on the related performance criteria as follows:

8.6.1 P1 Lot Design

Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:

- the relevant requirements for development of buildings on the lots;
- the intended location of buildings on the lots;
- the topography of the site;
- the presence of any natural hazards;
- adequate provision of private open space; and
- the pattern of development existing on established properties in the area.

Comment

The acceptable solution requires a building area of 10m x 15m with a grade less than 1:5 that accords with all setbacks and is clear of easements. The proposal generally complies, except with respect to a side setback on Lot 3 and 4 as shown in Figure 4.

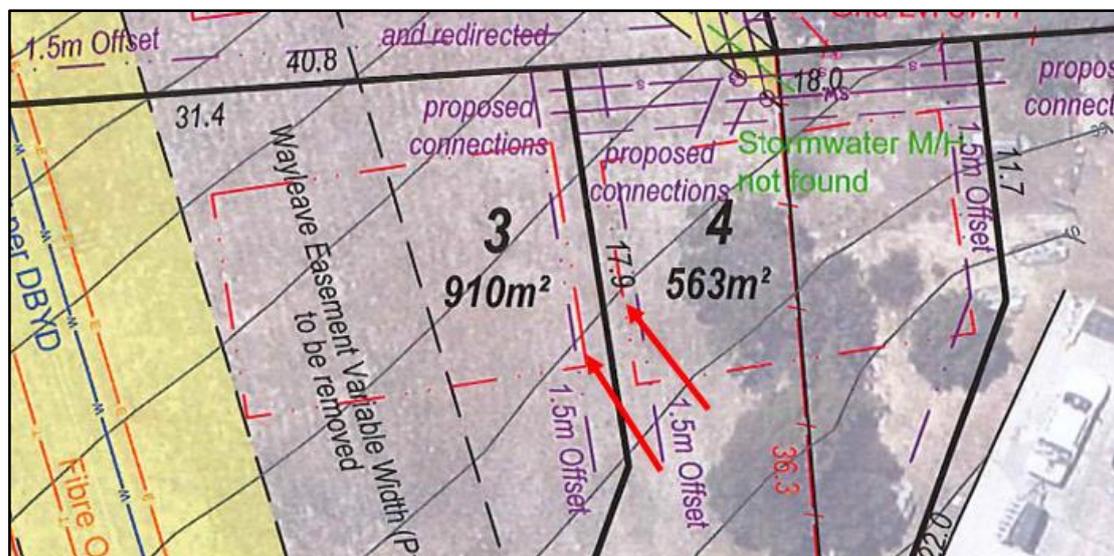


Figure 4: Proposed Setbacks

The acceptable solution of clause 8.6.1 A1 Lot Design requires building areas clear of setbacks required in clauses 8.4.2 A1, A2 and A3, where the minimum side setback for a dwelling is 1.5m. Lots 3 and 4 are marginally short of the 1.5m setback on the respective east and west boundaries.

All other building areas would otherwise accord with required setbacks. The proposal is considered to accord with the performance criteria for the following reasons:

- The proposed building areas are considered large enough to accommodate a dwelling and it is noted that there would be additional area outside the building areas available for construction.
- The building areas, which are taken to be the intended location of buildings, are free of easement restrictions, planning scheme overlays or potential hazards.
- The building areas have a grade not steeper than 1 in 5 so that there are no topographical constraints.
- There would be sufficient area on each lot to provide for private outdoor space.
- The proposed building areas would be consistent with existing development in the area, in particular as building areas roughly align with existing front setback in Turnbull Crescent and Radcliff Crescent.

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. 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.

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.

Public Open Space

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

Council's *Subdivisions- Public Open Space Acquisition and Contribution Policy* provides guidance on requirements for public open space or alternatively cash-in-lieu contributions. The proposed subdivision is for only four lots and there would be no room for public open space. A contribution of cash-in-lieu will be required where it is impracticable to provide public open space as part of the subdivision, as per clause 9(b) of the policy.

A condition is recommended accordingly.

INTERNAL REFERRALS

Development Engineer

Comments

The development application seeks an approval for subdivision to create 4 new lots and a balance lot from the two existing titles at 63 Radcliff Crescent and 2 Turnbull Crescent. The works include new driveway accesses, new drainage pipes over the proposed 3m wide easement and services connections to each lot. The existing stormwater and sewer pipes that run across 65 Radcliff Crescent are to be abandoned and redirected to service the new lots.

The General Manager's consent to interfere with stormwater infrastructure can be granted.

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. Each new lot will be provided with new accesses. Lots 3 and 4 will share the access to the right of ways and driveways. The design and construction of accesses will be conditioned to comply with the LGAT standard drawings. Therefore, the proposed development is deemed to comply with the code requirements.

C2.0 Parking and Sustainable Transport Code

The development complies with the Code and is considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected. The access and parking can comply with the relevant standard. The driveway accesses onto each new lot will be conditioned to be constructed to the lot proper prior to the sealing of the final plan. The surface treatment of the driveway and access will be sealed, and the surface runoff will be captured and directed to the Council's stormwater system.

Other

C15.0 Landslide Code

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

C7.0 Natural Assets Code

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

C12.0 Flood-Prone Areas Hazard Code

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

EXTERNAL REFERRALS

TasWater

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

REPRESENTATIONS

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

Receipt of information

The representors state that no information was received about the application and wanted to be kept informed in the future.

Planner's Comment:

General information about the application was available during the advertising period. The plans were available from council's website, along with other application documents available upon request. Furthermore, the application was notified in accordance with statutory requirements. The applicant will need to be in contact with the representors to obtain written permission for sewer works to occur on their land as part of a condition imposed by TasWater and may provide further information at the same time.

CONCLUSION

The application is for the creation of four lots. The application is discretionary for a side boundary setback of the building areas of Lots 3 and 4. As such, the proposal must accord with the performance criteria in clause 8.6.1 P1 Lot Design. The proposal is considered in accordance as proposed lots would be of a reasonable grade, large enough to accommodate a dwelling, building areas are free of easement restrictions, planning scheme overlays or potential hazards and with setbacks consistent with existing development.

The application was advertised in accordance with statutory requirements and one representation was received. The representation raised concerns about information received about the application. General information about the application was available during the advertising period and the plans were available from council's website, along other application documents available upon request. Ongoing information about any works may be provided by the proponent as consent from the representors will be required for sewerage works.

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

RECOMMENDATION

That a permit be granted for the proposed use and development of 2 Turnbull Crescent Rosetta, 63 and 65 Radcliff Crescent Rosetta, subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-21-507 and Drawings submitted on 28/09/21 (1 page), except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Submission to Planning Authority Notice, reference No.TWDA 2021/01741-GCC, dated 18/10/2021, form part of this permit.
3. Council having determined not to require the subdivider to include areas of open space before approving the plan of subdivision requires payment of an amount to Council in accordance with Section 117 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*, to the equivalent of five per cent (5%) of the unimproved value of the whole area as shown on the plan of subdivision.

Payment must be made to Council prior to the sealing of the Final Plan.

Engineering

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

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

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

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

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

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

5. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
6. No civil works related to or associated with the use or development approved by this permit are to occur on or external to the site unless these works are in accordance with engineering drawings that have been approved by Council's Development Engineer.

Changes to the design and/or location of civil works will require the submission of amended engineering drawings prepared by a licensed civil engineer for approval by Council's Engineer.

7. Any damage to Council's assets, including services, footpaths, driveway crossings and nature strips must be promptly reported to and then repaired to the requirements of Council's Development Engineer, at the developer's cost.

It shall be the developer's responsibility to obtain and submit with the Engineering Drawing, a comprehensive photographic record of the condition of the footpaths, driveways and nature strips at the road frontage to the site and adjacent to the site, prior to commencing construction.

The photographic record shall be relied upon to establish the extent of damage caused to Council's assets throughout construction.

In the event that the developer fails to provide a pre-construction photographic record of the site then any damage to Council assets found on completion of the works shall be deemed to be the responsibility of the developer and shall be repaired at the developer's cost.

8. An appropriate retaining structure, if required, must be design and certified by a suitably qualified Engineer. The form and certification must be submitted to and approved by Council prior to the issue of Council's approved engineering drawings.
9. A detailed estimate for the works must be provided and payment of the engineering assessment fee must be made prior to the issue of approved engineering drawings. Under the Schedule of Fees and Charges 2021/22, the engineering assessment fee is 2% of the value of the civil works or the minimum of \$850 (whichever greater).

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.

10. Prior to the sealing of Final Plan, the developer must install underground electrical reticulation for power and street lighting using underground cables to the specifications of the Electricity Authority and Council.

The electrical reticulation and street lighting designs must be submitted to Council's Development Engineer for assessment prior to the commencement of construction or the issuing of Council's approved drawing. Light standards and fitting connected to Electricity Authority supply shall be provided in accordance with the Development Engineer's requirements.

11. Private sewer, stormwater and water services/connections are to be entirely separate to each lot in order to ensure that they are contained entirely within the lots served or covered by appropriate easements.

Power and telephone connections must also be contained within their respective lots.

A detailed services plan showing both the existing and the proposed (or as built) private services, Council mains and access to all lots on the site must be prepared by a civil engineer or a qualified designer and submitted to the Council for approval prior to the sealing of the final plans.

In particular, the developer must confirm the position of any services that may be affected by the subdivision/boundary adjustment.

12. In order to satisfy the above condition on the separation of services, the developer must verify compliance by supplying the Council with a services plan clearly indicating the location and details of all relevant services (entirely contained within their respective lots) and also a covering letter, where the Council is advised in writing that all the relevant engineering work required in these planning permit conditions have been satisfactorily completed, prior to the sealing of the final plan.

Any final plan submitted for sealing cannot be fully processed unless it is accompanied by documentation by a qualified person that clearly certifies that this condition has been satisfied and that all the work required by this condition has been completed.

A "qualified person" must be a professional engineer or professional surveyor or other persons acceptable to Council. Applicants or their agents should take notice that unless this condition is satisfactorily complied with, then documents submitted for sealing of the final plans will not be processed.

13. Any creation, diversion and augmentation of Council owned stormwater assets must be designed and constructed to the satisfaction of Council's Development Engineer.

A twelve (12) month maintenance period will be applied, and a 5% maintenance bond be required to any creation, diversion and augmentation of Council owned assets after the practical completion, during which time the works shall be maintained by the developer, prior to being handed over at the completion of the defects liability period. During the period all defects must be rectified at the developers cost.

A further twelve (12) month maintenance period may be applied to defects after rectification. The Council may, at its discretion, undertake rectification of any defects at the developers cost.

Before the end of the maintenance period, the developer must arrange CCTV inspections of any stormwater assets subject to this permit, taken no more than one month before the end of the maintenance period, and submit the inspection reports to the requirements of the Councils' Stormwater Engineer and at full cost to the applicant. Any defect identified in the CCTV inspection must be rectified to the satisfaction of Council's Stormwater Engineer, before the Council takes over the stormwater assets.

14. The final plan and schedule of easements is to include, to the satisfaction of the Council's Development Engineer, any existing or proposed right of ways, drainage and/or service easements that are or may be required to adequately provide access and services to, from or through the lots shown on the plan.
15. The applicant must submit to Council a copy of the surveyor's field notes prepared to accompany the final plan. Easements shall be created over all existing and proposed Council stormwater mains in accordance with Council requirements.

An original and two copies of each of the Plan of Subdivision and Schedule of Easements shall be submitted to Council for sealing.

16. New vehicle crossings with a 3.6-metre-wide concrete driveway apron must be constructed in accordance the Tasmanian standard drawing TSD-R09-v3, TSD-R11-v3 and TSD-R14-v3 between the kerb and the property boundary to the new lots 3 and 4 and to the satisfaction of Council's Development Engineer prior to the occupancy. The detail design must be submitted and approved prior to the issuing of a Council's approved drawing or commencement of works on site (whichever occurs first).

17. New vehicle crossing with a 5.5-metre-wide concrete driveway apron must be constructed in accordance the Tasmanian standard drawing TSD-R09-v3, TSD-R11-v3 and TSD-R14-v3 between the kerb and the property boundary to provide for the access for the new lots 1 and 2 and to the satisfaction of Council's Development Engineer prior to the occupancy.

The passing bay at access point is required.

The detail design must be submitted and approved prior to the issuing of a Council's approved drawing or commencement of works on site (whichever occurs first).

18. Driveway construction is to accord with Standard Drawings for the driveway are to include the full extent of the formation to achieve the maximum gradient of 20% (or 1 in 5) as well as an area for on-site turning.

All driveways servicing the lots 1 and 2 must be demonstrated on the design drawing as complying with standards of acceptable sight distance and are to be fully constructed to the lot proper prior to the sealing of final plan.

Advice to Applicant

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

Other Permits

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

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

Other Services

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

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

General Manager's Consent for Stormwater Management

Any conditions and/or advice as set out in the attached General Manager's Consent for Stormwater Management, reference No. PLN-21-507, dated 29/11/21, apply separately under the *Urban Drainage Act 2013*.

Attachments/Annexures

- 1 PLN-21-507 - GPA Attachment - 2 Turnbull Crescent and 63 & 65 Radcliff Crescent Rosetta

APPENDIX

8.0 General Residential Zone

8.6 Development Standards for Subdivision			
8.6.1 Lot Design	A1 Each lot, or a lot proposed in a plan of subdivision, must: (a) have an area of not less than 450m ² and: (i) be able to contain a minimum area of 10m x 15m with a gradient not steeper than 1 in 5, clear of: a. all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and b. easements or other title restrictions that limit or restrict development; and (ii) existing buildings are consistent with the setback required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; (b) be required for public use by the Crown, a council or a State authority; (c) be required for the provision of Utilities; or (d) be for the consolidation of a lot with another lot provided each lot is within the same zone.	(a) Lot areas: • Lot 1: Area 1284m ² • Lot 2: Area 596m ² • Lot 3: Area 910m ² • Lot 4: Area 563m ² • Lot 5: Area 1399m ² (i) Each lot has a building area of 10m x 15m with a gradient no steeper than 1:5. • The proposal does not accord with setbacks clause 8.4.2 A1, A2 and A3, with respect to the side setbacks of Lots 3 and 4. • Clear of easement (an existing easement over Lot 1 will be abandoned and redirected) (b) Not required for public use (c) Not required for utilities (d) No required for lot consolidation	No– Discretion
	A2 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 12m.	<ul style="list-style-type: none"> • Lot 1: frontage 17.8m • Lot 2: frontage 29.5m • Lot 3: frontage 15.7m • Lot 4: frontage 15.7m • Lot 5: frontage 32.1m (existing house) 	Yes
	A3 Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.	Lots 1 and 2 would have access from Radcliff Crescent. There would be a right-of-way for Lot 2. Lots 3, 4 and 5 would have separate accesses from Turnbull Crescent	Yes

	<p>A4 Any lot in a subdivision with a new road, must have the long axis of the lot between 30 degrees west of true north and 30 degrees east of true north.</p>	Complies	Yes
<p>8.6.2 Roads</p>	<p>A1 The subdivision includes no new roads.</p>	No new road is proposed	Yes
<p>8.6.3 Services</p>	<p>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.</p>		Yes
	<p>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.</p>		Yes
	<p>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.</p>		Yes

APPENDIX

C2.0 Parking and Sustainable Transport Code

Standard	Acceptable Solution	Proposed	Complies?
C2.5 Use Standards			
<p>C2.5.1 Car parking numbers</p>	<p>A1</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 spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or (ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows: 		<p>NA</p>

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

Standard	Acceptable Solution	Proposed	Complies?
<p><i>Educational and Occasional Care;</i> <i>Food Services;</i> <i>General Retail and Hire;</i> <i>Hospital Services;</i> <i>Hotel Industry;</i> <i>Pleasure Boat Facility;</i> Residential if for a communal residence, multiple dwellings or hostel use; <i>Sports and Recreation; and</i> <i>Tourist Operation.</i></p>	<p>intensification, provided the existing number of motorcycle parking spaces is maintained.</p>		
<p>C2.5.4 Loading bays <i>This applies to:</i> <i>Bulky Goods Sales;</i> <i>General Retail and Hire;</i> <i>Manufacturing and Processing; and</i> <i>Storage.</i></p>	<p>A1 A loading bay must be provided for uses with a floor area of more than 1000m² in a single occupancy.</p>	<p>Not required</p>	<p>NA</p>
<p>C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential Zone <i>This applies to:</i> <i>Business and Professional Services;</i> <i>Community Meeting and Entertainment;</i> <i>Educational and Occasional Care;</i></p>	<p>A1 Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for:</p> <ul style="list-style-type: none"> (a) Food Services uses up to 100m² floor area or 30 seats, whichever is the greater; and (b) General Retail and Hire uses up to 100m² floor area, 	<p>Not required</p>	<p>NA</p>

Standard	Acceptable Solution	Proposed	Complies?
<p><i>Emergency Services; Food Services; General Retail and Hire; Sports and Recreation; and Utilities, if not for minor utilities.</i></p>	<p>provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone.</p>		
<p>C2.6 Development Standards for Building Works</p>			
<p>C2.6.1 Construction of parking areas</p>	<p>A1 All parking, access ways, manoeuvring and circulation spaces must:</p> <ul style="list-style-type: none"> (a) be constructed with a durable all weather pavement; (b) be drained to the public stormwater system, or contain stormwater on the site; and (c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement. 		<p>NA at this stage</p>
<p>C2.6.2 Design and layout of parking areas</p>	<p>A1.1 Parking, access ways, manoeuvring and circulation spaces must either:</p> <ul style="list-style-type: none"> (a) comply with the following: <ul style="list-style-type: none"> (i) have a gradient in accordance with <i>Australian Standard AS 2890 - Parking facilities, Parts 1-6</i>; 		<p>NA at this stage</p>

Standard	Acceptable Solution	Proposed	Complies?
	<ul style="list-style-type: none"> (ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces; (iii) have an access width not less than the requirements in Table C2.2; (iv) have car parking space dimensions which satisfy the requirements in Table C2.3; (v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces; (vi) have a vertical clearance of not less than 2.1m above the parking surface level; and (vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or <p>(b) comply with <i>Australian Standard AS 2890- Parking facilities, Parts 1-6.</i></p> <p>A1.2</p> <p>Parking spaces provided for use by persons with a disability must satisfy the following:</p> <ul style="list-style-type: none"> (a) be located as close as practicable to the main entry point to the building; (b) be incorporated into the overall car park design; and (c) be designed and constructed in accordance with <i>Australian/New Zealand Standard AS/NZS</i> 		

Standard	Acceptable Solution	Proposed	Complies?
	<i>2890.6:2009 Parking facilities, Off-street parking for people with disabilities. [S35]</i>		
C2.6.3 Number of accesses for vehicles	<p>A1</p> <p>The number of accesses provided for each frontage must:</p> <p>(a) be no more than 1; or</p> <p>(b) no more than the existing number of accesses, whichever is the greater.</p>	Each lot can be accessed via a new vehicle crossing.	Yes
C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone	<p>A1</p> <p>In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roads and pedestrian paths serving 5 or more car parking spaces, which are used outside daylight hours, must be provided with lighting in accordance with Clause 3.1 “Basis of Design” and Clause 3.6 “Car Parks” in <i>Australian Standard/New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements.</i></p>		NA
C2.6.5 Pedestrian access	<p>A1.1</p> <p>Uses that require 10 or more car parking spaces must:</p>		NA

Standard	Acceptable Solution	Proposed	Complies?
	<p>(a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by:</p> <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>		
<p>C2.6.6 Loading bays</p>	<p>A1</p> <p>The area and dimensions of loading bays and access way areas must be designed in accordance with <i>Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Off-street commercial vehicle facilities</i>, for the type of vehicles likely to use the site.</p>		<p>NA</p>
	<p>A2</p> <p>The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward</p>		

Standard	Acceptable Solution	Proposed	Complies?
	<p>direction in accordance with <i>Australian Standard AS 2890.2 – 2002, Parking Facilities, Part 2: Parking facilities Offstreet commercial vehicle facilities.</i></p>		
<p>C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone</p>	<p>A1</p> <p>Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 “Basis of Design” and clause 3.6 “Car Parks” in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.</p>		<p>NA</p>
	<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>		<p>NA</p>

Standard	Acceptable Solution	Proposed	Complies?
C2.6.8 Siting of parking and turning areas	A1 Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas must be located behind the building line of buildings, excluding if a parking area is already provided in front of the building line.		NA
	A2 Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must: <ul style="list-style-type: none"> (a) have no new vehicle accesses, unless an existing access is removed; (b) retain an active street frontage; and (c) not result in parked cars being visible from public places in the adjacent roads. 		NA
C2.7 Parking Precinct Plan			
C2.7.1 Parking Precinct Plan	A1 Within a parking precinct plan, onsite parking must: <ul style="list-style-type: none"> (a) not be provided; or (b) not be increased above existing parking numbers. 		NA

APPENDIX

C3 Road and Railway Assets Code

Standard	Acceptable Solution	Proposed	Complies?
C3.5 Use Standards			
<p>C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction</p>	<p>A1.1 For a category 1 road or a limited access road, vehicular traffic to and from the site will not require: (a) a new junction; (b) a new vehicle crossing; or (c) a new level crossing.</p> <p>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.</p> <p>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.</p> <p>A1.4 Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than: (a) the amounts in Table C3.1; or (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 is not increased by 20%.</p>	<p>Yes</p>

Standard	Acceptable Solution	Proposed	Complies?
	Vehicular traffic must be able to enter and leave a major road in a forward direction.		
C3.6 Development Standards for Buildings and Works			
C3.6.1 Habitable buildings for sensitive uses within a road or railway attenuation area	A1 Unless within a building area on a sealed plan approved under this planning scheme, habitable buildings for a sensitive use within a road or railway attenuation area, must be: <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			
C3.7.1 Subdivision for sensitive uses within a road or railway attenuation area	A1 A lot, or a lot proposed in a plan of subdivision, intended for a sensitive use must have a building area for the sensitive use that is not within a road or railway attenuation area.		NA

7. PROPOSED USE AND DEVELOPMENT - TEN MULTIPLE DWELLINGS - 21 COLEMAN STREET MOONAH

Author: Planning Officer (Chantelle Griffin)

Qualified Person: Planning Officer (Chantelle Griffin)

Property ID: 5419353

REPORT SUMMARY

Application No.:	PLN-21-392
Applicant:	B G Richardson
Owner:	J & R Erends Pty Ltd
Zone:	Inner Residential
Use Class	Residential
Application Status:	Discretionary
Discretions:	Clause 9.4.2 Setbacks and building envelope for all dwellings, Clause 9.4.6 Privacy for all dwellings, Clause 9.4.7 Frontage fences for all dwellings, Clause 9.4.8 Waste storage for multiple dwellings, Clause 2.5.3 Motorcycle parking numbers, Clause C2.6.5 Pedestrian access, Clause C2.6.8 Siting of parking and turning areas, C12.5.1 Uses within a flood-prone hazard area and Clause C12.6.1 Buildings and works within a flood-prone hazard area
	(The proposal meets all other applicable standards as demonstrated in the attached appendices)

Level 2 Activity?	No
42 Days Expires:	Extension of time granted until 07 Dec 2021
Existing Land Use:	Warehouse (Storage)
Representations:	Seven representations from nine representors
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The proposal is for the construction of ten multiple dwellings on the site. The proposed multiple dwellings will be two-storey, conjoined and located in three main buildings throughout the site (Figure 1). Of the ten multiple dwellings, three will include a lift, four will have three bedrooms, six will have two bedrooms, and each dwelling will have a single garage.

The buildings will be setback 3 m from the south-west front boundary, 4 m from the north-west side boundary and 2 m from the south-east side boundary, 4 m from the south-west side boundary and 3 m from the north-east rear boundary. The buildings will have a maximum height of 7.6 m and will be constructed with concrete, timber, aluminium windows and Colorbond roofing.

Each dwelling will be provided with between 25 and 71 m² of private open space in accordance with Clause 9.4.3 – Standard A2 and at least 40 m² of private open space in total. The development will provide a total of twenty-three car parking spaces, at a rate of two per dwelling and three visitors spaces.

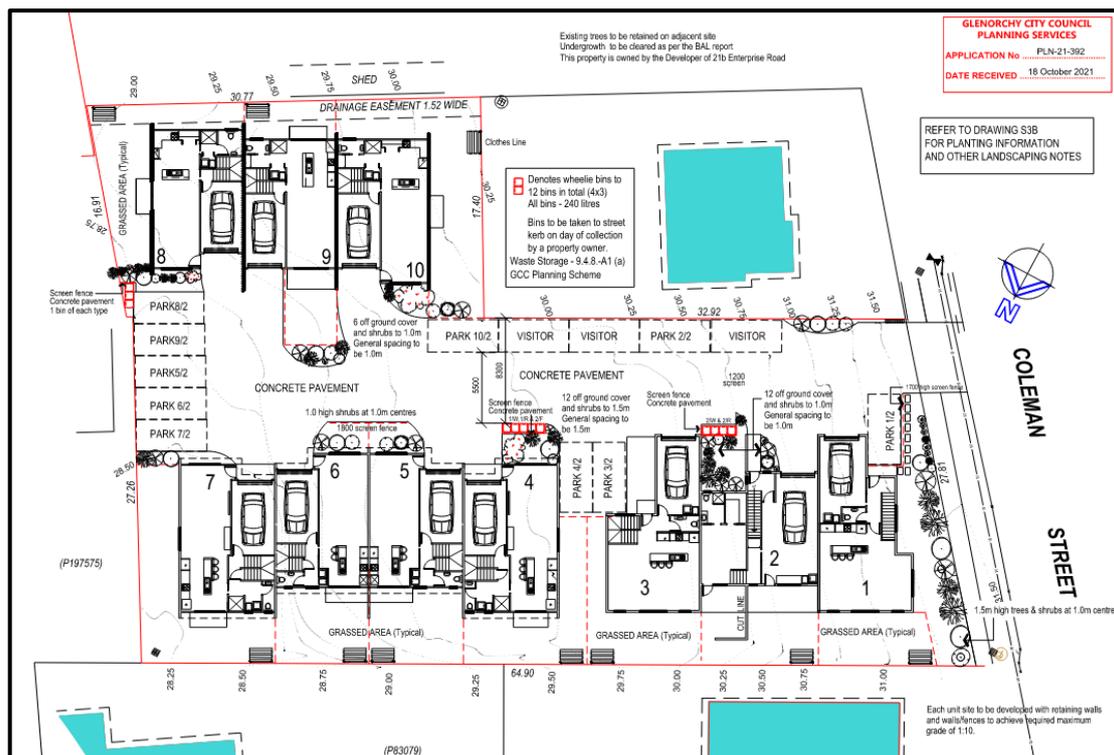


Figure 1: Site plan of proposal at 21 Coleman Street, Moonah.

The proposal will rely on performance criteria for Clause 9.4.2 for setbacks and building envelope for all dwellings, Clause 9.4.6 for privacy for all dwellings, Clause 9.4.7 for frontage fences for all dwellings, Clause 9.4.8 for waste storage for multiple dwellings, Clause 2.5.3 for motorcycle parking numbers, C2.6.5 for pedestrian access, Clause C2.6.8 for siting of parking and turning areas, Clause C12.5.1 for uses within a flood-prone hazard area and Clause C12.6.1 for buildings and works within a flood-prone hazard area.

SITE and LOCALITY

The subject site is located on the north-east side of Coleman Street Moonah approximately 35 m from the intersection with Homer Avenue.

The property has a frontage of 21.81 m, an average depth of 60 m, and a total area of 2193 m². The site is generally flat and falls toward the north-east, with an average gradient of 1 in 20. The land has approval for a furniture removal warehouse and gained approval for demolition in 2017. The main warehouse has since been removed; however, the office remains at the front of the site, with no significant vegetation. The existing driveway is located along the south-east side boundary (Figure 2).

The site is located within the Inner Residential area with a mix of single dwellings and multiple dwellings. There are a couple of exceptions for non-conforming industrial uses on the north-east side of Coleman Street. The Light Industrial zone is located to the north-east, with the Utilities zone further to the north-east and General Residential zone to the south-west.



Figure 2: Aerial photo of 21 Coleman Street, Moonah.

ZONE

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

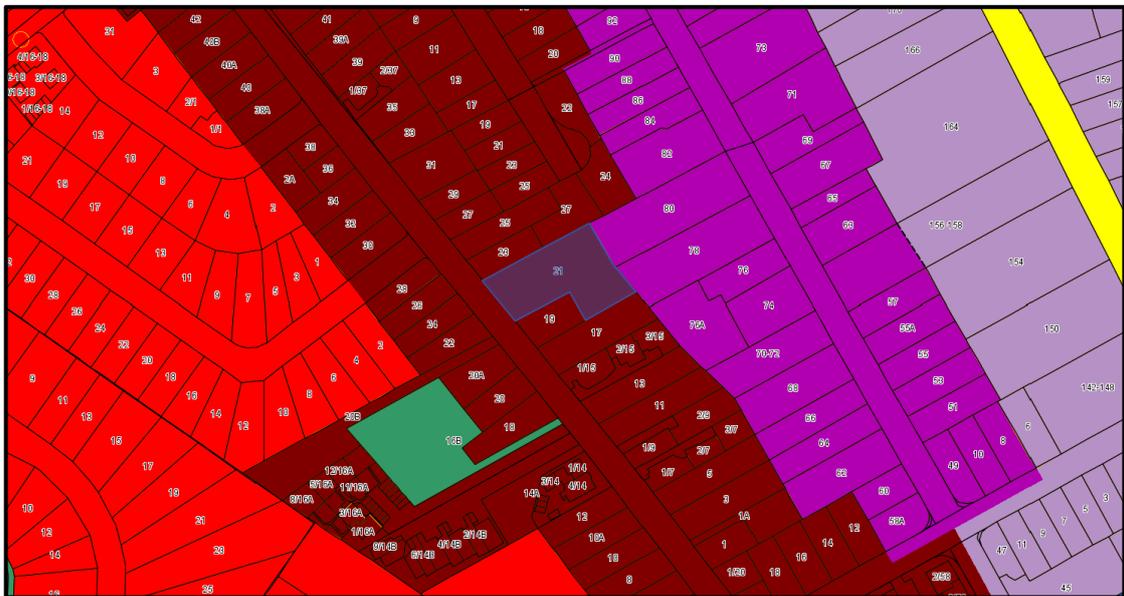


Figure 3: Inner Residential zone over 21 Coleman Street, Moonah.

BACKGROUND

Permits

A previous permit PLN-17-150 for demolition of the former Warehouse was approved on 28 August 2017. The permit has been substantially commenced and included removal of the warehouse in its entirety. However, part of the warehouse has yet to be demolished.

Application

The application was informally referred to Council's Transport Engineer to assist with representations raising concerns and for follow up on the separate issue of traffic on Coleman Street.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

TASMANIAN PLANNING SCHEME - GLENORCHY 2021

State Planning Provisions (SPP)

Administration

Exemptions (Tables 4.1 – 4.6)

Nil.

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

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

Use Class Description (Table 6.2):

The use of Multiple Dwelling is listed within the Residential use class description of the Tasmanian Planning Scheme.

The definition of Residential use class states:

use of land for self-contained or shared accommodation. Examples include a secondary residence, boarding house, communal residence, home-based business, home-based child care, residential care facility, residential college,

respite centre, assisted housing, retirement village and single or multiple dwellings.

Other relevant definitions (Clause 3.0):

Multiple Dwellings

The use of a Multiple Dwellings is defined as the following in Clause 3.1 of the Tasmanian Planning Scheme:

means 2 or more dwellings on a site.

General Provisions

No General Provisions of the Scheme apply.

Zones

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

Zone Purpose Statements

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

The purpose of the Inner Residential Zone is:

9.1.1

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

9.1.2

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

9.1.3

To provide for non-residential use that:

- (a) primarily serves the local community; and*
- (b) does not cause an unreasonable loss of amenity, through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.*

9.1.4

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

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

Use Table

The use of “Multiple Dwellings” are permitted, in accordance with the use table in Clause 9.2 of the Tasmanian Planning Scheme. However, the proposal is discretionary owing to the reliance on performance criteria for Clauses 9.4.2, 9.4.6, 9.4.7, 9.4.8, C2.6.8, C2.5.3, C2.6.5, C2.6.8, C12.5.1 and C12.6.1.

Use Standards

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

Development Standards for dwellings

Clause 9.4.1 – Standard A1, Residential density for multiple dwellings

The proposal provides a density of 219.3 m² per dwelling in accordance with Clause 9.4.1 – Standard A1.

Clause 9.4.2 – Standard A3, Setbacks and building envelope for all dwellings

The proposed multiple dwellings would require a minimum setback of 4.45 m from the north-east rear boundary for Unit 7 and a setback of 2.65 m from the south-east side boundary for Unit 8, to be in accordance with Clause 9.4.2 – Standard A3. Whereas the multiple dwellings will be set back a minimum setback of 3 m from the north-east rear boundary for Unit 7 and be setback of 2 m from the south-east side boundary for Unit 8. The proposal is considered in accordance with the performance criteria:

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; and*
- (b) *provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area.*

Unit 7 (north-east rear boundary)

The difference in the north-east rear setback would be 1.45 m for Unit 7 (Figure 4).

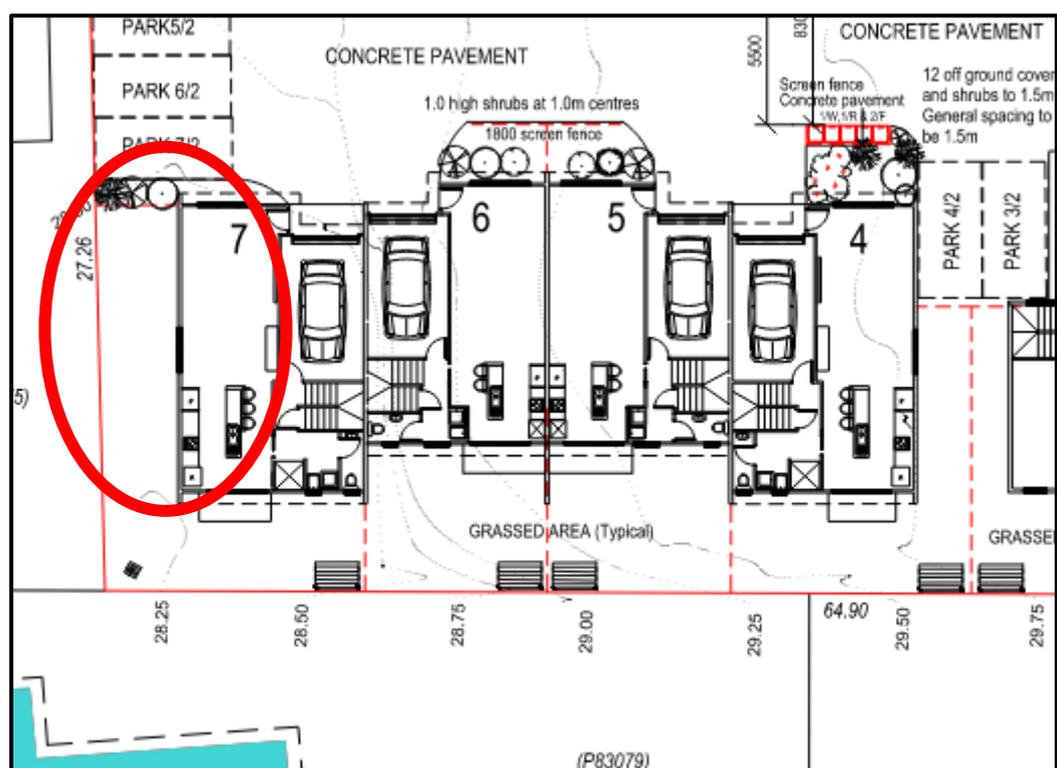


Figure 4: Unit 7 site plan for 21 Coleman Street, Moonah.

While the proposal will be located closer than the 4.45 m setback from the north-east side boundary, the proposal would be adjoining the Light Industrial zone. Shadow diagrams have been provided showing the proposed setback for Unit 7 would have minimal impact outside the property. The multiple dwellings will adjoin industrial scale development on the nearest boundary, and will be similar to the visual scale and bulk of surrounding residential development in the area.

Separation

The adjoining and surrounding properties have walls located up to 3 m from a rear boundary for a dwelling and 0 m for an outbuilding. The proposal will be located a similar distance to the rear boundary. Therefore, it is considered that the modified plans for the proposal would be acceptable in this instance, and complies with the standard.

Unit 8 (south-east side boundary)

The difference in the front setback would be 0.65 m for Unit 8 (Figure 5).

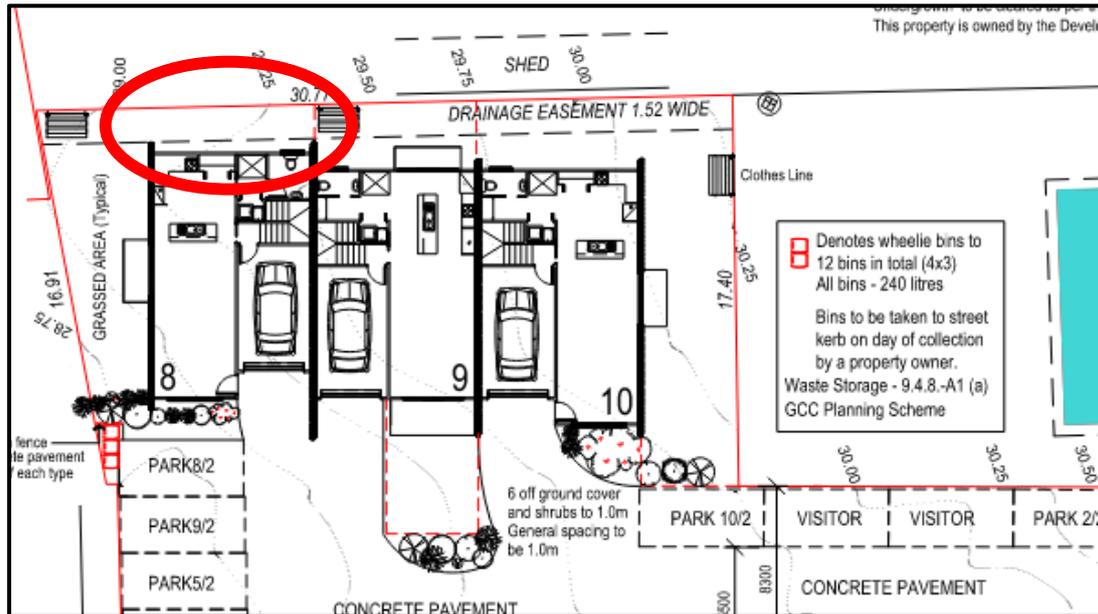


Figure 5: Unit 8 site plan for 21 Coleman Street, Moonah.

The proposal will be located closer than the 2.65 m setback from the south-west side boundary (near the rear boundary), and would have potential to impact two residential properties to the south-east. Shadow diagrams have been provided showing the adjoining dwellings and private open space will have minimal impact (Figure 6).

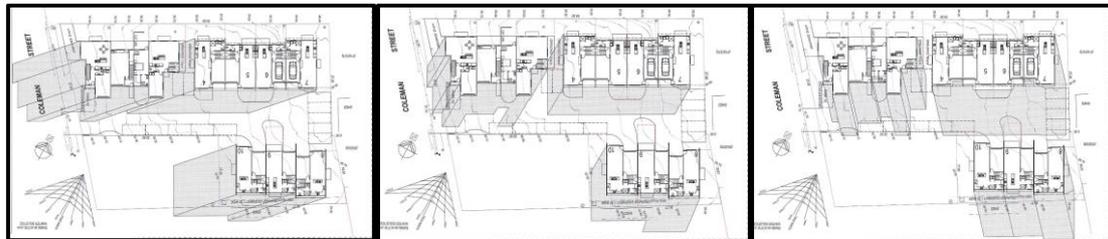


Figure 6: Shadow diagrams for 9am, noon and 3pm on the Winter Solstice for the multiple dwellings at 21 Coleman Street, Moonah.

The private open space from the closest adjoining dwelling would be partially overshadowing in the early morning during the Winter Solstice, with the shadow reducing to within the subject site by noon. Therefore, the property would receive at least 50% sunlight to the private open space for more than three hours during the Winter Solstice.

The second closest adjoining property has an extended open space area of approximately 640 m² well in excess of the minimum 40 m². While there is some overshadowing to the rear of the property during the Winter Solstice, particularly in the late afternoon, this would be limited by the outbuilding located on the shared boundary. Whereas the proposal would have minimal impact on the private open space area directly adjacent to the neighbouring property during the shortest day of the year.

The multiple dwellings will be two-storey and will be compatible with the visual scale and bulk of surrounding residential development in the area which is a mix of one and two-storey development.

Separation

The adjoining and surrounding properties have walls located up to 0.9 m from a side boundary for a dwelling and 0 m for an outbuilding. The proposal will be located a similar distance to the side boundary. Therefore, it is considered that the modified plans for the proposal would be acceptable in this instance, and complies with the standard.

Clause 9.4.6 – Standard A2, Privacy for all dwellings

The proposal will provide obscure glazing up to a minimum height of 1.7 m above the finished floor level for the bedroom window on the south-east (South) elevation for Unit 8 in accordance with Clause 9.4.6 – Standard A2. A condition has been recommended to ensure ongoing compliance.

Clause 9.4.6 – Standard A3, Privacy for all dwellings

The proposal would require a setback of 2.5 m or 1 m if either screening or the sill has a height of 1.7 m, to be in accordance with Clause 9.4.6 – Standard A3. Whereas the proposal would not provide adequate screening between the parking area and the living rooms for Units 4 to 10. The proposal is considered in accordance with the performance criteria:

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

Unit 4

The window for the living room of Unit 4 is located on the south-east façade and will be in close proximity to the driveway (Figure 7).



Figure 7: Unit 4 site plan for 21 Coleman Street, Moonah.

Given the main use of the driveway will be associated with Unit 4 for the garage, the proposal is unlikely to cause unreasonable detrimental impact from vehicle noise or light intrusion.

Unit 5

The window for the living room of Unit 5 is located on the south-east façade and will be in close proximity to the driveway (Figure 8).

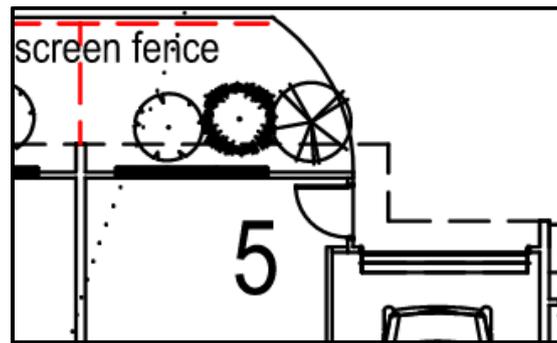


Figure 8: Unit 5 site plan for 21 Coleman Street, Moonah.

A partial screen will be provided and the use of the driveway directly adjacent will be mainly for access to the garage at Unit 5, the proposal is unlikely to cause unreasonable detrimental impact from vehicle noise or light intrusion.

Unit 6

The window for the living room of Unit 6 is located on the south-east façade and will be in close proximity to the driveway (Figure 9).

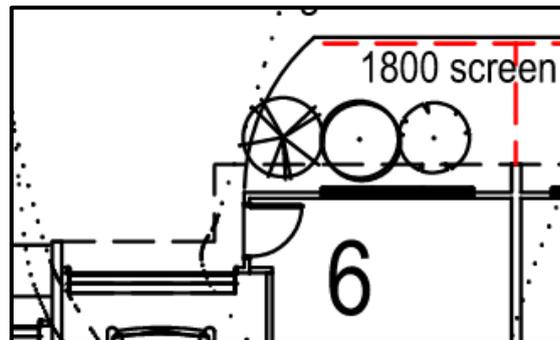


Figure 9: Unit 6 site plan for 21 Coleman Street, Moonah.

A partial screen will be provided and given the driveway will mainly be used to access the garage for Unit 6, the proposal is unlikely to cause unreasonable detrimental impact from vehicle noise or light intrusion.

Unit 7

The window for the living room of Unit 7 is located on the south-east façade and will be in close proximity to the driveway (Figure 10).

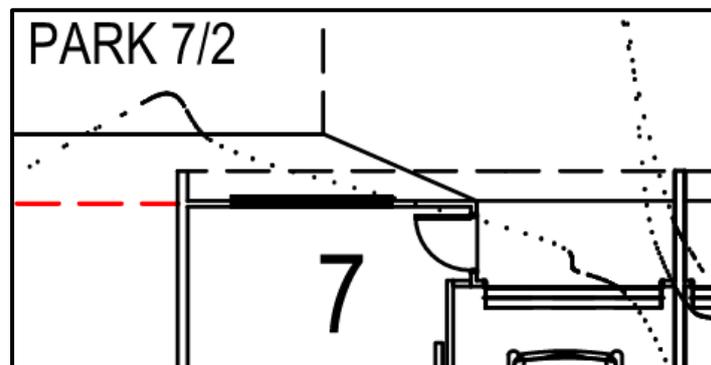


Figure 10: Unit 7 site plan for 21 Coleman Street, Moonah.

A portion of the driveway will be located within 0.8 m of the living room window however this will also be used for the parking space associated with Unit 7. Therefore, the proposal is unlikely to cause unreasonable detrimental impact from vehicle noise or light intrusion.

Unit 8

The window for the living room of Unit 8 is located on the north-west façade and will be in close proximity to the driveway (Figure 11).

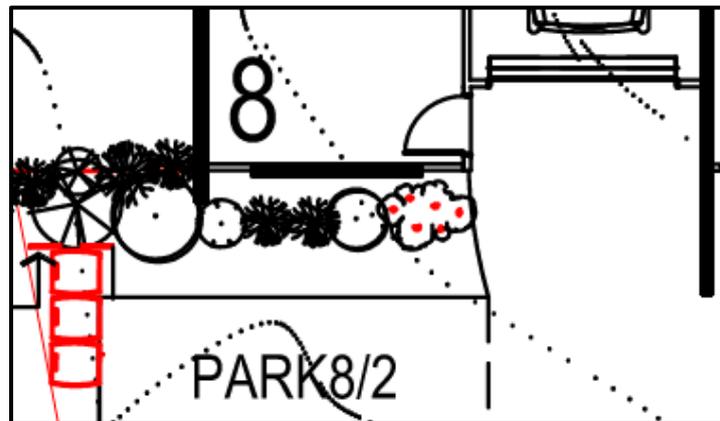


Figure 11: Unit 8 site plan for 21 Coleman Street, Moonah.

A partial screen will be provided with landscaping and given the narrow design of the driveway this will be used for access to Unit 8, the proposal is unlikely to cause unreasonable detrimental impact from vehicle noise or light intrusion.

Unit 9

The window for the living room of Unit 9 is located on the north-west façade and will be in close proximity to the driveway (Figure 12).

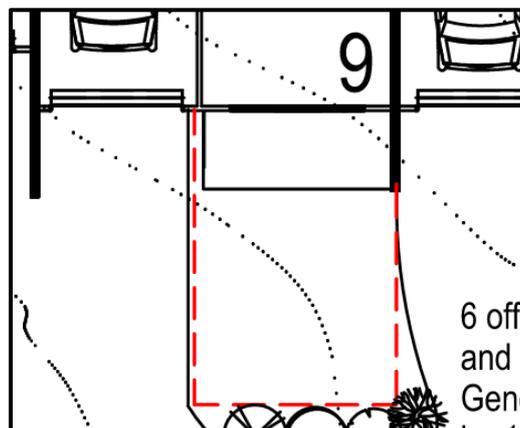


Figure 12: Unit 9 site plan for 21 Coleman Street, Moonah.

Screening will be provided within 0.7 m of the living room window and given the angle of the driveway, the proposal is unlikely to cause unreasonable detrimental impact from vehicle noise or light intrusion.

Unit 10

The window for the living room of Unit 10 is located on the north-west façade and will be in close proximity to the driveway (Figure 11).

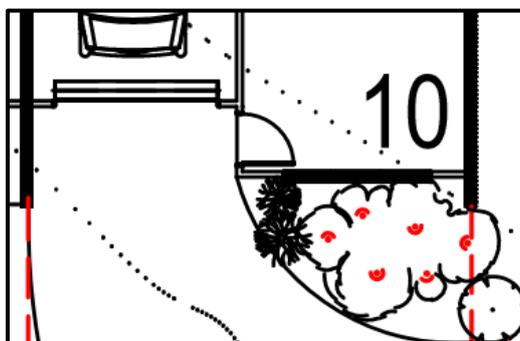


Figure 13: Unit 10 site plan for 21 Coleman Street, Moonah.

A partial screen will be provided with landscaping, the proposal is unlikely to cause unreasonable detrimental impact from vehicle noise or light intrusion. Therefore, it is considered that reliance on the performance criteria would be acceptable in these instances, and complies with the standard.

Clause 9.4.7 – Standard A1, Frontage fences for all dwellings

The proposed fence for the multiple dwellings would require a minimum setback of 4.5 m from the south-west front boundary for Unit 1, to be in accordance with Clause 9.4.7 – Standard A1. Whereas the fence will be set back a minimum setback of 1.3 m from the south-west front boundary for Unit 1 near the driveway and be setback 3 m near the north-west side boundary. The proposal is considered in accordance with the performance criteria:

A fence (including a free-standing wall) within 4.5m of a frontage for a dwelling must:

- (a) provide for security and privacy, while allowing for passive surveillance of the road; and*
- (b) be compatible with the height and transparency of fences in the street, having regard to:*
 - (i) the topography of the site; and*
 - (ii) traffic volumes on the adjoining road.*

The proposal will provide fencing along the frontage in two locations for Unit 1, one area for screening of the private open space and the second for screening of the parking space (Figure 14).

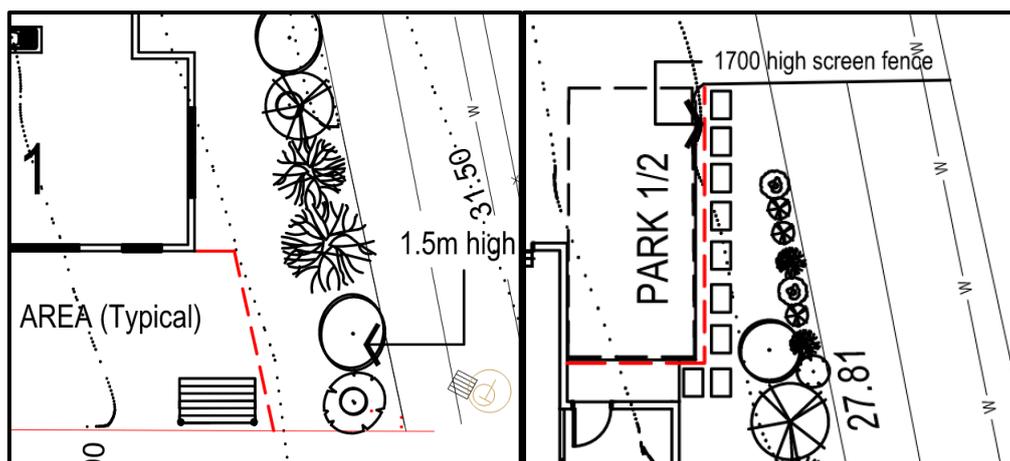


Figure 14: Unit 1 site plan for 21 Coleman Street, Moonah.

Fence for private open space for Unit 1

The proposed fence adjoining Coleman Street and the adjoining property would be located 3m from the front boundary. While the solid fences range in height, the front fences in the surrounding area are a mix of steel, brick and timber or provide a reasonable level of transparency.

Council's Development Engineer advised that the fence is more than 2.5 m from the front and meets the Australian Standard for pedestrian safety near a driveway. In addition, the nature strip will provide sufficient distance between the road and the front boundary for sightlines when entering and leaving the neighbouring property. In this instance, the fence is set back from the front boundary and the height of the fence would be similar to the neighbouring properties and would provide a reasonable level of passive surveillance between the road, the footpath, and the dwellings. Therefore, it is considered that reliance on the performance criteria would be acceptable in these instances, and complies with the standard.

Fence for parking space for Unit 1

The proposed fence adjoining Coleman Street and the vehicular access would be located 1.3 m from the front boundary.

While the solid fences range in height, the front fences in the surrounding area are a mix of steel, brick and timber or provide a reasonable level of transparency. The fences in close proximity to an access for multiple dwellings provide for passive surveillance when entering and leaving the driveway. The solid fence would not meet the safety requirements under the Australian Standards for traffic and pedestrians due to the location of the vehicular access. In this instance, a condition is recommended for the front façade of the fence to have 30% transparency above 1.2m in line with Clause 4.6.3 of the Scheme. Therefore, it is considered that reliance on the performance criteria would be acceptable in these instances with the condition, and complies with the standard.

Clause 9.4.8 – Standard A1, Waste storage for multiple dwellings

The proposed multiple dwellings would require a storage area for waste and recycling bins in either for the exclusive use behind the dwelling or a common storage with an impervious surface that is setback 4.5 m from a frontage, 5.5 m from any dwelling and is screened up to a height of 1.2 m, to be in accordance with Clause 9.4.8 – Standard A1. Whereas the waste storage will have a minimum setback of 0 m from any dwelling on the subject site.

The proposal is considered in accordance with the performance criteria:

A multiple dwelling must have storage for waste and recycling bins that is:

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

The proposed ten multiple dwellings will be allocated a total of twelve shared bins including four rubbish, four recycling and four FOGO bins. These will be located in three areas near the driveway and parking spaces. The first waste storage area will be located within 0 m of the garage for Unit 3, the second area will be located within 2.35 m from Unit 4 and the third area will be located 1.5 m from Unit 8 (Figure 15).

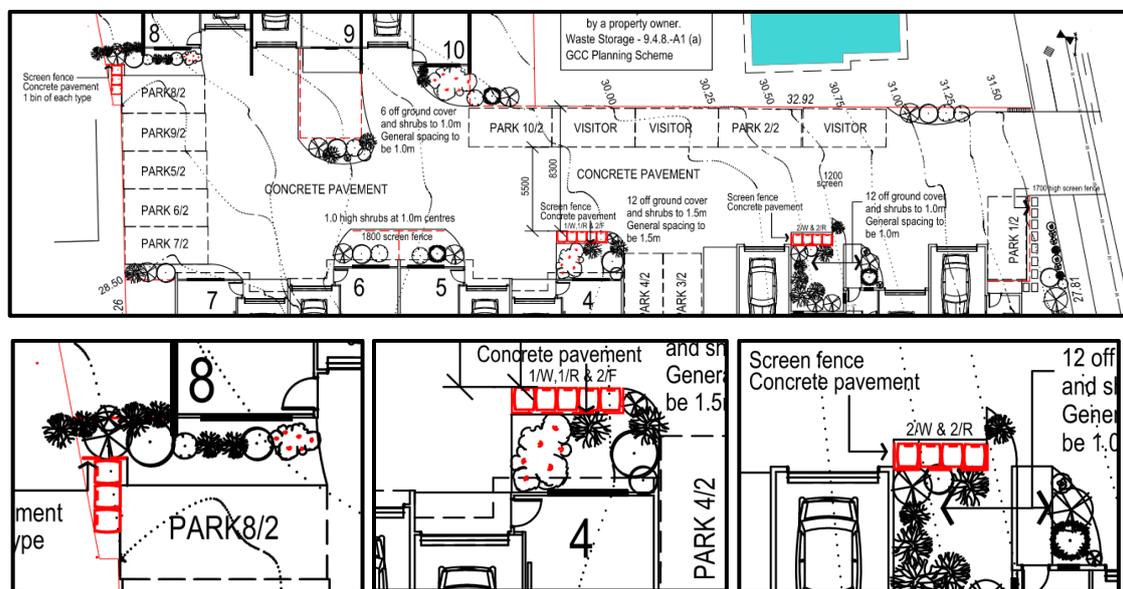


Figure 15: Bin enclosures (in red) for 21 Coleman Street, Moonah.

While the areas provided are capable of storing the required number of bins, adequate screening has not been provided. In addition, the third waste storage area near Unit 8 has not been provided with a footpath to access the bins. A condition has been recommended for screening and an impervious pedestrian access.

The proposal will separate the bins out into three separate areas to assist with minimising the impact from odour and noise. However, the location of some of the bins will be further away from the associated units. The overall design provides an opportunity for a fourth location adjacent the garden for Unit 9 near the concrete pavement. This would reduce each waste storage to three bins servicing units nearby. A condition has been recommended.

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

Codes

The following codes of the Scheme apply to this proposal:

C2.0 Parking and Sustainable Transport Code

Clause C2.5.1 – Standard A1, Car parking numbers

The proposal will provide twenty-three car parking spaces for ten multiple dwellings. Therefore, the proposal is in accordance with Clause C2.5.1 – Standard A1.

Clause C2.5.3 – Standard A1, Motorcycle parking numbers

The proposed multiple dwellings would require one motorcycle parking space, to be in accordance with Clause C2.5.3 – Standard A1. Whereas the proposal would not provide any motorcycle parking spaces. The proposal is considered in accordance with the performance criteria:

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;*
 - l the location of existing buildings on the site;*
- (d) any constraints imposed by existing development; and*
 - l the availability and accessibility of motorcycle parking spaces on the street or in the surrounding area.*

Council's Development Engineer has advised that the proposal would provide sufficient parking with the car parking spaces that can also be utilised for motorcycle parking and is supportive of the proposal. Therefore, it is considered that a modification to the proposal would be acceptable in this instance, and complies with the standard.

Clause C2.6.5 – Standard A1, Pedestrian access

The proposal would require a 1 m wide footpath separated from the access ways and parking aisles with a horizontal distance of 2.5 m between the footpath and the access way or parking aisle, to be in accordance with Clause C2.6.5 – Standard A1. Whereas the proposal would have no footpath. The proposal is considered in accordance with the performance criteria:

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;*
 - l the number of parking spaces;*
- (d) the frequency of vehicle movements;*
 - l 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.*

Council's Development Engineer has advised that the design would provide a safe and appropriate access for pedestrians and is supportive of the proposal. Therefore, it is considered that reliance on the performance criteria would be acceptable in this instance, and complies with the standard.

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

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

Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas, may be located in front of the building line where this is the only practical solution and does not cause an unreasonable loss of amenity to adjoining properties, having regard to:

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

The proposed parking space for Unit 1 would be located in close proximity to the main access and the allocated garage. The existing character of the street includes several properties with parking between the frontage and the building line. Screening and landscaping will be provided to reduce the visual impact from the street. However, the solid fence would be 0 m from the proposed access for all ten multiple dwellings. In addition, the access will also be utilised by pedestrians.

Council's Development Engineer is supportive of the proposal provided the front façade of the fence is conditioned to provide passive surveillance for traffic and pedestrians (Figure 16).

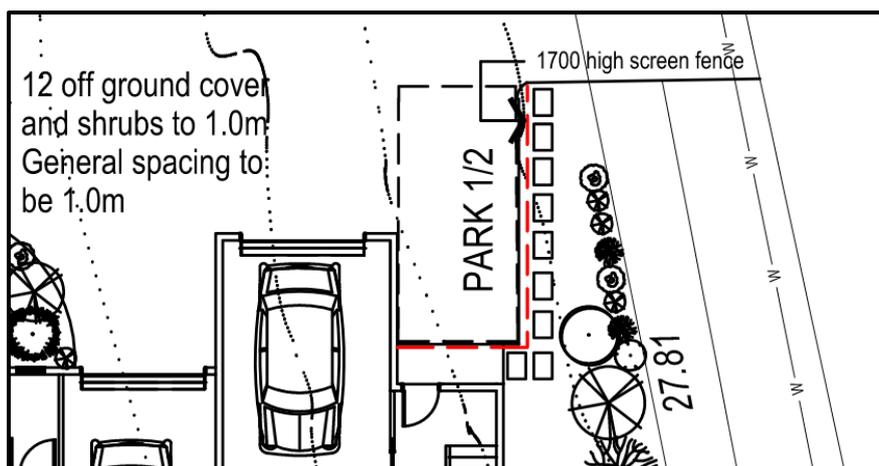


Figure 16: Unit 1 site plan for 21 Coleman Street, Moonah.

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

C3.0 Road and Railway Assets Code

The proposal is not exempt under Clause C3.0. However, the proposal complies with the relevant acceptable solutions of the standards in Section C3.0.

C12.0 Flood-Prone Areas Hazard Code

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

Clause C12.5.1 – Standard A1, Buildings and works within a flood-prone area

The proposed multiple dwellings would be required to be located outside a flood prone area, to be in accordance with Clause C12.5.1 – Standard A1. Whereas the multiple dwellings would be located within a flood prone area. The proposal is considered in accordance with the performance criteria:

P1.1

A change of use that, converts a non-habitable building to a habitable building, or a use involving a new habitable room within an existing building, within a flood-prone hazard area must have a tolerable risk, having regard to:

- (a) the location of the building;*
- (b) the advice in a flood hazard report; and*
- (c) any advice from a State authority, regulated entity or a council.*

P1.2

A flood hazard report also demonstrates that:

- (a) any increase in the level of risk from flood does not require any specific hazard reduction or protection measures; or*
- (b) the use 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.*

Council's Development Engineer have assessed the application based on information from Council's flood study and the finished floor level for the new multiple dwellings and is supportive on the basis that the proposal would not have an unreasonable impact on the flood level for adjoining properties subject to a condition for the floor level of Unit 7 to be at least 300mm above the flood level. Therefore, it is considered that reliance on the performance criteria would be acceptable in this instance, and complies with the standard.

Clause C12.6.1 – Standard A1, Buildings and works within a flood-prone area

The proposed multiple dwellings would be required to be located outside a flood prone area, to be in accordance with Clause C12.6.1 – Standard A1. Whereas the multiple dwellings would be located within a flood prone area. The proposal is considered in accordance with the performance criteria:

P1.1

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

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

P1.2

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

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

Council's Development Engineer have assessed the application and is supportive on the basis that the proposal would not have an unreasonable impact on the flood level for adjoining properties. Therefore, it is considered that reliance on the performance criteria would be acceptable in this instance, and complies with the standard.

Glenorchy Local Provisions Schedule (GLPS)

Local Area objectives

No local area objectives of the Scheme apply.

Particular Purpose Zones

No particular purpose zones of the Scheme apply.

Specific Area Plans

No specific area plans of the Scheme apply.

GLE-Site Specific Qualifications

No site specific qualifications of the Scheme apply.

GLE-Code lists

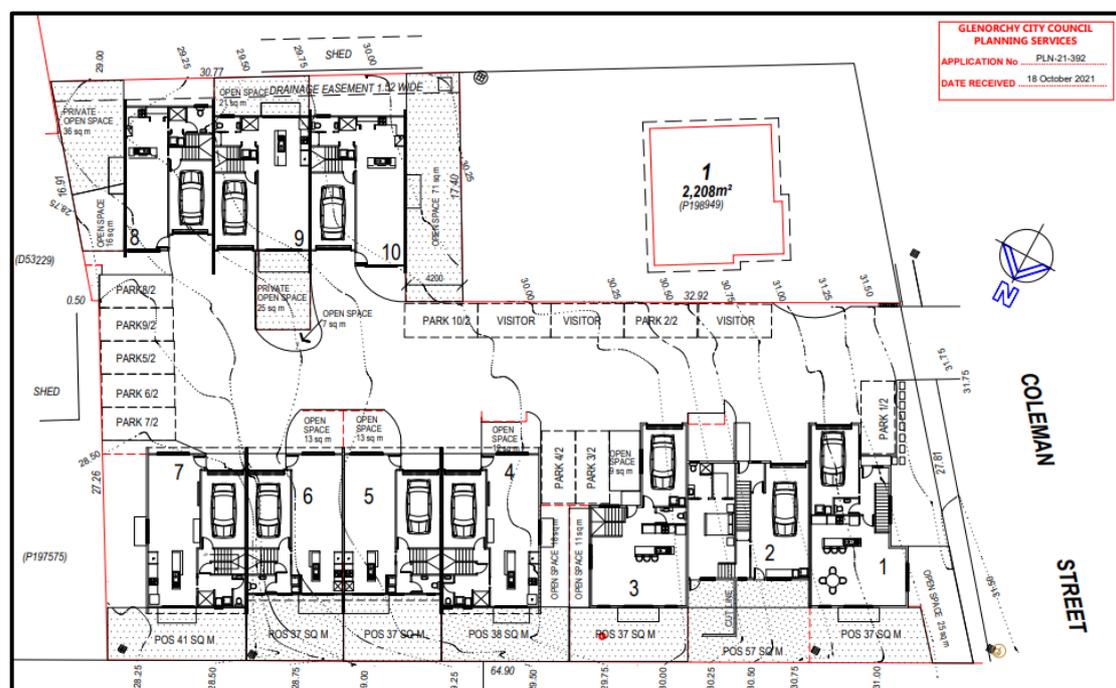
No code lists of the Scheme apply.

INTERNAL REFERRALS

Development Engineer

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

The development application seeks an approval for demolition of the existing structures and to construct 10 multiple dwellings at the subject site. The works include widening to the existing driveway and access to provide for a passing bay and stormwater quantity management devices to detain runoff, so the post development runoff does not exceed the pre-existing. The scope of work can be seen in the figure below.



The General Manager's consent to interfere with stormwater infrastructure can be granted.

There are representations lodged raising various concerns to the proposed development including traffic increase, driveway visibility, pedestrian access, and stormwater runoff. Council's Traffic Engineer has provided the advice below regarding the representations received.

Coleman Street is a link street which provides a connection between collector roads and local access streets and can carry up to 3,000 vehicles per day. Council's traffic count data conducted in September 2019 showed that the average daily traffic was 1,597 vehicles with an average speed of 44 km/h and 85th percentile speed of 51km/h (speed at which 855 of vehicles travel at or below).

The traffic generated by the development based on the RMS Guide (Roads and Maritime Services) Road Traffic Authority NSW Guide to Traffic Generation Development is 56 vehicles per day and weekday peak hour vehicle trips being 6, based on medium density residential building.

Crash data from the Police record for the last 5 years along Coleman Street shows that there have been two property damage crashes with one involving a parked car and another due to a car manoeuvring. There have been no reported crashes at the intersection with Amy Street. These crashes do not indicate any road safety deficiency in the road network.

The increase of 56 vehicles per day from the development is not expected to have any significant detrimental impacts on Coleman Street or the greater road network in terms of traffic efficiency and road safety for all users. Concerns have been raised by residents to Council over the past few years regarding the volume and speed of vehicle along Coleman Street and parking in the street mainly near the Amy Street end.

The development is not expected to unduly impact on Coleman Street, and these existing concerns will continue to be monitored by Council and acted upon as necessary outside the planning scheme. Parking for the development meets the acceptable solution with 23 parks being provided for the 10 units which should be sufficient. Parking restrictions within the street have not been implemented at this stage as there is still parking available for residents and the parking means drivers need to give way to oncoming traffic, which acts to slow vehicles speeds and possibly reduce traffic volume in the street.

Sight lines for pedestrians and vehicles at the existing driveway crossover to the development site and that of the adjoining property to the north-west, has been assessed. Regarding driver sight lines these are met. Regarding pedestrian sight lines, it is recommended that there is no vegetation or structures higher than 1.1m, form 2.5m back from the property boundary within 2m of the driveways. Difficulty accessing other driveways along Coleman Street can be assessed on an individual basis and falls outside this planning application.

The lack of a 1m wide pedestrian access/footpath within the site as required under the new planning scheme C2.6.5 is considered acceptable due to the wide flat driveway that will likely be used by pedestrians, the low-speed environment and proposed use being residential. It is therefore considered that the performance criteria is satisfied

In terms of Stormwater management, though it is not a planning issue to be considered as part of the application, the applicant has provided plans demonstrating that the runoff quality and quantity management is in compliance with Council's Stormwater Policy. All runoff from the impervious surface is proposed to be collected and drained to Council's approved stormwater outlet with quality treatment device and the detention tanks provided to treat and detain runoff from the site.

C3.0 Road and Railway Assets Code

The proposed development is not expected to increase vehicle movements over 20% of the annual average daily traffic. The traffic generated by the development is expected to be 56 vehicles per day which is less than 20% of the annual average daily traffic in Coleman Street being 319 vehicles based on traffic data in 2019 of 1,597 vehicles. Therefore, the acceptable solution A4 is met. The site can be accessed off the existing 5.5m wide vehicle crossing, and no new access is proposed. Therefore, the proposed development complies with the code requirements.

C2.0 Parking and Sustainable Transport Code

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

The site can be accessed off the existing 5.5m. wide vehicular access onto the driveway and parking areas. The sightlines for both directions comply with the Australian Standard. The requirement under the C2.5.1 and table C2.1, A1 requires the total of twenty-three (23) car parking spaces for the development which comprises of two (2) spaces for each dwelling and three (3) spaces for visitors.

The applicant proposes to comply with the requirements providing the total of 23 car parking spaces. There are no requirements for accessible car parking, motorcycle parking spaces, bicycle parking spaces and commercial vehicle applicable to the development application.

The layout of parking area can comply with the standard AS2890.1:2004. This will be conditioned in the permit. The turning swept path is provided demonstrate compliance to the standard. The surface treatment of the driveway is proposed to be concrete. Surface runoff is proposed to be captured and directed to the Council's stormwater system.

To comply with the acceptable solution for the pedestrian access requirement, a 1 m wide footpath with 2.5m distance between the edge of the footpath and the access way shall be provided for uses that require 10 or more car parking spaces. The application does not propose to provide any footpath within the site. Providing the nature of the use as residential and the frequency of vehicle movements it is considered that the proposed driveway and car parking arrangement are safe and appropriate.

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 development is on the Flood Prone area, the AHD in relation to the 1 in 100 year flood level are clarified by Council's Engineer. The finishing floor level must be at least 300mm above the flood level. This will be condition accordingly.

Therefore, the development complies with the performance criteria, P1.1 and P1.2 of C12.5.1.

Waste Management Officer

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

Waste management services to the proposed multiple dwelling development at 21 Coleman Street Moonah would be Councils shared bin service, collected weekly. The wheelie bins should be stored in a bin enclosure within the property boundary and are not to be taken to individual units. All wheelie bins should be placed on the existing kerbside for collection.

Conditions

1. *The design for a bin enclosure must comply with the following:*
 - a) *it must be built on a flat surface with a concrete base/pad and surround of a brick or painted block enclosure or other suitable material to Councils approval,*
 - b) *it must have concrete at the entrance to the bin enclosure;*
 - c) *it must suit 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 enclosure must face the internal access driveway, and be left open throughout the length of the bin enclosure to enable the bins to be removed, and returned in a safe and efficient manner;*
 - f) *there must be no lip on the concrete slab of the bin enclosure; and*
 - g) *all wheelie bins must be placed on the existing kerbside for weekly collection.*

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

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

It is recommended that no bin enclosure be built closer than a minimum of 5.5 metres to any residence to avoid odour and nuisance issues arising.

Council's Waste Services Contractor would not enter the property to collect and empty bins. All wheelie bins should be placed on the existing kerbside for collection.

EXTERNAL REFERRALS

Tas Networks

The application was referred to TasNetworks which was supportive of the proposal and no condition were recommended.

Tas Water

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

REPRESENTATIONS

The application was advertised for the statutory 14-day period with seven representations from nine representors being received.

Planning assessment issues

The issues raised relevant to the planning assessment are as follows:

Building envelope

The representor states that concern is raised regarding the height and overshadowing that would impact the properties near Units 8-10 to the south and south-east.

Concern was raised in regard to the increased shade over the adjoining outbuilding and a significant part of the backyard during winter, especially in the afternoon. A reduction in sunlight will exacerbate the drainage of the ground from a rainfall. This would impact on the adjoining amenity to use the backyard. The proposal may encourage future height increases on the neighbouring properties that would further impact the site adjoining the south-east boundary.

Planner's Comment:

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

Driveway visibility

The representor states that concern is raised regarding the visibility of the street from the existing driveways, in particular for the adjoining access to the north-west.

Planner's Comment:

This issue has been previously addressed under the heading "Clause 9.4.7 – Standard A1, Frontage fences for all dwellings". Council's Development Engineer is supportive of the level of visibility that will be provided for both traffic and pedestrian use of the footpath.

Dwelling density

The representors state that concern is raised regarding the "number of dwellings on one block" that would "not be appropriate in a small residential suburban street that is occupied by elderly and children".

Planner's Comment:

This issue has been previously addressed under the heading "Clause 9.4.1 – Standard A1, Residential density for multiple dwellings".

Increased traffic

The representor states that concern is raised regarding the increased traffic from the driveway will add to the existing traffic problem on Coleman Street. The proposal "will bring significant levels of traffic into an already busy street with elderly residents and a school nearby". The three-bedroom units will have "limited off-street parking, and only two spots in total have been set aside for visitor parking".

Planner's Comment:

This issue has been previously addressed under the heading "Clause C2.5.1 – Standard A1, Car parking numbers", "Clause C2.5.3 – Standard A1, Motorcycle parking numbers" and by Council's Development Engineer.

Pedestrian access

The representor states that concern is raised that there is "no consideration of Clause C2.6.5 Pedestrian access".

Planner's Comment:

This issue has been previously addressed under the heading "Clause 9.4.1 – Standard A1, Residential density for multiple dwellings".

Privacy

The representor states that concern is raised regarding the windows from the dwellings overlooking the house and garden to the south and south-east. Concern was also raised that the proposed opaque glass along the south-east façade of Units 8-10 may be temporary.

The proposal will cause an “invasion of privacy into” the bedroom of the house opposite the driveway from the “multi storey complex having full view and access to monitor” the bedroom and premises. This would impact on the “mental welfare of the residents”.

Planner’s Comment:

This issue has been previously addressed under the heading “Clause 9.4.6 – Standards A2 and A3, Privacy for all dwellings”. The proposal complies with the privacy standards in the Scheme for adjoining properties and condition has been recommended to ensure ongoing compliance.

Scheme clarification

The representor states that regarding which planning scheme the application would be assessed by.

Planner’s Comment:

The relevant planning scheme for the Tasmanian Planning Scheme – Glenorchy, which is the current scheme.

Non-planning assessment issues

The remaining issues raised are as follows:

Building materials

The representor states that concern is raised regarding the proposed materials.

Planner’s Comment:

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

Noise

The representors state that concern is raised regarding noise generated from the dwellings and increased traffic impacting on the neighbours on the opposite side of the road that would have an impact on mental health.

Planner’s Comment:

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

Unit occupation

The representors state that concern is raised regarding the future use, behaviour of occupants and type of ownership of the dwellings.

Planner's Comment:

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

Views

The representors state that concern is raised regarding the loss of views from the adjoining properties to the south-west.

Planner's Comment:

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

Boundary fence

The representors state that concern is raised regarding the state of the existing boundary fences

Planner's Comment:

Unfortunately, this issue is not a planning issue that can be considered as part of this application. The relevant legislation for boundary fences is the *Boundary Fences Act 1908*.

Existing traffic

The representors state that concern is raised regarding the existing traffic causing congestion, difficulty accessing driveways, and danger for pedestrian and traffic safety.

Concern was raised that "Coleman Street is currently overused by traffic and additional cars being parked in the street". The road has a "high traffic volume and since 2-hour parking has been put in place in Amy and Charles Streets the employees of Moonah businesses now use" Coleman Street. "With cars parked on both sides of the road it is impossible for cars to travel in both directions simultaneously".

The existing situation with parked cars and trucks on both the nature strip and the road make it difficult to enter and exit the driveways of surrounding properties. There has already been damage to vehicles and car accidents due to the amount traffic using and parked on Coleman Street, "especially due to peak hour and key school drop-off and pick-up times". "People often park right at the edge of driveways, which is making it increasingly difficult for residents to come and go". "This street already resembles a parking lot".

Planner's Comment:

Unfortunately, this issue that can be directly considered as part of this application. However, the matters have been forwarded to Council's Transport Engineer for separate consideration.

Nature strip

The representors state that concern is raised regarding the state of the nature strip due to placement and rubbish from the wheelie bins.

Planner's Comment:

Unfortunately, this issue is not a planning issue that can be considered as part of this application. However, the matter has been forwarded to Council's Waste Services for separate consideration.

Public safety

The representors state that concern is raised regarding the behaviour from people living at the dwellings.

Planner's Comment:

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

Stormwater runoff

The representor states that concern is raised regarding the stormwater and surface runoff entering the adjoining property to the north-west during heavy rain and may cause an electrical outage.

Planner's Comment:

Unfortunately, this issue is not a planning issue that can be considered as part of this application. The relevant legislation for stormwater is the *Urban Drainage Act 2013*.

CONCLUSION

The proposal is relying on the performance criteria to comply with the applicable standards of the Scheme in relation to; setbacks and building envelope for all dwellings, privacy for all dwellings, frontage fences for all dwellings, waste storage for multiple dwellings, motorcycle parking numbers, pedestrian access, and siting of parking and turning areas.

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

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

The application was publicly advertised for the statutory 14-day period and seven representations from nine representors were received raising concerns regarding boundary fence, building envelope, building materials, driveway visibility, dwelling density, existing traffic, increased traffic, nature strip, noise, scheme clarification, stormwater runoff, pedestrian access, privacy, public safety, unit occupation, views, and wheelie bins.

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

RECOMMENDATION

That a permit be granted for the proposed use and development of 21 Coleman Street Moonah subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-21-392 and Drawings submitted on 30 September 2021 (10 pages), and Drawings submitted on 5 October 2021 (6 pages), and Drawings submitted on 18 October 2021 (5 pages), except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2021/01359-GCC, dated 13 October 2021, form part of this permit.
3. Privacy screen (obscure glazing) or wall to a height of 1.7 m from finished floor level must be constructed on the south-east (South) elevation for the bedroom window for Unit 8. The privacy screen/wall must be constructed and finished with solid or translucent materials (with uniform transparency of no more than 25%), to prevent direct overlooking of the adjacent lot.

The privacy screen must remain in-situ for the duration of the use.

Advice: The privacy screen may consist of obscure glass in the window.

4. The front façade of the fence providing screening for the parking space for Unit 1 must not more than 1.8m above existing ground level, and must have openings above the height of 1.2m which provide a uniform transparency of at least 30% (excluding any posts or uprights).

Engineering

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

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

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

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

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

6. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
7. All internal hydraulic service works required for the development must be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor. Any alterations or works to Council mains must be approved by Council and undertaken at the developer's cost.
8. The design and construction of the parking, access and turning areas must comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004, to the satisfaction of the Council's Development Engineer.

Drawings showing the driveway details must be in accordance with the Australian Standard and submitted with the Building Application for approval by Council's Development Engineer prior to the commencement of works on site.

The proposed driveway and parking must comply with the following-:

- (a) Be constructed to a sealed finish.
- (b) The total of twenty-three (23) clearly marked car parking spaces (two spaces per dwelling, plus three visitor spaces) must be provided in accordance with the approved plan and always kept available for these purposes.
- (c) Be clearly line-marked or physically separated to each space in accordance with the approved plan.

- (d) All runoff from paved and driveway areas must be discharged into Council's stormwater system.
- (e) The parallel car parking spaces must comply with the Figure 2.5 of the Australian Standard. The landscaping area must be removed.
- (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.

9. The finishing floor level of unit 7 must be at least 300mm above the flood level or 29.3m AHD. Prior to the issuing of a Building Approval or the commencement of works on site, (whichever occurs first) submit the plan and elevation demonstrating that the finished floor level is at 300mm above the flood level (at 29.3m AHD or 400mm above the Natural Ground Level) to the requirements of Council's Development Engineer.

Waste

10. The design for a bin enclosure must comply with the following:
 - (a) it must be built on a flat surface with a concrete base/pad and surround of a brick or painted block enclosure or other suitable material to Council's approval,
 - (b) it must have concrete at the entrance to the bin enclosure;
 - (c) it must suit 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, to be located in four separate locations with three wheelie bins (waste, recycle and FOGO) per enclosure;
 - (d) recommended minimum height of the enclosure is 1200mm and minimum recommended depth is 930mm;
 - (e) the front of the enclosure must face the internal access driveway, and be left open throughout the length of the bin enclosure to enable the bins to be removed, and returned in a safe and efficient manner;
 - (f) all bin storage areas must be screened from the frontage of the site and from dwellings;
 - (g) there must be no lip on the concrete slab of the bin enclosure;

Advice: all wheelie bins must be placed on the existing kerbside for weekly collection.

11. A fourth bin enclosure must be located near the garden area between Unit 9 and the internal driveway for the purpose of providing an enclosure for three wheelie bins (Waste, recycle and FOGO).
12. A footpath with an impervious surface must be constructed between the bin enclosure for Units 8-10 (adjacent Park 8/2) and the internal driveway for the purpose of moving the wheelie bins.

Advice to Applicant

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

Any conditions and/or advice as set out in the attached General Manager's Consent for Stormwater Management, reference No. PLN-21-392, dated 29/11/2021, are associated with this permit.

Other Permits

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

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

Underground services

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

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

Waste

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

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

It is recommended that no bin enclosure be built closer than a minimum of 5.5 metres to any residence to avoid odour and nuisance issues arising.

Council's Waste Services Contractor would not enter the property to collect and empty bins. All wheelie bins should be placed on the existing kerbside for collection.

Attachments/Annexures

- 1** PLN-21-392 - GPA Attachment - 21 Coleman Street Moonah

APPENDIX 1

9.0 Inner Residential Zone

Standard	Acceptable Solution	Proposed	Complies?
9.3 Use Standards			
9.3.1 Discretionary uses	<p>A1 Hours of operation of a use listed as Discretionary, excluding Emergency Services, must be within the hours of:</p> <p>(a) 7.00am to 7.00pm Monday to Friday; and (b) 8.00am to 6.00pm Saturday and Sunday.</p>	Not applicable.	N/A
	<p>A2 External lighting for a use listed as Discretionary:</p> <p>(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.</p>	Not applicable.	N/A
	<p>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:</p> <p>(a) 7:00am to 8:00pm Monday to Friday; (b) 9:00am to 12 noon Saturday; and</p>	Not applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
	(c) nil on Sunday and public holidays.		
	A4 No Acceptable Solution.	Not applicable.	N/A
9.3.2 Visitor Accommodation	A1 Visitor Accommodation must: (a) accommodate guests in existing habitable buildings; and (b) have a gross floor area of not more than 200m ² per lot.	Not applicable.	N/A
	A2 Visitor Accommodation is not for a strata lot that is part of a strata scheme where another strata lot within that strata scheme is used for a residential use.	Not applicable.	N/A
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 .	Complies.	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:	Complies.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<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, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or (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>A2</p> <p>A garage or carport for a dwelling must have a setback from a primary frontage of not less than:</p> <ul style="list-style-type: none"> (a) 4m, or alternatively 1m behind the building line; (b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or 	Complies.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<p>(c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</p>		
	<p>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 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>The proposed multiple dwellings will be set back a minimum setback of 3 m from the north-east rear boundary for Unit 7 and be setback of 2 m from the south-east side boundary for Unit 8. Compliance will require a setback of 4.45 m from the north-east rear boundary for Unit 7 and a setback of 2.65 m from the south-east side boundary for Unit 8. Therefore, the proposal relies on performance criteria.</p>	<p>No</p> <p>Refer to discussion in the report.</p>

Standard	Acceptable Solution	Proposed	Complies?
	(ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser).		
9.4.3 Site coverage and private open space for all dwellings	A1 Dwellings must have: (a) a site coverage of not more than 65% (excluding eaves up to 0.6m wide); and (b) for multiple dwellings, a total area of private open space of not less than 40m ² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the ground level (excluding a garage, carport or entry foyer).	Complies.	Yes
	A2 A dwelling must have private open space that: (a) is in one location and is not less than: (i) 24m ² ; or (ii) 12m ² , if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (b) has a minimum horizontal dimension of: (i) 4m; or (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely	Complies.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<p>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>		
<p>9.4.4 Sunlight to private open space of multiple dwellings</p>	<p>A1</p> <p>A multiple dwelling that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 9.4.3, must satisfy (a) or (b), unless excluded by (c):</p> <p>(a) the multiple dwelling is contained within a line projecting (see Figure 9.4):</p> <p>(i) at a distance of 3m from the northern edge of the private open space; and</p> <p>(ii) vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal.</p> <p>(b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight within the hours of 9.00am to 3.00pm on 21st June.</p> <p>(c) this Acceptable Solution excludes that part of a multiple dwelling consisting of:</p>	<p>Complies.</p>	<p>Yes</p>

Standard	Acceptable Solution	Proposed	Complies?
	<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. 		
9.4.5 Width of openings for garages and carports for all dwellings	A1 A garage or carport for a dwelling within 12m of a primary frontage, whether the garage or carport is free-standing or part of the dwelling, must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).	Complies.	Yes
9.4.6 Privacy for all dwellings	A1 A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above existing ground level must have a permanently fixed screen to a height of not less than 1.7m above the finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a: <ul style="list-style-type: none"> (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 3m from the side boundary; (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and 	Complies.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<p>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m:</p> <ul style="list-style-type: none"> (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site. 		
	<p>A2</p> <p>A window or glazed door, to a habitable room of a dwelling that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b):</p> <p>(a) The window or glazed door:</p> <ul style="list-style-type: none"> (i) is to have a setback of not less than 3m from a side boundary; (ii) is to have a setback of not less than 4m from a rear boundary; (iii) if the dwelling is a multiple dwelling, is to be not less than 6m from a 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>Complies. A condition has been recommended for Unit 8.</p>	<p>Yes</p>

Standard	Acceptable Solution	Proposed	Complies?
	<p>(b) The window or glazed door:</p> <ul style="list-style-type: none"> (i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; (ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of at least 1.7m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%. 		
	<p>A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than:</p> <ul style="list-style-type: none"> (a) 2.5m; or (b) 1m if: <ul style="list-style-type: none"> (i) it is separated by a screen of not less than 1.7m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed 	<p>The living room window for Units 4-10 will be closer than 2.5m to the shared driveway and the parking area. Compliance will require either a distance of 2.5m or 1m with screening. Therefore, the proposal relies on performance criteria.</p>	<p>No Refer to discussion in the report.</p>

Standard	Acceptable Solution	Proposed	Complies?
	obscure glazing extending to a height of not less than 1.7m above the floor level.		
9.4.7 Frontage fences for all dwellings	A1 No Acceptable Solution. [S8]	The proposed south-west front boundary fences for the private open space and parking for Unit 1 would be solid up to a height of 1.7m. Compliance would require 30% transparency between 1.2m and 1.8m in height. Therefore, the proposal relies on performance criteria.	No Refer to discussion in the report.
9.4.8 Waste storage for multiple dwellings	A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of not less than 1.5m ² per dwelling and is within one of the following locations: (a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) in a common storage area with an impervious surface that: (i) has a setback of not less than 4.5m from a frontage; (ii) is not less than 5.5m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of not less than 1.2m above the finished surface level of the storage area.	The proposed shared waste storage areas would be provided in three locations, closer than 5.5m to the multiple dwellings on site. Compliance would require the waste storage areas to be not less than 5.5 m from any dwelling. Therefore, the proposal relies on performance criteria.	No Refer to discussion in the report.

Footnotes

[S8] An exemption applies for fences in this zone – see [Table 4.6](#).

APPENDIX 2

C2.0 Parking and Sustainable Transport Code

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

Standard	Acceptable Solution	Proposed	Complies?
	<p>use or development, in which case on-site car parking must be calculated as follows:</p> <p>$N = A + (C - B)$</p> <p>N = Number of on-site car parking spaces required</p> <p>A = Number of existing on site car parking spaces</p> <p>B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1</p> <p>C= Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.</p>		
<p>C2.5.2 Bicycle parking numbers</p>	<p>A1 Bicycle parking spaces must:</p> <p>(a) be provided on the site or within 50m of the site; and</p> <p>(b) be no less than the number specified in Table C2.1.</p>	<p>Not applicable.</p>	<p>NA</p>
<p>C2.5.3 Motorcycle parking numbers</p>	<p>A1 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>The proposal would provide no motorcycle parking spaces. Whereas compliance requires one motorcycle parking spaces. Therefore, the proposal relies on performance criteria.</p>	<p>No</p> <p>Refer to discussion in the report.</p>

Standard	Acceptable Solution	Proposed	Complies?
	(b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained.		
C2.5.4 Loading bays	A1 A loading bay must be provided for uses with a floor area of more than 1000m ² in a single occupancy.	Not applicable.	NA
C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential Zone	A1 Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for: (a) Food Services uses up to 100m ² floor area or 30 seats, whichever is the greater; and (b) General Retail and Hire uses up to 100m ² floor area, provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone.	Not applicable.	NA
C2.6 Development Standards for Building Works			
C2.6.1 Construction of parking areas	A1 All parking, access ways, manoeuvring and circulation spaces must: (a) be constructed with a durable all weather pavement;	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?
	<p>(b) be drained to the public stormwater system, or contain stormwater on the site; and</p> <p>(c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.</p>		
<p>C2.6.2</p> <p>Design and layout of parking areas</p>	<p>A1.1</p> <p>Parking, access ways, manoeuvring and circulation spaces must either:</p> <p>(a) comply with the following:</p> <ul style="list-style-type: none"> (i) have a gradient in accordance with <i>Australian Standard AS 2890 - Parking facilities, Parts 1-6</i>; (ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces; (iii) have an access width not less than the requirements in Table C2.2; (iv) have car parking space dimensions which satisfy the requirements in Table C2.3; (v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces; 	<p>Layout and gradients are provided in accordance with the AS2890.1.</p>	<p>Yes</p>

Standard	Acceptable Solution	Proposed	Complies?
	<p>(vi) have a vertical clearance of not less than 2.1m above the parking surface level; and</p> <p>(vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or</p> <p>(b) comply with <i>Australian Standard AS 2890- Parking facilities, Parts 1-6.</i></p> <p>A1.2</p> <p>Parking spaces provided for use by persons with a disability must satisfy the following:</p> <p>(a) be located as close as practicable to the main entry point to the building;</p> <p>(b) be incorporated into the overall car park design; and</p> <p>(c) be designed and constructed in accordance with <i>Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities.</i> [S35]</p>		
<p>C2.6.3</p> <p>Number of accesses for vehicles</p>	<p>A1</p> <p>The number of accesses provided for each frontage must:</p> <p>(a) be no more than 1; or</p> <p>(b) no more than the existing number of accesses, whichever is the greater.</p>	<p>Complies.</p>	<p>Yes</p>
	<p>A2</p>	<p>Not applicable.</p>	<p>NA</p>

Standard	Acceptable Solution	Proposed	Complies?
	Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.		
C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone	A1 In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roads and pedestrian paths serving 5 or more car parking spaces, which are used outside daylight hours, must be provided with lighting in accordance with Clause 3.1 “Basis of Design” and Clause 3.6 “Car Parks” in <i>Australian Standard/New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements</i> .	Not applicable.	NA
C2.6.5 Pedestrian access	A1.1 Uses that require 10 or more car parking spaces must: <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. 	Due to the nature of the use and the frequency of traffic it is considered the development can satisfy the performance criteria.	No Refer to discussion in the report.

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>		
<p>C2.6.6</p> <p>Loading bays</p>	<p>A1</p> <p>The area and dimensions of loading bays and access way areas must be designed in accordance with <i>Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Off-street commercial vehicle facilities</i>, for the type of vehicles likely to use the site.</p>	Not applicable.	NA
	<p>A2</p> <p>The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward direction in accordance with <i>Australian Standard AS 2890.2 – 2002, Parking Facilities, Part 2: Parking facilities Offstreet commercial vehicle facilities</i>.</p>	Not applicable.	NA
<p>C2.6.7</p> <p>Bicycle parking and storage facilities within the General Business Zone and Central Business Zone</p>	<p>A1</p> <p>Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 “Basis of Design” and clause 3.6 “Car Parks” in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.</p>	Not applicable.	NA
	<p>A2</p>	Not applicable.	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 covered parking areas must be located behind the building line of buildings, excluding if a parking area is already provided in front of the building line.</p>	<p>The proposal would provide two car parking spaces and turning between the frontage and the building line. Whereas compliance requires all parking spaces and turning behind the building line. Therefore, the proposal relies on performance criteria.</p>	<p>No</p> <p>Refer to discussion in the report.</p>
	<p>A2</p> <p>Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must:</p> <p>(a) have no new vehicle accesses, unless an existing access is removed;</p>	<p>Not applicable.</p>	<p>NA</p>

Standard	Acceptable Solution	Proposed	Complies?
	(b) retain an active street frontage; and (c) not result in parked cars being visible from public places in the adjacent roads.		
C2.7 Parking Precinct Plan			
C2.7.1 Parking Precinct Plan	A1 Within a parking precinct plan, onsite parking must: (a) not be provided; or (b) not be increased above existing parking numbers.	Not applicable.	NA

Footnotes

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

APPENDIX 3

C3 Road and Railway Assets Code

Standard	Acceptable Solution	Proposed	Complies?
C3.5 Use Standards			
<p>C3.5.1</p> <p>Traffic generation at a vehicle crossing, level crossing or new junction</p>	<p>A1.1</p> <p>For a category 1 road or a limited access road, vehicular traffic to and from the site will not require:</p> <ul style="list-style-type: none"> (a) a new junction; (b) a new vehicle crossing; or (c) a new level crossing. <p>A1.2</p> <p>For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority.</p> <p>A1.3</p> <p>For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.</p> <p>A1.4</p> <p>Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:</p> <ul style="list-style-type: none"> (a) the amounts in Table C3.1; or 	<p>Vehicular traffic is not increased by 20% AADT.</p>	<p>Yes</p>

Standard	Acceptable Solution	Proposed	Complies?
	<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 Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>		
C3.6 Development Standards for Buildings and Works			
<p>C3.6.1 Habitable buildings for sensitive uses within a road or railway attenuation area</p>	<p>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:</p> <p>(a) within a row of existing habitable buildings for sensitive uses and no closer to the existing or future major road or rail network than the adjoining habitable building;</p> <p>(b) an extension which extends no closer to the existing or future major road or rail network than:</p> <p style="padding-left: 20px;">(i) the existing habitable building; or</p> <p style="padding-left: 20px;">(ii) an adjoining habitable building for a sensitive use;</p> <p>(c) located or designed so that external noise levels are not more than the level in Table C3.2 measured in accordance with Part D of the <i>Noise Measurement Procedures Manual, 2nd edition, July 2008</i>.</p>	<p>Not applicable.</p>	<p>NA</p>

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

APPENDIX 4**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.	The proposed multiple dwellings are located within the flood prone area. Compliance will require the proposal to be located outside the flood prone area. Therefore, the proposal relies on performance criteria.	No Refer to discussion in the report.
C12.5.2 Critical use, hazardous use or vulnerable use	A1 No Acceptable Solution.	Not applicable.	N/A
	A2 No Acceptable Solution.	Not applicable.	N/A
	A3 No Acceptable Solution.	Not applicable.	N/A
	A4 No Acceptable Solution.	Not applicable.	N/A
C12.6 Development Standards for Buildings and Works			
C12.6.1 Buildings and works within a flood-prone hazard area	A1 No Acceptable Solution.	The proposed multiple dwellings are located within the flood prone area. Compliance will require the proposal to be located outside the flood prone area. Therefore, the proposal relies on performance criteria.	No Refer to discussion in the report.

**8. PROPOSED USE AND DEVELOPMENT - SINGLE DWELLING - 25
CHRISTOPHER CLOSE GRANTON**

Author: Planning Officer (Roy Adam)

Qualified Person: Planning Officer (Roy Adam)

Property ID: 1622469

REPORT SUMMARY

Application No.:	PLN-21-376
Applicant:	Modulus Studio
Owner:	S J Large and M R Large
Zone:	Rural Living
Use Class	Residential
Application Status:	Discretionary
Discretions:	11.4.1 P1, P2 and P3 (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	8 December 2021
Existing Land Use:	Vacant site
Representations:	3
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The application proposes use and development for a single storey dwelling and outbuildings at 25 Christopher Close, Granton.

The proposed dwelling has a gross floor area of 387 m² with a maximum height above ground level of 5.17 m. The outbuildings are comprised of three patios of 156 m², 15 m² and 13 m² respectively, as well as a shed of 216 m². Therefore, in total 787 m² of site coverage is proposed.

Setbacks for the dwelling are proposed at minimums of 19.6 m from the frontage, 28.6 m from the south side boundary, 19.6 m from the east side (rear) boundary, and 64.2 m from the north boundary. The shed is proposed with setbacks of 5.5 m from the south boundary and 10.0 m from the east boundary.

The dwelling is to comprise of four bedrooms, entry hall, two bathrooms and ensuite, laundry, and an open plan kitchen/dining/kitchen room that has access to a north-easterly facing covered terrace with a swimming pool. A double garage is provided (Figure 1).

The proposed shed has a length of 18.0 m and width of 12.0 m making a gross floor area of 216 m² with a maximum height of 4.85 m. The proposed shed is set back 47.8 m from the frontage to Christopher Close, 5.5 m from the south side boundary, 10.0 m from the west side boundary and 10.1 m from the proposed dwelling to the north.



Figure 1 - Proposed site plan

SITE and LOCALITY

The subject site is located on the western side of Christopher Close 186 m from the intersection with Glenhope Road. The site has an irregular shape with frontage of 99 m, depth of 77-102 m and an area 1.024 ha. The site is largely clear of all native vegetation and has a gentle slope across the site, from south-west to north-east, with an average gradient of 1 in 10 (Figure 2).

The site contains a pipeline easement running diagonally through the site for public water infrastructure and an associated sump pump.



Figure 2 - Aerial view of the subject site and the surrounding area

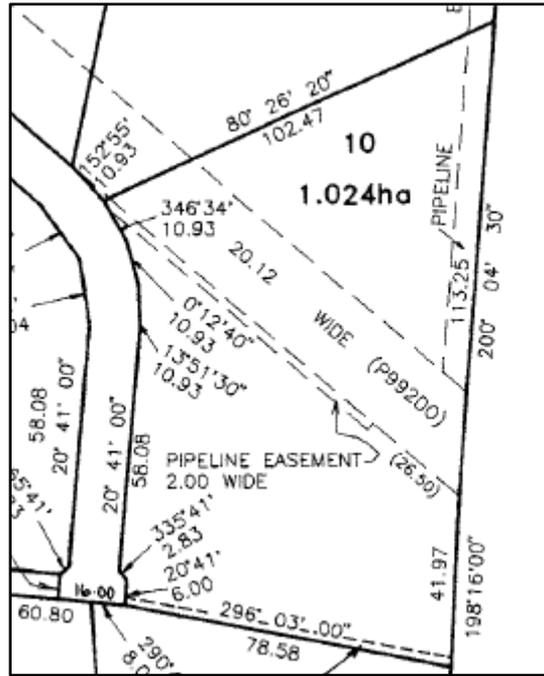


Figure 3 – Folio plan snapshot showing pipeline easement

ZONE

The subject site is zoned Rural Living Zone with Future Urban Zone located to the west.

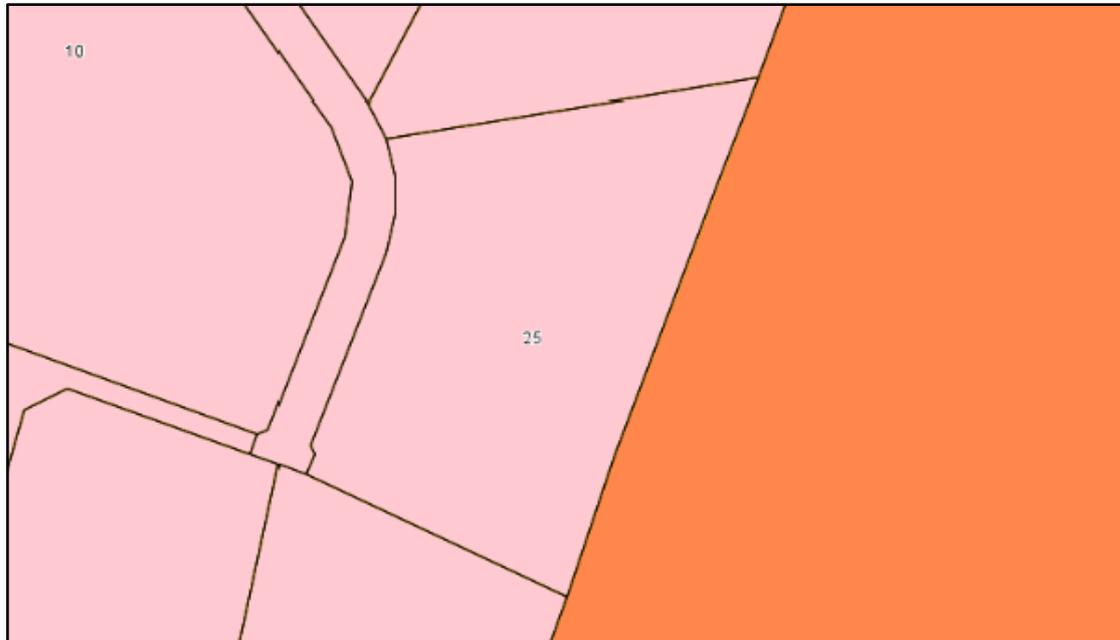


Figure 4 - The site is Rural Living Zone (pink) – Tasmanian Planning Scheme - Glenorchy

BACKGROUND

No background of planning relevance.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

TASMANIAN PLANNING SCHEME - GLENORCHY 2021

State Planning Provisions (SPP)

Administration

Exemptions (Tables 4.1 – 4.6)

Nil.

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

No SAP applies. The Railway Assets Code and the Parking and Sustainable Transport Code apply and prevail over the zone provisions, where there is any conflict.

Use Class Description (Table 6.2):

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

Other relevant definitions (Clause 3.0):

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

- (a) the proposed use or development will be on a site within:
 - (i) a zone;
 - (ii) an area to which a specific plan relates, or
 - (iii) an area to which a site-specific qualification applies, or
- (b) the proposed use or development is a use or development to which a relevant code applies; and

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

Gross floor area means the total floor area of the building measured from the outside of the external walls or the centre of a common wall.

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

Single Dwelling means a dwelling on a lot on which no other dwelling, other than a secondary residence, is situated.

Site coverage means the proportion of a site, excluding any access strip, covered by roofed buildings.

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.

General Provisions

No General Provisions of the Scheme apply to this proposal.

Zones

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

Zone Purpose Statements

- 11.1.1 To provide for residential use or development on large lots in a rural setting where:
 - (a) services are limited; or
 - (b) existing natural and landscape values are to be retained.
- 13.1.2 To provide for compatible agricultural use and development that does not adversely impact on residential amenity.
- 13.1.3 To provide for other use or development that does not cause an unreasonable loss of amenity, through noise, scale, intensity, traffic generation and movement, or other off site impacts.
- 13.1.4 To provide for Visitor Accommodation that is compatible with residential character.

Comment:

The proposal is for a residential use and development on a relatively large lot with limited services. The proposal is not considered to adversely affect residential amenity through any off-site impacts. Visitor Accommodation is not proposed. Therefore, it is considered that the proposal meets the above objectives.

Use Table

Residential use for a single dwelling is 'no permit required' under the 11.2 Use Table for the Rural Living Zone. However, the proposal relies on performance criteria for setbacks and site coverage and is therefore discretionary.

Use Standards

The use standards relate to non-residential uses and therefore do not apply to the proposal.

Development Standards for Buildings and works

11.4.1 Site coverage P1

Acceptable Solution A1 requires that site coverage must be not more than 400 m². The proposed site coverage is 770m² and therefore relies on performance criteria P2, which requires the following:

The site coverage must be consistent with that existing on established properties in the area, having regard to:

- (a) the topography of the site;*
- (b) the capacity of the site to absorb runoff;*
- (c) the size and shape of the site;*
- (d) the existing buildings and any constraints imposed by existing development;*
- (e) the need to remove vegetation; and*
- (f) the character of development existing on established properties in the area.*

Regarding the above it is noted that:

- (a) The topography of the site provides a relatively gentle gradient that falls from the south-west towards the north-east of the subject site. Regarding established properties in the area, the topography is broadly similar to sites to the north, west and south; however, land to the west falls away steeply towards the Brooker Highway.

- (b) The majority of the subject site would remain uncovered and open to receive rainfall and runoff from roofed structures. Stormwater design has been incorporated into the proposal with Hydraulic Plans connecting water flow to existing stormwater infrastructure. Spoon drains are proposed alongside the driveway and access way.
- (c) The subject site has an area of 1.024 ha. This is consistent with the site areas of adjoining lots to the north and south as well as the wider locality.
- (d) A public drinking water pipeline easement runs through the subject site in a diagonal direction from north-west to south-east of 20.12-22-12 m in width which imposes a development constraint to the site.
- (e) Vegetation removal within the proposal is minimal, the site is largely clear of native vegetation. However, it is noted that one tree is to be removed to allow for a driveway. This vegetation coverage is similar to other sites in the locality.
- (f) Several developments in the vicinity have a similar site coverage including a larger development than the current proposal at 10 Christopher Close, which has a site coverage of more than 1,200m² (PLN-15-227).

Overall, regarding the above criteria the proposal is considered to be in harmony with established properties in the area. It is therefore considered to meet the performance criteria and comply with the standard.

11.4.2 Building height, setback and siting P2

Acceptable Solution A2 requires a setback from a frontage of not less than 20 m. The proposed integrated garage is setback 19.6 m from the frontage to Christopher Close and therefore relies on performance criteria P2, which provides the following:

Buildings must be sited to be compatible with the character of the area, having regard to:

- (a) the topography of the site;*
- (b) the setbacks of adjacent buildings;*
- (c) the height, bulk and form of existing and proposed buildings;*
- (d) the appearance when viewed from roads and public places; and*
- (e) the retention of vegetation.*

Regarding the above it is noted that:

- (a) The subject site is relatively flat with an average gradient of 1 in 10. The topography is broadly similar to that of surrounding developed sites. Steeper land, falling towards the Brooker Highway to the east is currently vacant (and zoned Future Urban). Adjacent sites including 10, 29 and 30 Christopher Close, are on slightly higher elevated land as compared to the subject site. As such, the visual

effect of the slightly reduced front setback is not exacerbated or amplified by the topography.

- (b) The front setbacks of adjacent buildings are comparable to the proposed. Front setbacks in the range of 20-21m are noted in the vicinity and the proposed setback of 19.6 m is a similar distance in and of itself.
- (c) The height of the proposed dwelling is similar to that of surrounding development, being a single storey of maximum 5.17 m in height above natural ground level. In the revised plans dated 22 November 2021, the applicant nominated a roof colour of "Windspray" which has a light reflectance value of <40 per cent, which is a neutral tone, and assists in minimising the visual effects of the building. The wall colours are nominated as Black and Grey, with fibrous cement cladding, which give a similarly recessive appearance.
- (d) As noted above the proposed colour scheme is visually unobtrusive upon the landscape. Given the long curve or bend in the road at Christopher Close, it is noted that a wide portion of the subject site is left open; this openness is considered to assist in maintaining a visually unobtrusive view from the road.
- (e) One tree is proposed to be removed as part of the driveway development. The revised positioning of the shed has reduced possible effects on the adjoining tree root system.

Overall, regarding the above criteria the proposal is considered to be in harmony and consistent with established properties in the area. It is therefore considered to meet the performance criteria and comply with the standard.

11.4.2 Building height, setback and siting P3

Acceptable Solution A3 requires that buildings must have a setback from side and rear boundaries of not less than 10 m. The proposed shed would be set back 5.5-7.5m from the south side boundary and therefore relies on performance criteria P3, which provides the following:

Buildings must be sited to be compatible with the character of the area, having regard to:

- a) the topography of the site;*
- b) the size, shape and orientation of the site;*
- c) the setbacks of surrounding buildings;*
- d) the height, bulk and form of existing and proposed buildings;*
- e) the character of the development existing on established properties in the area; and*
- f) any overshadowing of adjoining properties or public places.*

Regarding the above it is noted that:

- a) As previously mentioned, the subject site is relatively flat with an average gradient of 1 in 10. The topography is broadly similar to that of surrounding developed sites. The adjacent site at 29 Christopher Close is at a slightly higher elevation than the subject site. As such, the visual effect of the siting of the shed is not exacerbated or amplified by the topography. In consideration of the wider vicinity, the subject site is part of a gently undulating landscape that falls toward the east.
- b) The subject site is generally north-south in orientation. The dwelling has been proposed towards the south portion of the site, and the shed is also south. The shared accessway of the dwelling and shed is a typical arrangement.
- c) The setbacks of surrounding buildings are comparable with the proposed. Side setbacks of less than 10 m are noted in the vicinity and the proposed setback of 5.5 m is a similar distance in and of itself. The location of the proposed shed does afford relatively large setbacks to the frontage and north boundaries, as well as the 10 m setback to the east boundary, which is considered to assist in responding to the surrounding properties.
- d) The height of the proposed shed is typical to that of surrounding development and as typically found in the Rural Living Zone, being a single storey of maximum 4.85 m in height above ground level. In the revised plans dated 22 November 2021, the applicant nominated a roof and wall colour of "Windspray" which has a light reflectance value of <40 per cent, which is a neutral tone, and assists in minimising the visual effect of the building on the landscape.
- e) Several outbuildings of comparable dimensions are noted in the vicinity. For example, the immediately opposite subject site at 10 Christopher Close contains an outbuilding of 316 m² in area.
- f) Overshadowing of adjoining properties would be minor in nature. This may occur to the south adjoining property at 29 Christopher Close. However, it would not overshadow the building (under construction) itself, as the building site is separated by 73 m to the shared common boundary with the subject site.

Overall, regarding the above criteria the proposal is considered to be in harmony and consistent with established properties in the area. It is therefore considered to meet the performance criteria and comply with the standard.

Codes

The following codes of the Scheme apply to this proposal:

C2.0 Parking and Sustainable Transport Code

Unless stated otherwise in a particular purpose zone, or subclause C2.2.2, C2.2.3 or C2.2.4, this code applies to all use and development. Subclauses C2.2.2, C2.2.3 and C2.2.4 do not apply to Residential use for a single dwelling.

Two parking spaces are proposed for the development, which complies with the number of parking spaces required in the Code and in accordance with Table C2.1 'Parking Space Requirements'. The proposal also complies with all the other applicable Acceptable Solutions, as demonstrated in Appendix C. For further comments, refer to the Engineering Assessment under the Referrals section later in this report.

C3.0 Road and Railway Assets Code

This Code applies as the proposal will increase vehicular traffic. An existing crossover is on site and no new access is proposed. C3.2 'Application of this Code' provides criteria (a-c):

- a) *will increase the amount of vehicular traffic or the number of movements of vehicles longer than 5.5m using an existing vehicle crossing or private level crossing;*
- b) *will require a new vehicle crossing junction or level crossing; or*
- c) *involves a subdivision or habitable building within a road or railway attenuation area if for a sensitive use.*

In regard to the above criteria it is noted that the proposal is not expected to increase the vehicular traffic by more than 40 vehicle movements per day and thus meets the Acceptable Solution of the Code at C5.5.1 A1.4. For further comments, refer to the Engineering Assessment under the Referrals section later in this report.

C13.0 Bushfire-Prone Areas Code

The Bushfire-Prone Areas Code applies to subdivision of land, or to a vulnerable use or hazardous use on land, that is located within a bushfire-prone area (Figure 5).

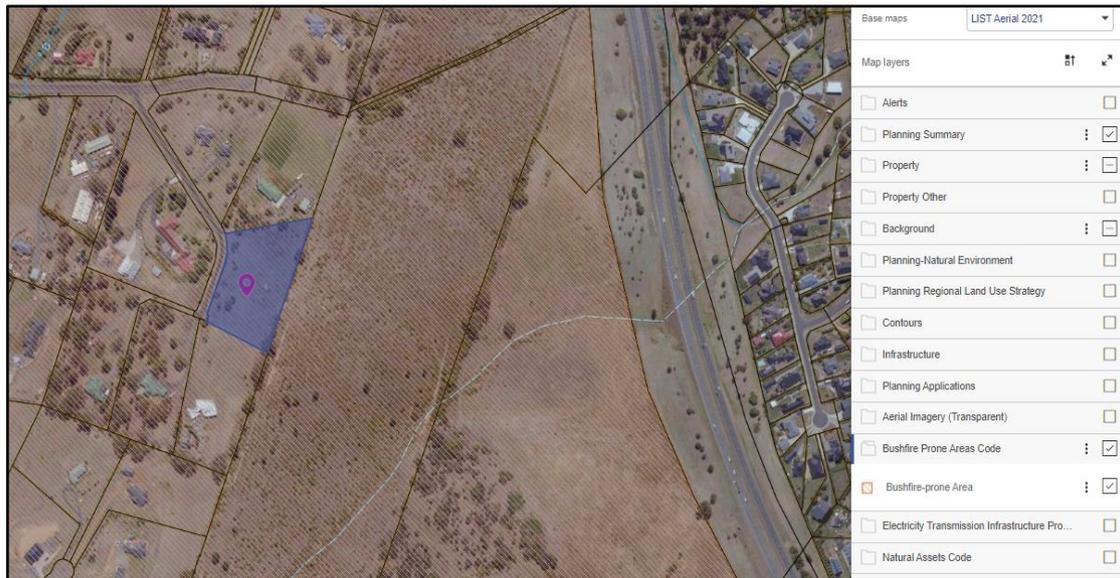


Figure 5 – Bushfire Prone Areas Code

The proposed development is for a single dwelling, which is not a vulnerable use or hazardous use for the purposes of the code. No subdivision is proposed. Therefore, the Code does not apply to this proposal.

C14.0 Potentially Contaminated Land Code

C15.0 Landslip Hazard Code

The site is overlaid by the Landslip Hazard Code. The site has been identified as being part of a ‘Low landslip hazard band’ (Figure 6).



Figure 6 – Landslip Hazard Code showing the low landslip hazard band

At C15.4 ‘Use or Development Exempt from this Code’ it is provided that:

C.15.4.1 The following use or development is exempt from this code:

...

(d) development on land within a low or medium landslip hazard band that requires authorisation under the Building Act 2016.

Regarding the above and the Application of this Code, it is noted that as the proposal is for development that will require authorisation under the Building Act, the proposal is exempt.

State Planning Provisions - Applied, Adopted or Incorporated Documents

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

The following site specific qualifications of the Scheme apply to this proposal (refer to the Site Specific Qualifications table):

GLE-Code lists

No code lists of the Scheme apply to this proposal.

INTERNAL REFERRALS

Development Engineer

The proposal is to construct a single dwelling and outbuilding on a fully serviced allotment at 25 Christopher Close Granton.

C5.0 Road and Railway Assets Code

The development complies with Road and Railway Assets Code; and the safety and efficiency of the road is not expected to reduce by the proposed development. The development complies with Code C3.0 Road and Railway Assets Code; and the safety and efficiency of the road is not expected to reduce by the proposed development.

The development is not expected to increase vehicle movements, to and from the site, over 40 vehicle movements and therefore complies with the Acceptable solution C3.5.1 A1.4 *Traffic generation at vehicular crossing, level crossing or new junction*. The site can be accessed off the existing vehicle crossing, and no new access is proposed.

C2.0 Parking and Sustainable Transport Code

The submitted plans indicate a total of two parking spaces. The development complies with Code C2.5.1 Car Parking numbers. It is considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected.

Other

C15.0 Landslide Code

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

C7.0 Natural Assets Code

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

C12.0 Flood-Prone Areas Hazard Code

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

Environmental Health Officer

The applicant must obtain from Council, a Plumbing Permit for an Onsite Wastewater Management System, prior to any works being commenced on the site. The Application for a Plumbing Permit is to contain plans and specifications demonstrating that the proposed design complies with the relevant provisions of AS/NZS 1547.2012- Onsite Domestic Wastewater Management.

EXTERNAL REFERRALS

TasWater

The application was not referred to TasWater because the proposal is not expected to connect to TasWater infrastructure. It would therefore not increase demand for water; or increase the amount of sewerage or toxins released into the regulated entity's sewerage infrastructure; or damage or interfere with the relevant regulated entity's works; or adversely affect the relevant regulated entity's operations, in accordance with S560 (1) of *Water and Sewerage Industry Act 2008*.

REPRESENTATIONS

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

1. Building bulk and form

The representor is concerned about the impression of one large, black form being proposed and would like more open space between the dwelling and outbuilding to reduce the visual bulk.

Planner's Comment:

This is discussed in the Development Standards for Buildings and Works section of the report and is found to comply with applicable standards.

2. Outbuilding setback from side and rear boundary

The representors are concerned that the shed setback from the south (side) and rear (east) boundaries is less than 10 m and would like its location changed to the north-west.

Planner's Comment:

This is discussed in the Development Standards for Buildings and Works section of the report. It is noted that the revised plans (submitted 22/11/2021) increased these setbacks to 5.5 m (side) and 10 m (rear).

3. Tree viability near the proposed shed, removal of a tree

Representors are concerned about a eucalyptus tree close to the side and rear boundary corner and that the shed may damage it, and that one tree will be removed for the driveway that is not mentioned on the application form.

Planner's Comment:

Consideration of the tree close to the outbuilding has been made in the revised plans by extending the setback. However, this is not a planning matter within the scope of the Tasmanian Planning Scheme – Glenorchy for this application.

4. Colour of the dwelling and shed

The representor is concerned that the proposed development colours will not be harmonious with the area.

Planner's Comment:

Specific colours are not matters that can be addressed in the Rural Living Zone as part of the development assessment. However, the appearance of the dwelling and outbuilding with specific consideration given to colours and light reflectance was made in the revised plans (submitted 22/11/2021), as well as being discussed above in the report at Development Standards for Residential Buildings and Works.

5. Outbuilding - whether it is subservient to the dwelling

The representor has sought confirmation that the outbuilding will be subservient to the dwelling.

Planner's Comment:

The applicant has submitted that the building will be subservient to the dwelling and residential in use. It is noted that the proposed outbuilding does meet the definition that is provided in the Tasmanian Planning Scheme – Glenorchy being a non-habitable detached building of Class 10a of the Building Code of Australia.

CONCLUSION

The proposal for a Single Dwelling at 25 Christopher Close relies on performance criteria for the 'site coverage' and 'building height, setback and siting' standards. The proposal is assessed as satisfying the performance criteria in order to meet the objectives of the standard, and as such, complies with each applicable standard.

The proposal is assessed as complying with all other use and development standards in the Rural Living Zone, as well as the applicable standards of the Road and Rail Assets Code and Parking and Access Code. The application was publicly advertised for the statutory 14-day period and three representations were received. Following this, revised plans were then submitted and shown to the representors. It is concluded that the proposal is consistent with the requirements of the Scheme and is satisfactory.

RECOMMENDATION

That a permit be granted for the proposed use and development of 25 Christopher Close Granton subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-21-376 and Drawings submitted on 22/11/2021 (6 pages), except as otherwise required by this permit.

Engineering

2. 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.

3. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
4. The design and construction of the driveway, parking, access and turning areas must generally comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004, to the satisfaction of the Council's Development Engineer.

Drawings showing the driveway details must be in accordance with the Australian Standard 2890.1 and are to be submitted with the Building Application for approval by Council's Development Engineer prior to the commencement of works on site.

- (a) Be constructed to a sealed finish and the finished gradient must not exceed the maximum gradient of 25%
- (b) All runoff from paved areas must be discharged into Council's stormwater system;
- (c) The gradient of any parking areas must not exceed 5%; and
- (d) Minimum carriageway width is to be no less than 3.00 metres.

All works required to service each the dwelling must be installed prior to the occupancy of the dwelling.

5. All internal hydraulic service works required for the development must be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor. Any alterations or works to Council mains must be undertaken by Council at the developer's cost.

Advice to Applicant

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

Other Permits

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

Environmental Health

The applicant must obtain from Council, a Plumbing Permit for an Onsite Wastewater Management System, prior to any works being commenced on the site.

The Application for a Plumbing Permit is to contain plans and specifications demonstrating that the proposed design complies with the relevant provisions of AS/NZS 1547.2012- Onsite Domestic Wastewater Management.

Bushfire risk

The site is in an area identified as being in a bushfire-prone area. You are advised to ensure the development complies with any bushfire hazard management requirements specified by the Tasmanian Fire Service.

If any changes to the approved plans are proposed, an application to amend the existing planning permit, or to request a new planning permit, may be required.

Attachments/Annexures

- 1 PLN-21-376 - GPA Attachment - 25 Christopher Close Granton

APPENDIX**11.0 Rural Living Zone**

Standard	Acceptable Solution	Proposed	Complies?
13.4 Development Standards for Buildings and Works			
11.4.1 Site Coverage	A1 The site coverage must be not more than 400m ² .	Site coverage is 770m ²	No – see report
11.4.2 Building height, setback and siting	A2 Building height must be not more than 8.5m.	Building height is 5.17m	Complies
	A3 Buildings must have a setback from a frontage of not less than 20m.	Does not comply, setback to front boundary is 19.6m	No - see report
	A4 Buildings must have a setback from side and rear boundaries of not less than 10m.	Does not comply as rear setback is 10.0m and side setback is 5.5m.	No – see report

APPENDIX

C3 Road and Railway Assets Code

Standard	Acceptable Solution	Proposed	Complies?
C3.5 Use Standards			
<p>C3.5.1</p> <p>Traffic generation at a vehicle crossing, level crossing or new junction</p>	<p>A1.1</p> <p>For a category 1 road or a limited access road, vehicular traffic to and from the site will not require:</p> <p>(a) a new junction;</p> <p>(b) a new vehicle crossing; or</p> <p>(c) a new level crossing.</p> <p>A1.2</p> <p>For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority.</p> <p>A1.3</p> <p>For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.</p> <p>A1.4</p> <p>Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:</p> <p>(a) the amounts in Table C3.1; or</p>	<p>Existing approved access to be utilised</p>	<p>Y</p> <p>NA</p> <p>NA</p> <p>Y</p>

Standard	Acceptable Solution	Proposed	Complies?
	<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 Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>		NA
C3.6 Development Standards for Buildings and Works			
<p>C3.6.1 Habitable buildings for sensitive uses within a road or railway attenuation area</p>	<p>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:</p> <p>(a) within a row of existing habitable buildings for sensitive uses and no closer to the existing or future major road or rail network than the adjoining habitable building;</p> <p>(b) an extension which extends no closer to the existing or future major road or rail network than:</p> <p style="margin-left: 20px;">(i) the existing habitable building; or</p> <p style="margin-left: 20px;">(ii) an adjoining habitable building for a sensitive use;</p> <p>(c) located or designed so that external noise levels are not more than the level in Table C3.2 measured in accordance with Part D of the <i>Noise Measurement Procedures Manual, 2nd edition, July 2008</i>.</p>		NA
C3.7 Development Standards for Subdivision			
C3.7.1	A1		

Standard	Acceptable Solution	Proposed	Complies?
Subdivision for sensitive uses within a road or railway attenuation area	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

C2.0 Parking and Sustainable Transport Code

Standard	Acceptable Solution	Proposed	Complies?
C2.5 Use Standards			
C2.5.1 Car parking numbers	A1 The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if: <ul style="list-style-type: none"> (a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (b) the site is contained within a parking precinct plan and subject to Clause C2.7; (c) the site is subject to Clause C2.5.5; or (d) it relates to an intensification of an existing use or development or a change of use where: <ul style="list-style-type: none"> (i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or (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 	2 spaces proposed	Y

Standard	Acceptable Solution	Proposed	Complies?
	<p>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>		

9. PROPOSED USE AND DEVELOPMENT - OUTBUILDING (RESIDENTIAL) - 28 CHARDONNAY DRIVE BERRIEDALE

Author: Planning Officer (Roy Adam)

Qualified Person: Planning Officer (Roy Adam)

Property ID: 7764943

REPORT SUMMARY

Application No.:	PLN-20-583
Applicant:	P W Volker
Owner:	P W Volker and K A Volker
Zone:	General Residential
Use Class	Residential
Application Status:	Discretionary
Discretions:	10.4.2 A3 (Setbacks and building envelope for all dwellings) (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	8 December 2021
Existing Land Use:	Single Dwelling
Representations:	1
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The application proposes the use and development of an outbuilding (garage) measuring 9.0 m length by 6.0 m in width, making 54 m² in gross floor area. A retaining wall adjacent to the outbuilding would also extend alongside the north side boundary for further 4.4 m (13.4 m in total wall length) and this would retain a height difference in ground level ranging from 0.2 m – 2.0 m.

The proposed outbuilding would be provided setbacks of 4.5-5.0 m to the frontage at Chardonnay Drive, 0.5 m to the north side boundary, 15.6 m to the rear (west) boundary and 18.3 m to the south side boundary. The outbuilding would have a maximum height of 4.3 m above natural ground level. Vehicle access is provided via an existing crossover at Chardonnay Drive at the front boundary.

SITE and LOCALITY

The subject site is located on the east side of Chardonnay Drive approximately 47 m north of the intersection with Shiraz Court. The site has a total area of 728 m² with a frontage of 24.5 m and depth of 28.5-29.4 m. The site slopes from the frontage towards the east (rear boundary) at an average gradient of 1 in 10. It is noted that the slope is steeper in the location of the proposed outbuilding at the north-west corner where the gradient is approximately 1 in 5 for the first 5 m from the frontage.

The site contains an existing single dwelling. It is noted that this building extends to 1.5 m from the frontage at Chardonnay Drive via a bridge entrance.

The subject property is shown in Figure 1.



Figure 1 - Aerial photo of the site and surrounds

ZONE

The subject site is General Residential Zone as shown in Figure 2.

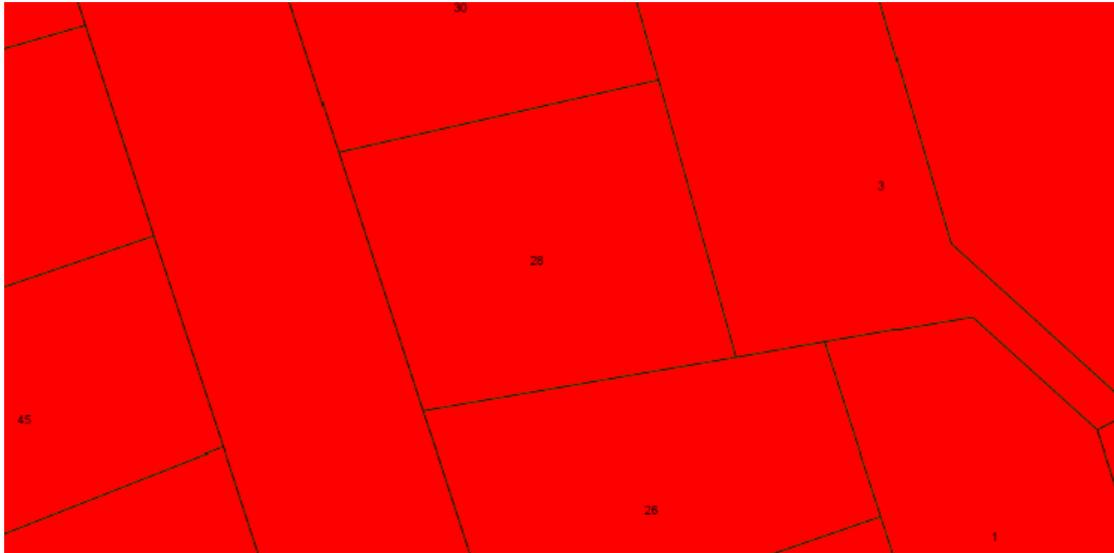


Figure 2 - The site is General Residential Zone - Glenorchy Interim Planning Scheme 2015.

BACKGROUND

The original dwelling was approved 1 June 1992 (213-92).

DA 349-94 was approved 24 October 1994 for a garden shed alongside the south (side) boundary.

Glenorchy LPS - assessment under S35K (2)(d) and consistent with S51 (3)	
Zone	
The site is zoned	General Residential Zone
Is the use applied for prohibited?	No
Would any applicable standard make the use or development prohibited - i.e., height limit or subdivision lot size	No
Applicable codes	
Is the use or development prohibited under any applicable standard?	No

The provisions of GIPS 2015 have been checked against the provisions of the Tasmanian Planning Scheme - Glenorchy LPS and it is concluded that the assessment of the application is not in contravention of the LPS, in accordance with S35K (2)(d). This is required because the application was made valid for assessment prior to 23 June 2021 and is assessed against GIPS 2015 with regard given the LPS.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil.

Limited Exemptions

Nil.

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

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

Use Class Description (Table 8.2):

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

Other relevant definitions (Clause 4.1):

Building line means a line drawn parallel to a frontage along the front facade of a building or through the point of a building closest to the frontage, excluding protrusions.

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.

Habitable room means any room of a dwelling other than a bathroom, laundry, toilet, pantry, walk-in wardrobe, corridor, stair, hallway, lobby, clothes drying room and

other space of a specialised nature occupied neither frequently nor for extended periods.

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

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

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

Streetscape means the visual quality of a street depicted by road width, street planting, characteristics and features, public utilities constructed within the road reserve, the setbacks of buildings and structures from the lot boundaries, the quality, scale, bulk and design of buildings and structures fronting the road reserve.

For the purposes of determining streetscape with respect to a particular site, the above factors are relevant if within 100 m of the site.

Part C: Special Provisions

No special provisions of the Scheme apply to this proposal.

Part D: Zones

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

Zone Purpose Statements

- 10.1.1.1 To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.
- 10.1.1.2 To provide for compatible non-residential uses that primarily serve the local community.
- 10.1.1.3 To provide for the efficient utilisation of services.

The proposal accords with the zone purpose statement as it provides for residential use, as a dwelling, that is served by existing infrastructure.

Use Table

Single dwellings are a 'no permit required' use and development in the General Residential Zone. However, the application requires discretionary consideration because the proposal is relying on performance criteria to comply with applicable standards.

Use Standards

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

Development Standards for Residential Buildings & Works

10.4.2 Setbacks and building envelope for all dwellings P3

The proposed outbuilding (9.0 m length) and retaining wall (additional 4.4 m length) at the north elevation is proposed with a 0.5 m setback to the side boundary. The total length of these does not meet the acceptable solution at A3, which provides that a dwelling, excluding outbuildings with a height of not more than 2.4m, must only have a setback of less than 1.5m from a side boundary if the dwelling does not exceed 9 m or one-third the length of the side boundary, whichever is the lesser. In this instance, the combined length of the outbuilding and retaining wall is 13.4 m and the height of the outbuilding would be 4.3 m. The proposal therefore relies upon the performance criteria at P3:

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; and**
- (b) Provide separation between dwellings on adjoining properties that is compatible 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.**

Regarding the above it is noted that the most sensitive interface for the subject site is along the north side boundary where it adjoins a single dwelling at 30 Chardonnay Drive. In comparison the rear (west) boundary is set back 15.6 m from the proposed outbuilding. The adjoining site to the south side is set back 18.3 m from the proposed outbuilding.

Reduction of sunlight

In consideration of the location, orientation and dimensions of the proposal, the shadow cast from the outbuilding onto the adjoining 30 Chardonnay Drive to the north is expected to be limited in area and to morning hours. The adjoining sites to the rear and south, at 3 Shiraz Court and 26 Chardonnay Drive, are anticipated to be unaffected.

Regarding the overshadowing of habitable rooms, it is noted that the nearest room to the proposal, at 30 Chardonnay Drive, is a habitable room (bedroom). This room is located towards the north-east corner (rear) of the outbuilding proposal and includes a window that faces the street frontage (west). The habitable room window is not anticipated to be overshadowed, in consideration of its westerly orientation, and is therefore anticipated to receive midday-afternoon sunlight in an unimpeded manner. Other habitable rooms including the lounge and family rooms of 30 Chardonnay Drive are located at the rear (east) and thus located away from the proposal, with windows facing east.

Regarding private open space being overshadowed at 30 Chardonnay Drive, it is anticipated that a limited area of open space would be affected. It is noted that a rear yard setback of overall area of approximately 160 m² is provided, which is oriented to the east. As such it is anticipated that more than three hours of sunlight per day to at least 24 m² of this rear yard would be received, which is considered to be reasonable.

Visual impacts

Regarding the visual impacts of the proposed outbuilding, it is noted that a maximum building height of 4.3 m is proposed, at the highest point of the hipped roof. This roof would be light green Colorbond which would be angled downwards to the side boundaries. Light brown brickwork is proposed for the wall materials. As viewed from the adjoining property at 30 Chardonnay Drive, the north elevation shows that the natural ground level assists in minimising the visual impact of the proposal, with a gradient that falls from the frontage towards the rear of the site. In this manner, the larger bulk of the proposal is towards the rear (or east) with a relatively open frontage (west).

It is noted that the retaining wall extends the effective length of the proposed outbuilding from 9.0 m to 13.4 m. The visual impacts of the retaining wall would be negligible in and of themselves, noting the minimal height above ground level proposed.

The combination of these elements as outlined above are considered to assist in minimising the visual impacts of the proposal. Regarding the above, the dwelling is assessed as not causing an unreasonable loss of amenity through visual impact when viewed from adjoining properties.

Separation between dwellings

The outbuilding would be set back 0.5 m from the north side boundary, 4.5-5.0 m from the frontage, 15.6 m to the rear boundary and 18.3 m to the south side boundary. The nearest separation distance would occur between the north-east (rear) corner of the proposal and 30 Chardonnay Drive, at the south-west corner of the building, at the abovementioned habitable room. Given the side setback of 30 Chardonnay Drive, the effective separation distance is approximately 2.5 m at the closest point of these corners.

Overall, these separation distances are similar to the pattern found in the General Residential Zone, and in keeping with the broad harmony of the surrounding area. As examples, 30-32 Chardonnay Drive, and 4-6 Shiraz Court are provided with similar separation distances of approximately 2.5m.

Reduction in sunlight to solar installation

It is noted that a solar installation is on the north side of the rooftop of 30 Chardonnay Drive. However, this is approximately 17.0m from the proposed outbuilding. Similarly, the adjoining dwellings at 3 Shiraz Court or 28 Chardonnay Drive would not receive reduced sunlight to solar installations, nor would these locations be likely to have reduced sunlight as a result of the proposal in the future.

Overall, regarding the above criteria, the proposal is assessed as complying with the standard.

Part E: Codes

The following codes of the Scheme apply to this proposal:

E5.0 Road and Rail Asset Code

The development is not expected to increase vehicle movements, to and from the site, over 40 vehicle movements per day and therefore complies with the Acceptable Solution A3 of E5.5.1. The existing dwelling is accessed via the Chardonnay Drive frontage. The proposal meets all Acceptable Solutions of the Code, as detailed at Appendix B.

E6.0 Parking and Access Code

The Parking and Access Code applies to all use and development. It is noted that the proposed development provides the required number of two car parking spaces being as required at Table E6.1 of Code and complies with all development standards applicable in the Code as detailed in Appendix C.

E7.0 Stormwater Management Code

The Stormwater Management Code applies to development requiring the management of stormwater. New impervious surfaces are proposed as part of this application, with all runoff from the new impervious area to be discharged by gravity

to an existing kerb connection. The proposal meets the acceptable solutions for all the applicable standards of the Code, as detailed at Appendix D.

PART F: Specific Area Plans

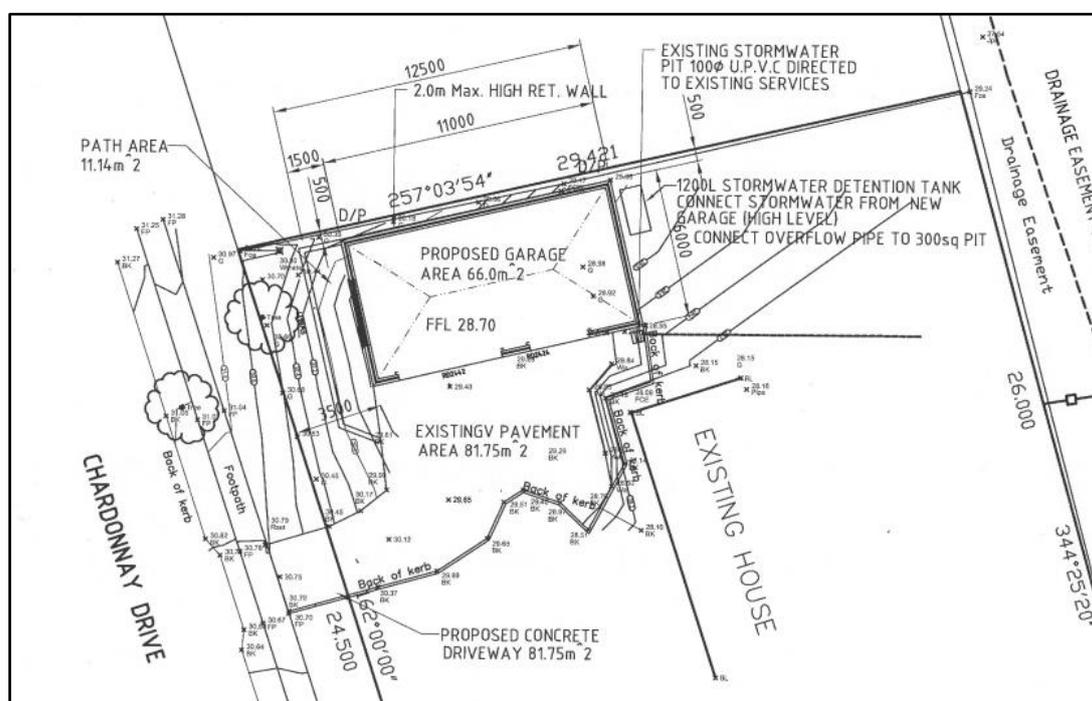
The site is not subject to a Specific Area Plan.

INTERNAL REFERRALS

Development Engineer

Council's Development Engineer has reviewed the proposal and provided comment:

The development application seeks an approval for a new garage over the existing car parking areas. The scope of works can be seen in the extract below.



E5.0 Road and Railway Assets Code

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

E6.0 Parking and Access Code

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

The site can be accessed off the existing vehicular access onto the driveway, parking space and garage. There is no change proposed to the current parking arrangements.

E7.0 Stormwater Management Code

There are no GCC stormwater mains affected by this application. Runoff can be directed to a 150mm stormwater connection to a 150mm Council main, located at the rear of the property at the low point.

There is no new connection proposed. Stormwater runoff is proposed to discharge to the connection. Therefore, the SW arrangement is considered comply with the acceptable solution, A1.

The development also considered comply with the acceptable solution A2 and a stormwater system does not require to incorporate water sensitive urban design for treatment, as the size of the new impervious area is less than 600 sq.m., there is no new car parking space proposed and the application is not for a subdivision.

The developer proposes a 1,200L detention tank to detain the runoff from all new roofed surface created. Therefore, the acceptable solution, A3 is met. A4 also satisfactory given the size and scope of the development has no significant affect to the major storm event and is not altering the over land flow path.

EXTERNAL REFERRALS**TasWater**

The application was not referred to TasWater because the proposal is not expected to increase demand for water; or increase the amount of sewerage or toxins released into the regulated entity's sewerage infrastructure; or damage or interfere with the relevant regulated entity's works; or adversely affect the relevant regulated entity's operations, in accordance with S56O(1) of *Water and Sewerage Industry Act 2008*.

REPRESENTATIONS

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

It is noted that following advertising, revised plans were received which have superseded the advertised plans. The revised plans were shared with the representor.

The issues raised are as follows:

1. Building size, height, and bulk

The representor is concerned about the intrusion on outlook that would be caused by the size and height of the proposal.

Planner's Comment:

The application relies on performance criteria as a result of structures being within 1.5 m of the shared side boundary for a length of more than 9.0 m. The retaining wall attached to the proposal extends the wall length to 13.4 m although the building itself is 9.0 m in length. The height of the proposal is within the building envelope,

considering the front setback of 4.5m being achieved, and being within a line projecting an angle of 45 degrees from the horizontal at a height of 3 m above existing ground level at the side boundary, to a building height of not more than 8.5 m. The proposal is assessed as being low in scale and would not cause a loss of amenity through overshadowing or visual impact when viewed from the adjoining lot, as discussed in the report.

2. Setback from front boundary

The representor is concerned that the setback from the front boundary is less than the other properties in the street. Other setbacks are 5.5 m but the proposed setback is 3.5 m.

Planner's Comment:

The revised plans have increased the front setback to 4.5-5.0 m from the previously submitted plans. This setback meets the acceptable solution of the standard as noted in the Appendix to this report.

3. Setback from side boundary

The representor is concerned about the siting of the proposed garage wall 0.5 m from the shared side boundary and it would cause a closed in effect on the neighbouring property.

Planner's Comment:

This issue is discussed above in the report at Development Standards for Residential Buildings and Works.

4. Privacy

The representor believes there is a better site for the garage at a different location.

Planner's Comment:

This is not a matter that can be addressed in the Glenorchy Interim Planning Scheme 2015. The location as proposed is assessed as meeting the acceptable solution regarding the front setback as well as the performance criteria of the side boundary setback of the planning scheme.

CONCLUSION

The proposal relies on performance criteria for the 'Setbacks and building envelope for all dwellings' standard. The proposal is assessed as satisfying the performance criteria and therefore complying with the standard. The proposal is assessed as complying with all other use and development standards in the General Residential Zone, as well as the applicable standards of the Road and Rail Assets Code, Parking and Access Code and the Stormwater Management Code.

The application was publicly advertised for the statutory 14-day period and one representation was received. Following this, revised plans were then submitted. It is concluded that the proposal is consistent with the requirements of the Scheme and is satisfactory.

RECOMMENDATION

That a permit be granted for the proposed use and development of an Outbuilding (Residential) at 28 Chardonnay Drive Berriedale subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-20-583 and drawings Nos. A1 and A2 submitted on 19/11/2021, except as otherwise required by this permit.

Engineering

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

All aspects and protection measures in connection with soil and water management are to comply with the requirements of Council's Development Engineer and be installed prior to the removal of and/or disturbance of any soil or vegetation.

3. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
4. All internal hydraulic service works required for the development must be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor.

Advice to Applicant

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

Other Permits

Please be aware that this planning permit is a planning approval issued under the Glenorchy Interim Planning Scheme 2015. You should consult with an accredited Building Surveyor prior to commencing this use or work to ensure all relevant requirements of the *Building Act 2016* are complied with.

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

Engineering

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

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

Attachments/Annexures

- 1 PLN-20-583 - GPA Attachment - 28 Chardonnay Drive Berriedale

APPENDIX A**10.0 General Residential Zone**

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

	<p>A3</p> <p>External lighting must comply with all of the following:</p> <p>(a) be turned off between 6:00 pm and 8:00 am, except for security lighting;</p> <p>(b) security lighting must be baffled to ensure they do not cause emission of light into adjoining private land.</p>		N/A
	<p>A4</p> <p>Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site must be limited to 20 vehicle movements per day and be within the hours of:</p> <p>(a) 7.00 am to 5.00 pm Mondays to Fridays inclusive;</p> <p>(b) 9.00 am to 12 noon Saturdays;</p> <p>(c) nil on Sundays and Public Holidays.</p>		N/A
<p>10.3.2</p> <p>Visitor Accommodation</p>	<p>A1</p> <p>Visitor accommodation must comply with all of the following:</p> <p>(a) is accommodated in existing buildings;</p> <p>(b) provides for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site;</p> <p>(c) has a floor area of no more than 160m².</p>		N/A
<p>10.3.3</p> <p>Local Shop</p>	<p>A1</p> <p>A local shop must have a gross floor area no more than 200m².</p>	N/A	N/A

10.4 Development Standards for Residential Buildings and Works			
10.4.1 Residential density for multiple dwellings	A1 Multiple dwellings must have a site area per dwelling of not less than 325m ² .	N/A	N/A
10.4.2 Setbacks and building envelopes for all dwellings	A1 Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, not less than 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site; (b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; (c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street;	Complies. a) Front setback is 4.5-5.0m for the proposed outbuilding. b) N/A c) N/A d) N/A e) N/A	Yes

	<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; or</p> <p>(e) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.</p>		
	<p>A2</p> <p>A garage or carport for a dwelling must have a setback from a primary frontage of not less than:</p> <p>(a) 5.5m, or alternatively 1m behind the building line;</p> <p>(b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or</p> <p>(c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</p>	<p>Complies at (a).</p> <p>(a) Front setback proposed at 4.5-5.0m. This is behind the building line as the building extends to 1.5m of the frontage (via the walkway structure).</p> <p>(b) N/A</p> <p>(c) N/A</p>	<p>Yes</p>
	<p>A3</p> <p>A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Figures 10.1, 10.2 and 10.3) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear</p>	<p>Does not comply.</p> <p>(a)</p> <p>(i) Front setback proposed at 4.5-5.0m</p> <p>(ii) Complies. Building within envelope as shown in Figure 10.1</p> <p>(b)</p> <p>(i) Complies.</p>	<p>Does not comply due to wall length.</p> <p>Discussed in report.</p>

	<p>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 8.5m above existing ground level; and</p> <p>(b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</p> <p>(ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).</p>	<p>(ii) No. Building plus retaining wall on south boundary exceeds 9m in length with 13.4m proposed.</p>	
<p>10.4.3 Site coverage and private open space for all dwellings</p>	<p>A1</p> <p>Dwellings must have:</p> <p>(a) a site coverage of not more than 50% (excluding eaves up to 0.6m wide); and</p> <p>(b) for multiple dwellings, a total area of private open space of not less than 60m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer).</p>	<p>a) Existing dwelling has a total floor area of approximately 130m² and proposed outbuilding is 54m². As site area is 728m², therefore site coverage is 184/728m² at 25%. Complies.</p> <p>b) N/A</p>	<p>Yes</p>

	<p>A2</p> <p>A dwelling must have private open space that:</p> <ul style="list-style-type: none"> (a) is in one location and is not less than: <ul style="list-style-type: none"> (i) 24m²; or (ii) 12m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (b) has a minimum horizontal dimension of not less than: <ul style="list-style-type: none"> (i) 4m; or (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and (d) has a gradient not steeper than 1 in 10. 	<p>Complies with no change.</p> <ul style="list-style-type: none"> a) Complies. The proposal will retain 24m² private open space at the rear. b) Complies with min. 4m dimension. c) N/A as POS is not at the frontage. d) Complies with 1 in 10 average gradient. 	<p>Yes</p>
<p>10.4.4</p> <p>Sunlight and overshadowing of all dwellings</p>	<p>A1</p> <p>A multiple dwelling, that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 10.4.3, must satisfy (a) or (b), unless excluded by (c):</p>	<p>N/A</p>	<p>N/A</p>

	<p>(a) the multiple dwelling is contained within a line projecting (see Figure 10.4):</p> <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; <p>(b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00am and 3.00pm on 21st June; and</p> <p>(c) this Acceptable Solution excludes that part of a multiple dwelling consisting of:</p> <ul style="list-style-type: none"> (i) an outbuilding with a building height not more than 2.4m; or (ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling. 		
<p>10.4.5</p> <p>Width of openings for garages and carports for all dwellings</p>	<p>A1</p> <p>A garage or carport for a dwelling within 12m of a primary frontage, whether the garage or carport is free-standing or part of the dwelling, must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).</p>	<p>The proposed garage does not have openings facing the street.</p>	<p>Yes</p>
<p>10.4.6</p> <p>Privacy for all dwellings</p>	<p>A1</p> <p>A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above</p>	<p>N/A.</p>	<p>N/A</p>

	<p>existing ground level must have a permanently fixed screen to a height of not less than 1.7m above the finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a:</p> <ul style="list-style-type: none"> (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 3m from the side boundary; (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m: <ul style="list-style-type: none"> (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space of the other dwelling on the same site. 		
	<p>A2</p> <p>A window or glazed door to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b):</p> <ul style="list-style-type: none"> (a) the window or glazed door: <ul style="list-style-type: none"> (i) is to have a setback of not less than 3m from a side boundary; 	<p>N/A</p>	<p>N/A</p>

	<ul style="list-style-type: none"> (ii) is to have a setback of not less than 4m from a rear boundary; (iii) if the dwelling is a multiple dwelling, is to be not less than 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be not less than 6m from the private open space of another dwelling on the same site. <p>(b) the window or glazed door:</p> <ul style="list-style-type: none"> (i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; (ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of not less than 1.7m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%. 		
	<p>A3</p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than:</p>	<p>Single dwelling only.</p>	<p>N/A</p>

	<ul style="list-style-type: none"> (a) 2.5m; or (b) 1m if: <ul style="list-style-type: none"> (i) it is separated by a screen of not less than 1.7m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level. 		
<p>10.4.7</p> <p>Frontage Fences for all dwellings</p>	<p>A1</p> <p>No Acceptable Solution¹.</p> <p><i>(¹An exemption applies for fences in this zone – see Table 5.6 in Exemptions)</i></p>	No front fence proposed	N/A
<p>10.4.8</p> <p>Waste Storage for multiple dwellings</p>	<p>A1</p> <p>A multiple dwelling must have a storage area, for waste and recycling bins, that is not less than 1.5m² per dwelling and is within one of the following locations:</p> <ul style="list-style-type: none"> (a) an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) a common storage area with an impervious surface that: <ul style="list-style-type: none"> (i) has a setback of not less than 4.5m from a frontage; (ii) is not less than 5.5m from any dwelling; and 	N/A as single dwelling only.	N/A

	<p>(iii) is screened from the frontage and any dwelling by a wall to a height not less than 1.2m above the finished surface level of the storage area.</p>		
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APPENDIX B

E5 Road and Railway Assets Code

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

Standard	Acceptable Solution	Proposed	Complies?
	crossing must not be increased by greater than 10% or 10 vehicle movements per day, whichever is the greater.		
5.6 Development Standards			
E5.6.1 Development adjacent to roads and railways	A1.1 Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h: (a) new buildings; (b) other road or earth works; and (c) building envelopes on new lots.		NA
	A1.2 Buildings, may be: (a) located within a row of existing buildings and setback no closer than the immediately adjacent building; or (b) an extension which extends no closer than: (i) the existing building; or (ii) an immediately adjacent building.		NA
E5.6.2 Road accesses and junctions	A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h		NA

Standard	Acceptable Solution	Proposed	Complies?
	<p>A2</p> <p>No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.</p>		Yes
<p>E5.6.3</p> <p>New Level Crossings</p>	<p>A1</p> <p>No Acceptable Solutions.</p>		NA
<p>E5.6.4</p> <p>Sight distance at accesses, junctions and level crossings</p>	<p>A1</p> <p>Sight distances at:</p> <ul style="list-style-type: none"> (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia. 	No change	Yes

APPENDIX C

E6.0 Parking and Access Code

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

Standard	Acceptable Solution	Proposed	Complies?
Number of Motorcycle Parking Spaces	car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.		
E6.6.4 Number of Bicycle Parking Spaces	A1 The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.		N/A
E 6.7 Development Standards			
E6.7.1 Number of Vehicle Accesses	A1 The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.		Yes – no change
E6.7.2 Design of Vehicular Accesses	A1 Design of vehicle access points must comply with all of the following: <ul style="list-style-type: none"> (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities. 		N/A

Standard	Acceptable Solution	Proposed	Complies?
<p>E6.7.3</p> <p>Vehicular Passing Areas Along an Access</p>	<p>A1</p> <p>Vehicular passing areas must:</p> <ul style="list-style-type: none"> (a) be provided if any of the following applies to an access: <ul style="list-style-type: none"> (i) it serves more than 5 car parking spaces; (ii) is more than 30 m long; (iii) it meets a road serving more than 6000 vehicles per day; (b) be 6 m long, 5.5 m wide, and taper to the width of the driveway; (c) have the first passing area constructed at the kerb; (d) be at intervals of no more than 30 m along the access. 		<p>N/A</p>
<p>E6.7.4</p> <p>On-Site Turning</p>	<p>A1</p> <p>On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following:</p> <ul style="list-style-type: none"> (a) it serves no more than two dwelling units; (b) it meets a road carrying less than 6000 vehicles per day. 		<p>N/A</p>
<p>E6.7.5</p> <p>Layout of Parking Areas</p>	<p>A1</p> <p>The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same Standard.</p>		<p>NA</p>

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

Standard	Acceptable Solution	Proposed	Complies?
	<p>2890.1:2004 Parking Facilities Part 1: Off-street car parking;</p> <p>(b) be located within 30 m of the main entrance to the building.</p>		
<p>E6.7.10 Design of Bicycle Parking Facilities</p>	<p>A1 The design of bicycle parking facilities must comply with all the following;</p> <p>(a) be provided in accordance with the requirements of Table E6.2;</p> <p>(b) be located within 30 m of the main entrance to the building.</p>		<p>N/A</p>
	<p>A2 The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.</p>		
<p>E6.7.11 Bicycle End of Trip Facilities</p>	<p>A1 For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.</p>		<p>N/A</p>
<p>E6.7.12 Siting of Car Parking</p>	<p>A1 Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or</p>		<p>Yes – no change</p>

Standard	Acceptable Solution	Proposed	Complies?
	proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.		
E6.7.1.13 Facilities for E7 s	A1 Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless: (a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site; (b) the use is not primarily dependent on outward delivery of goods from the site.	N/A	N/A
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements of the road authority.		Yes

APPENDIX D

E7.0 Stormwater Management Code

Standard	Acceptable Solution	Proposed	Complies?
E7.7 Development Standards			
E7.7.1 Stormwater Drainage and Disposal	A1 Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.		Yes
	A2 A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply: <ul style="list-style-type: none"> (a) the size of new impervious area is more than 600 m²; (b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots. 		Yes – not required
	A3 A minor stormwater drainage system must be designed to comply with all of the following: <ul style="list-style-type: none"> (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed; 		Yes

Standard	Acceptable Solution	Proposed	Complies?
	(b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.		
	A4 A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.		Yes

10. COMBINED PLANNING SCHEME AMENDMENT & PLANNING PERMIT APPLICATION REQUEST TO REZONE 26A TREGEAR STREET MOONAH TO AN INNER RESIDENTIAL ZONE AND CONSTRUCT MULTIPLE DWELLINGS (4) - PLAM-21/02

Author: Senior Strategic Planner (Lyndal Byrne)
 Qualified Person: Senior Strategic Planner (Lyndal Byrne)
 Property ID: 5449683

REPORT SUMMARY

Application No	PLAM-21/02
Applicant	All Urban Planning
Owner	Malunna Moonah Pty Ltd
Existing Zoning	Community Purpose
Existing Land Use	Place of Worship
Proposal in Brief	<p>To seek approval to prepare a planning scheme amendment and place it on exhibition.</p> <p>Proposal seeks to rezone 26A Tregear Street, Moonah from a Community Purpose Zone to an Inner Residential Zone, combined with an application for four (4) multiple dwellings.</p>
Representations	Advertising occurs after amendment is prepared
Recommendation	Prepare and certify amendment, grant permit and exhibit for 28 days

REPORT IN DETAIL

EXECUTIVE SUMMARY

The draft amendment is generally in accordance with the requirements of *Land Use Planning and Approvals Act 1993* (LUPAA), and it is recommended that it be prepared.

The amendment will include a parcel of land, no longer used as a place of worship in the surrounding residential zone and provide for increase housing opportunities.

The social, economic and environmental benefits of the proposal are:

- Provision of increased housing opportunities within a zone promoting higher density and diverse housing options.
- Opportunity to increase residential density close to the Moonah activity centre and Main Road transit corridor.

The social, economic and environmental consequences of the proposal are:

- Rezoning the land and redevelopment of the site for housing removes a community hall (place of worship) from the local area. However, the site has been vacant for some time. Increasing housing in the area provides an opportunity for new residents to support other existing clubs and services in the area, as well as local business within the adjoining Moonah activity centre.

On balance, the request is considered to be a fair, orderly and sustainable amendment to the planning scheme, and it is recommended that the planning authority prepare the amendment.

The report provides details of the amendment and the site. The strategic outcomes of the proposal are outlined, having regard to matters of local, regional and then State importance. The report ends with a discussion of the degree of compliance with legislative requirements.

The report also contains an assessment of the combined planning permit application, for four (4) multiple dwellings on the site assessed against the provisions of the scheme as if the amendment were approved. The permit application is supported.

If prepared, the following two outcomes must occur:

- The amendment will be exhibited for at least 28 days.
- The Tasmanian Planning Commission (the Commission) will decide whether to approve the amendment, approve the amendment with modifications or reject the amendment.

If the planning authority resolves not to prepare the amendment, the applicant can appeal the decision to the Commission.

Any representations to the amendment will be considered at a future Glenorchy Planning Authority meeting, where modifications can be recommended. In response to the representations, the Planning Authority could also recommend that the Commission does not approve the amendment.

The Commission will assess and decide on the amendment and planning permit application, based on the issues raised in the representations and the outcomes of any hearings it may hold.

If no representations are received, the senior planning staff have delegation to forward a report to that effect to the Commission.

PROPOSED PLANNING SCHEME AMENDMENT

The amendment seeks to rezone 26A Tregear Street, Moonah from a Community Purpose Zone to an Inner Residential Zone.

The amendment is included in **Attachment 1** – Amendment Documents

PROPOSED USE AND DEVELOPMENT

The amendment is combined with a planning permit application for four (4) multiple dwelling units. The application involves the conversion of the existing place of worship on site to a single storey, five (5) bedroom dwelling, and the construction of three (3) two storey 3-bedroom dwellings. Each dwelling has two (2) car parking spaces, and one (1) visitor space is provided on site. All dwellings have a minimum of 40m² private open space. Details of the proposal are discussed in Part 2 of this Report.

SITE AND LOCALITY:

Site characteristics

The site is described in CT 1292230/1. It is 941m² in area, relatively flat and developed with a single storey building that operated as the Northern Suburbs Family Church until 2018 (see Figure 1 – site photos). The site is not quite square, having a frontage of 30.48m, a rear boundary of 27.46m, a southern side of 32.65m and a northern side of 32.49m.



Figure 1 – site photos – view from Tregear Street

Adjoining land

The surrounding land is developed with single dwellings to the north-west and south-west. The Metro Tasmania Springfield interchange is located to the east. A Council reserve, the 21A Johnston Street playground, exists to the northwest of the site and a 6m wide access strip to access the playground from Tregear Street runs along the northern side boundary of the subject site. The site is about 280m from Main Road. (See Figure 2 – Aerial image.)

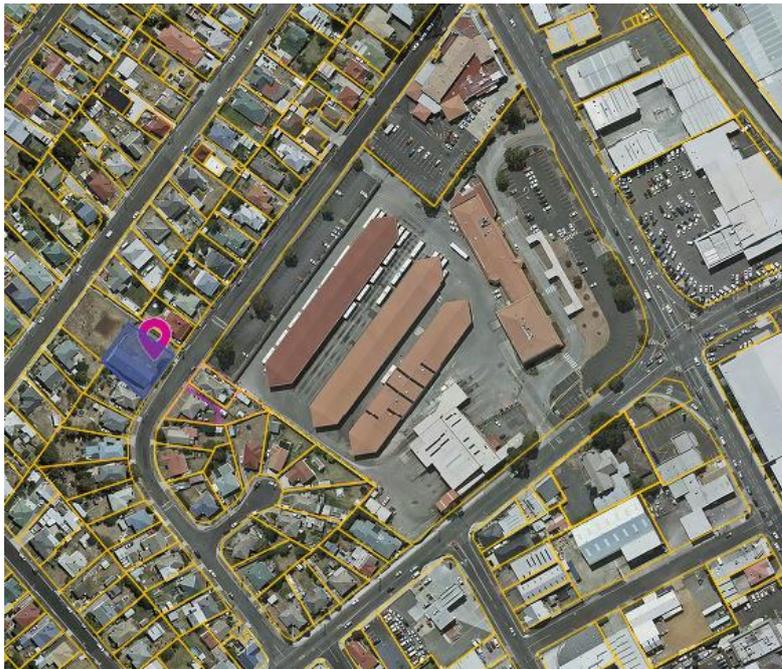


Figure 2 – Aerial image of adjoining land

Planning scheme controls

The land is included in a Community Purpose Zone under the Tasmanian Planning Scheme - Glenorchy (TPS – Glenorchy). The surrounding land is generally within an Inner Residential Zone, with the council reserve to the northwest within an Open Space Zone and the metro interchange within a Utilities Zone. (See Figure 3 – zoning.) There are no mapped code overlays applying to the land. The site is also not identified as at risk of flooding according to Council’s internal flood-prone data, which does not form part of the TPS – Glenorchy.

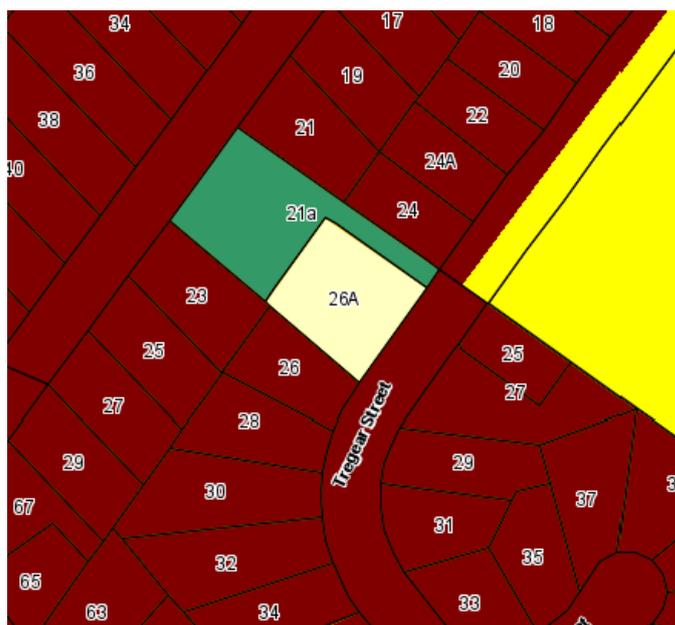


Figure 3 – Zoning under the TPS Glenorchy

Infrastructure

The site is fully serviced and has an existing crossover to Tregear Street.

Environmental Values

Several small trees exist on site but do not have any natural environmental value.

Social and Economic Values

The existing building previously provided a community asset as a place of worship; however it has ceased operation as the Northern Suburbs Family Church. The land, given its proximity to Main Road, has significant social and economic value if included in an Inner Residential Zone providing opportunities for increased housing.

BACKGROUND

There are no background matters relevant to the rezoning or redevelopment of the site.

PART 1 - ASSESSMENT / STRATEGIC OUTCOMES LOCAL STRATEGY, POLICY AND IMPACTS

The opportunity to redevelop the site for more housing is consistent with Council's Strategic Plan, as it presents an opportunity for more residents which in turn support the local economy **Appendix 1** includes an assessment against the *Glenorchy Strategic Plan 2016-2025*.

While the site is on the edge of the 800m walking distance of the Moonah Activity Centre, it is close to the Springfield metro interchange. Rezoning the land to an Inner Residential Zone supports the precinct plan actions in the *Greater Glenorchy Plan February 2021* to increase residential density around the activity centre.

The site is serviced and contains no priority vegetation under C7.0 Natural Asset Code. Rezoning and redevelopment of the land will have little impact on Council infrastructure or on the environment.

As the amendment seeks to include the site in the surrounding Inner Residential Zone, negative amenity impacts on the local area will be limited. The rezoning does present positive social and economic impacts in that it will provide for more housing opportunities on land close to the Moonah activity centre – increasing opportunity to support the local economy.

Regional Strategy and Policy

To be approved, compliance with the *Southern Tasmania Regional Land Use Strategy 2010-2035* (STRLUS) must be demonstrated. **Appendix 1** includes an assessment against relevant STRLUS policies.

The amendment is consistent with STRLUS, as it will:

- Further the strategies around land use and transport integration by facilitating higher density development near the integrated transit corridor along Main Road.
- Promote residential infill development close to the transit corridor and increase housing supply and diverse housing options consistent with the strategies for settlement and residential development.
- Maximise the efficiency of physical infrastructure by rezoning land within a serviced area that is nominated for densification under the STRLUS.

- Maintain consistency with the social infrastructure strategies as the proposal rezones land containing a disused place of worship and provides opportunity for increased housing, which will in turn, support other social facilities in the local area.

State Strategy and Policy

The amendment furthers the objectives in Schedule 1 of LUPAA, by promoting sustainable and orderly development through the more efficient use of underutilised, serviced, urban land and including the site in an Inner Residential Zone.

While the amendment will not result in any direct impacts on water quality, the combined planning permit application (if supported) can be conditioned to manage water quality during development and promote consistency with the *State Policy on Water Quality Management 1997*.

Appendix 1 provides a detailed assessment of the amendment against the objectives of Schedule 1 of LUPAA and State Policies.

Statutory considerations

Section 32 of LUPAA provides for the contents of Local Provisions Schedules (LPSs), and Section 34 outlines the LPS Criteria. **Appendix 1** provides a detailed assessment of the amendment against the requirements of these provisions. The amendment is considered to satisfy all of the listed considerations.

CONCLUSIONS ON THE AMENDMENT

The amendment seeks to rezone a parcel of urban land to facilitate increased housing opportunities in an area close to the Moonah activity centre and the Main Road transit corridor. The Inner Residential Zone reflects the zoning of the surrounding area and has been applied in line with the Commission's guidelines on the application of the State Planning Provisions.

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

PART 2 - ASSESSMENT OF PLANNING PERMIT APPLICATION

The assessment in this part considers the planning scheme as amended.

Proposal in detail

The proposal involves alterations to the existing hall to convert it to unit 4, installation of a new 5.5m wide vehicle crossing, and construction of three (3) two-storey units.

The proposal provides for a total of nine (9) car parking spaces: two (2) for each dwelling and one (1) visitor space. A minimum of 40m² private open space is provided to each dwelling, which is accessed off living areas – refer to Figure 4 for floor plan layout. The plans for the proposal are included in **Attachment 2**.



Figure 4 – Floor plan layout

Use class and permissibility with the zone

The proposal is for a Residential use (land for self-contained or shared accommodation, which includes multiple dwellings). The proposal provides for 4 multiple dwellings and is considered to be consistent with the zone purpose statements by providing for residential development at higher densities.

Multiple dwellings are a permitted use under Clause 9.2 Use Table of the Inner Residential Zone; however the proposal requires discretionary consideration as it relies on performance criteria to comply with some applicable standards. Assessment against these standards is discussed below. A detailed assessment of the proposal against all relevant provisions of the Tasmanian Planning Scheme – Glenorchy is included in **Appendix 2** – Statutory assessment of planning permit application. Full details of internal and external referrals are included in **Appendix 3** – Referrals.

DISCRETIONS

9.4.2 Setback and building envelope for all dwellings A3

While the proposal meets the front setback and overall height limits, the roof line of the upper level of Unit 3 protrudes vertically into the building envelope by 300mm – see Figure 5 below.

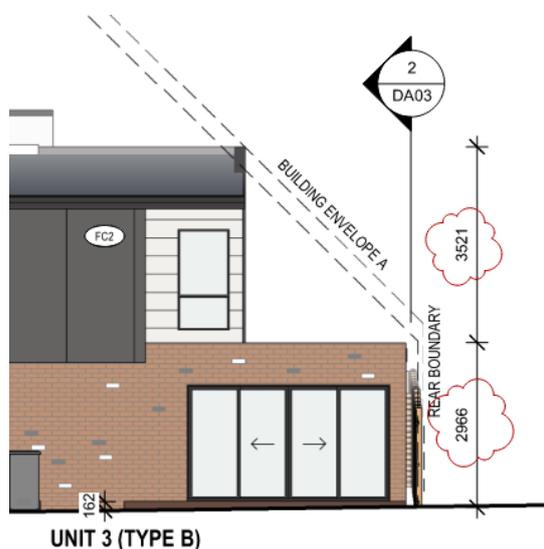


Figure 5 – portion of Unit 3 extending into the building envelope.

The performance criteria provides:

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; and*
- (b) *provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area.*

Overshadowing from Units 1, 2 and 3 will occur over the roof of Unit 4. Further, as Unit 4 is the existing building on site, there will not be any further reduction in sunlight or increased overshadowing from the development onto land to the south.

The second level of Unit 3 is setback 3m from the rear boundary, and it is noted that the property to the north east is a reserve. The second storey elements of Units 1, 2 and 3 are setback 3m from the side boundary and separated 1.8m from each other. The setbacks and breaks in built form, helps reduce the scale and bulk of the development. The mix of materials proposed will also assist in reducing the perception of visual bulk when viewed from adjoining land.

Most properties in the area are setback about 1 to 2 metres from one side boundary and about 3m from the other side boundary (providing for vehicle access). The proposal retains the existing hall (converted to Unit 4) on the southern side and has a 3m setback from the northern side boundary. A 1.5m wide walkway along the northern boundary connecting Tregear Street to the Council reserve at 21A Johnston Street provides additional separation between the proposal and residential development to the north. Separation between dwellings in the proposal is considered to be consistent to that of the streetscape.

The protrusion of Unit 3 outside of the building envelope is minor and there is limited opportunity for increased overshadowing onto adjoining land. The proposal is considered to provide reasonably consistent separation distances to that of surrounding dwellings, and is of a scale and massing that is considered proportional to the streetscape given the break up of the building form and mix of material and finishes proposed.

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

9.4.3 Site coverage and private open space for all dwellings P2

The acceptable solution requires a dwelling to have an area of open space of 24m², with a minimum horizontal dimension of 4m. All units have adequate area of private open space but these areas only have a minimum dimension of 3m.

The performance criteria provides:

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.*

The private open space areas are directly accessible from a living area and all have a northern orientation. Alternative areas are also available for the storage of bins (noting that each dwelling has a minimum of 40m² of open space). Unit 4 also has additional garden area, which is considered appropriate as the dwelling has five bedrooms. It is considered that the layout and orientation of the private open space will be functional and provide for the reasonable outdoor recreational needs of the residents. The site also adjoins public open space.

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

9.4.6 Privacy for all dwellings A2

The acceptable solution required windows to be setback not less than 4m from a rear boundary and not less than 6m from the open space of another dwelling on the same site.

The eastern elevation windows of Unit 3 are setback 3.104m from the rear boundary, and the upper-level northern elevation windows of Units 1, 2 and 3 are less than 6m from the private open space of the adjoining units, that is they have the potential to 'look down into' the open space of the adjoining unit.

The performance criteria provides:

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 be screened, or otherwise located or designed, to minimise direct views to:

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

The property to the north east is a Council reserve, and therefore there is no overlooking into habitable rooms or private open space from these windows. It is noted that providing windows that overlook a reserve will increase the opportunities for casual surveillance. No changes to the U3 windows are considered necessary to meet the performance criteria.

Following discussions with the applicant, it was agreed to include a condition to require a vertical louvre blade privacy screen adjacent the upper-level windows corresponding with the adjacent private open space areas of Units 1, 2, and 3. This design solution will restrict overlooking of adjoining open space, whilst providing amenity for the residents of the dwelling.

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

9.4.7 Frontage fences for all dwellings A1

The acceptable solution provides an exemption for fences which are within 4.5m of a frontage if they are not more than 1.2m in height if solid, or up to 1.8m in height if they are at least 30% transparent above 1.2m. The proposal provides for fences within 3m of the front setback to be 1.2m in height, however, the fence to the private open space of Unit 1 is approximately 1.7m in height, and not 30% transparent.

The performance criteria provides:

A fence (including a free-standing wall) within 4.5m of a frontage for a dwelling must:

- (a) provide for security and privacy, while allowing for passive surveillance of the road; and*
- (b) be compatible with the height and transparency of fences in the street, having regard to:
 - (i) the topography of the site; and*
 - (ii) traffic volumes on the adjoining road.**

The fence provides for security and privacy to the private open space of Unit 1 and aligns with the building line of Unit 1. Habitable room windows (bedrooms) of Unit 1 also face the street. Most of the front fences in the streetscape are low, less than 1.2m, and open, however some higher fences around rear yards and in line with the building line do occur. Therefore, the proposed timber slat fence is considered to be reasonably consistent with the surrounding streetscape.

While Tregear Street is not subject to significant traffic volumes that would justify a higher fence, it is considered that as it protects the privacy and security of the residents of Unit 1, and also aligns with the building line, it does meet the objective of this standard.

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

TasWater has indicated support for the proposal subject to conditions – see **Attachment 3**. Referral bodies have indicated support for the proposal, subject to standard conditions, comments from referral bodies are included in Appendix 3.

The proposal is relying on performance criteria to comply with applicable standards. The proposal is assessed as satisfying the performance criteria and complies with those standards as discuss above; the proposal is assessed as satisfying the acceptable solutions of the other relevant standards in the Inner Residential Zone and the Parking and Sustainable Transport Code and the Road and Railway Assets Code as detailed in Appendix 2.

Recommended Conditions

The proposed use and development is assessed to be consistent with the requirements of the Tasmanian Planning Scheme - Glenorchy, the objectives of the *Land Use Planning and Approvals Act 1993* and relevant State Policies.

Should the amendment be prepared, it is recommended that a permit be granted for the proposed use and development of four (4) multiple dwellings at 26A Tregear Street, Moonah subject to the following conditions:

Planning

1. Use and development shall be substantially in accordance with planning permit application No PLAM-21/02 and Drawing No. P1 submitted on 29 October 2021 (5 pages) except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater and set out in the attached Submission to Planning Authority Notice, reference NO TWDA 2021/01752-GCC, dated 18 October 2021, form part of this permit.
3. A blade/louvre privacy screen must be affixed to the upper level north facing windows of Units 1, 2 and 3 to minimise overlooking into the adjacent private open space areas of Units 1, 2 and 3 to the satisfaction of the senior statutory planner. The modification must be shown on the building plans.

Engineering

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

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

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

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

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

5. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
6. The property owner is to ensure that Council's Road Assets and Infrastructure are protected during the demolition and building process. The owner is to ensure that damage to road assets, footpaths, kerb and channel, drainage pits, nature strips and other services is kept to a minimum and any damaged assets are reinstated.

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

7. No civil works related to or associated with the use or development approved by this permit are to occur on or external to the site unless these works are in accordance with engineering drawings that have been approved by Council's Development Engineer.

Changes to the design and/or location of civil works will require the submission of amended engineering drawings prepared by a licensed civil engineer for approval by Council's Engineer.

8. Provide written certification from a licensed civil engineer certifying that all civil works have been completed in accordance with the engineering drawings approved by Council's Development Engineer and to the applicable Australian Standards prior to the commencement of the use or within 20 days of completion of the works whichever occurs sooner
9. Arrange a compliance inspection with Council of the civil works that have been approved by Council's Development Engineer prior to the commencement of the use or within 20 days of completion of the works whichever occurs sooner.

Note that a minimum of five (5) business days notice must be given to Council for a compliance inspection.

10. The design and construction of the parking, access and turning areas must comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004, to the satisfaction of the Council's Development Engineer.

Drawings showing the driveway details must be in accordance with the Australian Standard and submitted with the Building Application for approval by Council's Development Engineer prior to the commencement of works on site.

11. The proposed driveway and parking must comply with the following:-
 - (a) Be constructed to a sealed finish
 - (b) A total of nine (9) clearly line marked car parking spaces must be provided in accordance with the approved plan received by Council and always kept available for these purposes.
 - (c) Of the required number of car parking spaces, one (1) car parking space must be provided as a visitor parking space, be clearly line-marked 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 gradient of any parking areas must not exceed 5%; and
 - (f) Minimum carriageway width is to be no less than 3.0 metres.

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

12. New vehicle crossing with a 5.5-metre wide concrete driveway apron must be constructed in accordance the Tasmanian standard drawing TSD-R09-v3, TSD-R11-v3 and TSD-R14-v3 between the kerb and the property boundary and to the satisfaction of Council's Development Engineer prior to the occupancy.

The detail design must be submitted and approved prior to the issuing of a building permit or commencement of works on site (whichever occurs first).

13. The redundant vehicular crossing must be reinstated to footpath/nature strip and kerbing to the satisfaction of Council's Development Engineer at the developer's cost prior to the occupancy of the dwellings. The detail design must be submitted and approved prior to the issuing of a Building permit.
14. 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.

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

Advice to Applicant:

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

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

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

Waste Services to the proposed multiple dwelling development at 26A Tregear Street Moonah would be Council's standard bin service collected fortnightly.

- The Council's Standard Bin Service includes one (1) x 140L wheelie bin for Waste, one (1) x 240L wheelie bin for recycling and (1) x 240L FOGO bin to each of the dwelling, collected fortnightly.
- Please note that this property would have a total of twelve (12) bins, four (4) Waste bins and four (4) Recycling Bins, and four (4) FOGO bins.
- This property has an existing kerbside/nature strip area for placement of the bins therefore the dwellings would have their own individual bins.
- All bins are to be placed on the kerbside for collection.
- Council's Waste Management Contractor collection trucks will not enter the property to collect and empty the wheelie bins.

RECOMMENDATION

- (a) That pursuant to Section 40D (a)(i) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority agrees to prepare Amendment PLAM-21/02 to the Glenorchy Local Provisions Schedule to rezone 26A Tregear Street, Moonah to an Inner Residential Zone as shown in **Attachment 1**.
- (b) That having decided to prepare the amendment, the Planning Authority certifies pursuant to Section 40F of the *Land Use Planning and Approvals Act 1993* that the draft amendment meets the *Land Use Planning and Approvals Act 1993*.
- (c) That in accordance with Section 40Y of the *Land Use Planning and Approvals Act 1993*, the Planning Authority agrees to grant a permit for four multiple dwelling at 26A Tregear Street, Moonah, subject to the conditions identified in this report.

- (d) That, in accordance with Section 40G of the Land Use Planning and Approvals Act 1993, the Planning Authority places the amendment and permit on public exhibition for a period of 28 days.

Attachments/Annexures

- 1** PLAM-21 02 - GPA Attachment 1 (Amended Documents) - 26A Tregear Street Moonah
- 2** PLAM-21 02 - GPA Attachment 2 (Application Plans) - 26A Tregear Street Moonah
- 3** PLAM-21 02 - GPA Attachment 3 (Taswater referral) - 26A Tregear Street Moonah

APPENDIX 1 STATUTORY ASSESSMENT – RESPONSE TO CRITERIA REQUIREMENTS FOR LOCAL PROVISIONS SCHEDULE UNDER LUPAA

Section 34(2) of LUPAA requires a relevant planning instrument to meet all of the following criteria:

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

The draft amendment seeks to rezone the land and uses one of the zones available under the SPPs. The application of the zone has been applied in line with Section 8A Guideline No 1- Local Provisions Schedule (LPS): zone and code application.

(b) is in accordance with [section 32](#)

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

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

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

The draft amendment seeks to rezone the land and does not include any local provisions.

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

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

Part 1 Objectives	Comment
<i>(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity;</i>	The amendment enables the efficient use of underutilised land by including land within the urban growth boundary within an Inner Residential Zone, therefore furthering the objectives of sustainable development.
<i>(b) to provide for the fair, orderly and sustainable use and development of air, land and water;</i>	The site has access to existing infrastructure, will not impact on natural values and is not subject to any known hazards. By including the site in the same zoning as the surrounding land it promotes orderly and sustainable development.
<i>(c) to encourage public involvement in resource management and planning;</i>	The statutory process for amendment requests involves a public notification period. Any representations received will be considered by the Planning Authority. The Planning Authority is required to report on any representations to the Tasmanian Planning Commission, which in turn may hold public hearings into representations.
<i>(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c);</i>	By increasing opportunities for housing the proposal will, in turn, bring in new residents to support local business and services, having a positive economic outcome.
<i>(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State;</i>	The proposal concerns a small single lot, which will have limited impact at the State government level. The proposal will not impact on the attainment of this objective.
Part 2 Objectives	
<i>(a) to require sound strategic planning and co-ordinated action by State and local government;</i>	The amendment represents the efficient use of unconstrained and serviced land. It is considered that the size of the lot was not well suited to social infrastructure and applying a more appropriate zone is a sound strategic planning response.
<i>(b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land;</i>	The amendment also uses a zone from the suite of zones available under the State Planning Provisions, and the zone is considered to be applied in accordance with the regional strategy.

<p>(c) <i>to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land;</i></p>	<p>This urban infill site contains no priority vegetation, so its redevelopment will have minimal impact on the environment. As noted above, providing increased housing opportunities within an area close to an activity centre will achieve positive social and economic benefits.</p>
<p>(d) <i>to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels;</i></p>	<p>It is considered that the site, given its size, is not well suited to the provision of social infrastructure, so its inclusion within a Community Purpose Zone is not the best use of the land. Noting that an Inner Residential Zone allows for a number of community uses, but importantly will facilitate increased housing options within the metropolitan area, rezoning the land is considered to align with land use management policies at a State, regional and local level.</p>
<p>(e) <i>to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals;</i></p>	<p>The proposal is a combined planning scheme amendment and planning permit application. The proposal was referred to TasWater, who indicated it had no objection to the amendment, and supported the grant of the planning permit application subject to conditions.</p> <p>Requirements for redevelopment of the site have, as far as practical under the State Planning Provisions, been considered.</p>
<p>(f) <i>to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation;</i></p>	<p>The proposal will enable the provision of additional housing stock within close proximity to services and facilities.</p>
<p>(g) <i>to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;</i></p>	<p>There are no known or listed historical scientific, aesthetic, architectural or special cultural building values on the site.</p>
<p>(h) <i>to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community;</i></p>	<p>The former place of worship was underutilized and had ceased operation. There are a number of places of worship in the local area to support the local community. Increasing the number of residents to the area may well increase the use of these other facilities.</p>
<p>(i) <i>to provide a planning framework which fully considers land capability.</i></p>	<p>The proposal includes a planning permit application, which has demonstrated that the site is capable of residential use and development.</p>

(d) is consistent with each State policy;

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

State Policy	Comment
<i>State Policy on the Protection of Agricultural Land 2000.</i>	The proposal does not involve the conversion of prime agricultural land to non-agricultural use.
<i>State Policy on Water Quality Management 1997</i>	<p>The proposed amendment <i>per se</i> would not result in an increase in sediment transport to surface waters.</p> <p>A planning permit condition is recommended, should the planning permit application be approved, that appropriate water quality management measures are put in place at the time of works.</p>
<p><i>State Coastal Policy 1996.</i> The key principles of the policy are:</p> <ul style="list-style-type: none"> • Natural and Cultural values of the coast shall be protected. • The coast shall be used and developed in sustainable manner • Integrated management and protection of the coastal zone is a shared responsibility. 	The subject land lies outside of the coastal zone.

<p><i>National Environmental Protection Measures</i></p> <p>National Environment Protection Measures (NEPM) are automatically adopted as State Policies under section 12A of the <i>State Policies and Projects Act 1993</i> and are administered by the Environment Protection Authority.</p> <p>The principles are:</p> <ul style="list-style-type: none"> • ambient air quality • ambient marine, estuarine and fresh water quality • the protection of amenity in relation to noise (but only if differences in markets for goods and services) • general guidelines for the assessment of site contamination • environmental impacts associated with hazardous wastes • the re-use and recycling of used materials. <p>Principle 5 of the NEPM states that planning authorities <i>'that consent to developments, or changes in land use, should ensure a site that is being considered for development or a change in land use, and that the authorities ought reasonably know if it has a history of use that is indicative of potential contamination, is suitable for its intended use.</i></p>	<p>There are no known contamination issues associated with the land.</p>
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(da) satisfies the relevant criteria in relation to the TPPs;

The Tasmanian Planning Polices have not been implemented.

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

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

Relevant STRLUS strategies	Comment
<p>Social Infrastructure</p> <p>SI 1 Provide high quality social and community facilities to meet the education, health and care needs of the community and facilitate healthy, happy and productive lives.</p>	<p>The Inner Residential Zone provides for social uses under the <i>Community Meeting and Entertainment</i> use subject to the qualification: <i>if for a place of worship, art and craft centre, public hall, community centre or neighbourhood centre</i>. While the rezoning is consistent with this strategy, it is acknowledged that the proposed development will remove an existing place of worship from the local area. However, the Northern Suburbs Family Church ceased operation in 2018 and the site has been vacant since that time. There are several places of worship for various faiths within the local area, and it is considered the proposal is unlikely to have a significant detrimental impact on access to such infrastructure for the community.</p> <p>It is therefore considered that, given the Northern Suburbs Family Church is no longer operating, that the proposal is consistent with this strategy.</p>
<p>Physical Infrastructure</p> <p>PI 1: Maximise the efficiency of existing physical infrastructure</p> <p>PI 1.1 Preference growth that utilise under-capacity of existing infrastructure through the regional settlement strategy and Urban Growth Boundary for metropolitan area of greater Hobart.</p>	<p>The amendment seeks to rezone land within the urban growth boundary to a zone that facilitates higher density development opportunities.</p> <p>The site is also located within the densification area nominated under the STRLUS.</p> <p>The proposal is therefore consistent with this strategy.</p>

Relevant STRLUS strategies	Comment
<p>Land Use and Transport Integration</p> <p>LUTI 1: Develop and maintain an integrated transport and land use planning system that supports economic growth, accessibility and modal choice in an efficient, safe and sustainable manner.</p> <p>LUTI 1.2 Allow higher density residential and mixed use developments with 400m, and possibly up to 800 metres (subject to topographic and heritage constraints) of integrated transit corridors.</p>	<p>The proposal is consistent with and furthers this strategy as it will facilitate higher density development in close proximity of the integrated transit corridor along Main Road.</p>
<p>Settlement and Residential Development</p> <p>SRD 2 Manage residential growth for Greater Hobart on a whole of settlement basis and in a manner that balances the need for greater sustainability, housing choice and affordability.</p> <p>SRD 2.1 residential growth for Greater Hobart is to occur through 50% infill development and 50% greenfield development.</p> <p>SRD 2.6 Increase densities to an average of at least 25 dwellings per hectare (net density) within a distance of 400 to 800 metre of Integrated transit corridors and Principal and Primary Activity Centres subject to heritage constraints.</p> <p>SRD 2.7 Distribute residential infill growth across the existing urban areas for the 25 year planning period as follows [Glenorchy LGA 40 % (5300 dwelling)].</p>	<p>The amendment provides for new residential infill opportunities, close to the transit corridor along Main Road, and the Major Activity Centre of Moonah.</p> <p>While housing affordability is increasingly difficult to achieve in the current Hobart market, facilitating housing close to public transport can reduce overall lifestyle costs for the new residents and redevelopment of the site for four new dwelling, will increase housing supply, which does improve housing affordability.</p> <p>The proposed development also provides for townhouse development, which being of a smaller size with less garden area to maintain, can provide opportunities for an ageing population.</p> <p>Given the above, and the opportunity to add an additional 4 dwellings to Glenorchy's infill target, it is considered that the amendment is consistent with the strategy.</p>

Relevant STRLUS strategies	Comment
SRD 2.9 Encourage a greater mix of residential dwelling types across the area with a particular focus on dwelling types that will provide for demographic change including an aging population. SRD 2.11 Increase the supply of affordable housing.	

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

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

- 2.1 Stimulate a prosperous economy:

By providing increased housing opportunities close to activity centres and public transport opportunities, the amendment provides an opportunity for new residents to live close to where they work, and/or to live close to businesses and services and support the local economy.

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

There are no LPSs in effect in the neighbouring municipalities.

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

The site is not located in the vicinity of the gas secondary distributor pipeline.

APPENDIX 2 – STATUTORY ASSESSMENT OF PLANNING PERMIT APPLICATION

State Policies and objectives of 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.

There are no inconsistencies with any other State policies or with the objectives of LUPAA.

Tasmanian Planning Scheme – Glenorchy

Exemptions (Tables 4.1 – 4.6)

There are no exemptions relevant to the application

Planning Scheme Operation (Does a General Provision, Specific Area Plan (SAP), Site- Specific Qualification (SSQ) or Code override Zone provisions?)

No General Provisions, SAP, SSQ or Code provisions override Zone provisions in this assessment.

Use Class Description (Table 6.2)

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

Other relevant definitions (Clause 3.0)

Applicable standard means as defined in subclause 5.5.2, which is a standard in a zone, specific area plan or code, is an applicable standard if:

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

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

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.

Road means land over which the general public has permanent right of passage, including the whole width between abutting property boundaries, all footpaths and the like, and all bridges over which such a road passes.

Zones

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

Zone Purpose Statements

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

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

9.1.3 *To provide for non-residential use that:*

(a) *primarily serves the local community; and*

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

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

The proposal for 4 multiple dwellings is in keeping with the purpose statements of the Inner Residential Zone as the proposal would provide for a range of dwelling types at higher densities.

Use Table

The residential use class for multiple dwellings is a 'permitted' use within an Inner Residential Zone. However, the application requires discretionary consideration because it relies on performance criteria to comply with applicable standards.

Compliance with Use, Development and Subdivision Standards and relevant Codes are identified in the following table

9.0 Inner Residential Zone

Standard	Acceptable Solution	Proposed	Complies?
9.3 Use Standards			
9.3.1 Discretionary uses	<p>A1</p> <p>Hours of operation of a use listed as Discretionary, excluding Emergency Services, must be within the hours of:</p> <ul style="list-style-type: none"> (a) 7.00am to 7.00pm Monday to Friday; and (b) 8.00am to 6.00pm Saturday and Sunday. 	Permitted use: 4 multiple dwellings	N/A
	<p>A2</p> <p>External lighting for a use listed as Discretionary:</p> <ul style="list-style-type: none"> (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. 	Permitted use: 4 multiple dwellings	N/A
	<ul style="list-style-type: none"> ▪ 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: <ul style="list-style-type: none"> (a) 7:00am to 8:00pm Monday to Friday; 	Permitted use: 4 multiple dwellings	N/A

Standard	Acceptable Solution	Proposed	Complies?
	(b) 9:00am to 12 noon Saturday; and (c) nil on Sunday and public holidays.		
	A4 No Acceptable Solution.	Permitted use: 4 multiple dwellings	N/A
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.	Residential use	N/A
	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.	Residential use	N/A
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 .	4 dwellings on lot of 941m ² = 235.25m ² per dwelling	Yes
	A1	3m setback from frontage	Yes

Standard	Acceptable Solution	Proposed	Complies?
<p>9.4.2 Setbacks and building envelope for all dwellings</p>	<p>Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is:</p> <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, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or (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>A2 A garage or carport for a dwelling must have a setback from a primary frontage of not less than:</p>	<p>Garage to Unit 1 is 3m from front setback, however as portion of the dwelling is above the garage A2 (b) is met.</p>	<p>Yes</p>

Standard	Acceptable Solution	Proposed	Complies?
	<ul style="list-style-type: none"> (a) 4m, or alternatively 1m behind the building line; (b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage. 		
	<p>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> <ul style="list-style-type: none"> (a) be contained within a building envelope (refer to Figures 9.1, 9.2 and 9.3) determined by: <ul style="list-style-type: none"> (i) a distance equal to the frontage setback or, for an internal lot, a distance of 3m from the rear boundary of a property with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 9.5m above existing ground level; and (b) only have a setback within 1.5m of a side or rear boundary if the dwelling: 	<ul style="list-style-type: none"> (a) The development provides for a front setback of 3m, a nil rear setback, and setbacks of 1.5m from northern and 1.09m from the southern side boundary. <p>Maximum height is 7.818m.</p> <p>The roof of Unit 3 protrudes vertically about 300mm into the building envelope.</p> <ul style="list-style-type: none"> (b) Unit 3 has a nil setback from the rear boundary. The length of the unit 3 wall along the rear boundary is 8.095m it is 2.966m in height. Therefore, the setback into the rear boundary complies. 	<p>No</p>

Standard	Acceptable Solution	Proposed	Complies?
	(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or (ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser).		
9.4.3 Site coverage and private open space for all dwellings	A1 Dwellings must have: (a) a site coverage of not more than 65% (excluding eaves up to 0.6m wide); and (b) for multiple dwellings, a total area of private open space of not less than 40m ² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the ground level (excluding a garage, carport or entry foyer).	(a) Site coverage of 54% (b) Unit 1 has 52.23m ² ; Unit 2 has 40.28m ² ; unit 3 has 41.95m ² and unit 4 has 161.15m ²	Yes
	A2 A dwelling must have private open space that: (a) is in one location and is not less than: (i) 24m ² ; or (ii) 12m ² , if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground	(a) All units have a minimum of 24m ² (b) Units 1-4 only have a minimum dimension of 3m for their open space (c) All have secluded pos behind the front setback (d) Gradient is less than 1 in 10	No - see assessment in the report

Standard	Acceptable Solution	Proposed	Complies?
	<p>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>		
<p>9.4.4 Sunlight to private open space of multiple dwellings</p>	<p>A1</p> <p>A multiple dwelling that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 9.4.3, must satisfy (a) or (b), unless excluded by (c):</p> <p>(a) the multiple dwelling is contained within a line projecting (see Figure 9.4):</p> <p>(i) at a distance of 3m from the northern edge of the private open space; and</p>	<p>While not directly to the north of the pos of Unit 4, Unit 3 could be considered to be north of the pos, the southern wall of Unit 3 is 3.5m from the northern edge of Unit 4's pos. The height of this portion of Unit 3 is 2.658m. Therefore the proposal complies with (a).</p> <p>The other units are not to the north of open space areas.</p>	<p>Yes</p>

Standard	Acceptable Solution	Proposed	Complies?
	<ul style="list-style-type: none"> (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. 		
<p>9.4.5 Width of openings for garages and carports for all dwellings</p>	<p>A1</p> <p>A garage or carport for a dwelling within 12m of a primary frontage, whether the garage or carport is free-standing or part of the dwelling, must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).</p>	<p>Garage to unit 1 is within 3m of the front setback but does not face the frontage</p>	<p>Yes</p>

Standard	Acceptable Solution	Proposed	Complies?
<p>9.4.6 Privacy for all dwellings</p>	<p>A1</p> <p>A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above existing ground level must have a permanently fixed screen to a height of not less than 1.7m above the finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a:</p> <ul style="list-style-type: none"> (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 3m from the side boundary; (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m: <ul style="list-style-type: none"> (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site. 	<p>All decks and car spaces are less than 1m above ground level.</p>	<p>Yes</p>

	<p>A2</p> <p>A window or glazed door, to a habitable room of a dwelling that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b):</p> <p>(a) The window or glazed door:</p> <ul style="list-style-type: none"> (i) is to have a setback of not less than 3m from a side boundary; (ii) is to have a setback of not less than 4m from a rear boundary; (iii) if the dwelling is a multiple dwelling, is to be not less than 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be not less than 6m from the private open space of another dwelling on the same site. <p>(b) The window or glazed door:</p> <ul style="list-style-type: none"> (i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; (ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of at least 1.7m above the floor level; or 	<p>Units 1-3 have windows 1m above existing ground level (level 1)</p> <p>The northern elevation windows of Units 1 3 are 3m from the side boundary</p> <p>The eastern elevation window of Unit 3 are setback 3.104 m from the rear boundary</p> <p>The ground floor doors of Units 1 & 2 are more than 6m from the windows and doors of unit 4</p> <p>Upper level windows of Units 1-3 are less than 6m from the private open space of the adjoining units</p>	<p>No - see report for assessment</p>
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Standard	Acceptable Solution	Proposed	Complies?
	<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 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>Shared driveways of Units 1, 2 & 3 are 1.007m from the habitable windows of Unit 4, however a 1.7m high fence is noted on the plans ('1.7m H TF') as extending along the length of the driveway.</p>	<p>Yes</p>
<p>9.4.7 Frontage fences for all dwellings</p>	<p>A1 No Acceptable Solution. [S8]</p>	<p>The plans indicate that any fence within 3m of the front setback is to be 1.2m in height</p>	<p>No</p>

Standard	Acceptable Solution	Proposed	Complies?
<p>9.4.8 Waste storage for multiple dwellings</p>	<p>A1</p> <p>A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of not less than 1.5m² per dwelling and is within one of the following locations:</p> <ul style="list-style-type: none"> (a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) in a common storage area with an impervious surface that: <ul style="list-style-type: none"> (i) has a setback of not less than 4.5m from a frontage; (ii) is not less than 5.5m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of not less than 1.2m above the finished surface level of the storage area. 	<p>2 bins shown per dwelling so complies with (a)</p>	<p>Yes</p>

C2.0 Parking and Sustainable Transport Code

Standard	Acceptable Solution	Proposed	Complies?
C2.5 Use Standards			
<p>C2.5.1 Car parking numbers</p>	<p>A1 The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if:</p> <ul style="list-style-type: none"> (a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (b) the site is contained within a parking precinct plan and subject to Clause C2.7; (c) the site is subject to Clause C2.5.5; or (d) it relates to an intensification of an existing use or development or a change of use where: <ul style="list-style-type: none"> (i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or (ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car 	<p>Two spaces proposed for each dwelling and one visitor parking. Total of 9 for the entire site.</p>	<p>Yes</p>

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

Standard	Acceptable Solution	Proposed	Complies?
<p><i>Community Meeting and Entertainment;</i> <i>Custodial Facility;</i> <i>Crematoria and Cemeteries;</i> <i>Educational and Occasional Care;</i> <i>Food Services;</i> <i>General Retail and Hire;</i> <i>Hospital Services;</i> <i>Hotel Industry;</i> <i>Pleasure Boat Facility;</i></p> <p><i>Residential if for a communal residence, multiple dwellings or hostel use;</i> <i>Sports and Recreation; and</i> <i>Tourist Operation.</i></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>C2.5.4 Loading bays <i>This applies to:</i></p>	<p>A1 A loading bay must be provided for uses with a floor area of more than 1000m² in a single occupancy.</p>	<p>Not required</p>	<p>N/A</p>

Standard	Acceptable Solution	Proposed	Complies?
<p><i>Bulky Goods Sales;</i> <i>General Retail and Hire;</i> <i>Manufacturing and Processing; and</i> <i>Storage.</i></p>			
<p>C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential Zone <i>This applies to:</i> <i>Business and Professional Services;</i> <i>Community Meeting and Entertainment;</i> <i>Educational and Occasional Care;</i> <i>Emergency Services;</i> <i>Food Services;</i> <i>General Retail and Hire;</i> <i>Sports and Recreation; and</i></p>	<p>A1 Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for: (a) Food Services uses up to 100m² floor area or 30 seats, whichever is the greater; and (b) General Retail and Hire uses up to 100m² floor area, provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone.</p>	<p>Not required</p>	<p>N/A</p>

Standard	Acceptable Solution	Proposed	Complies?
<i>Utilities, if not for minor utilities.</i>			
C2.6 Development Standards for Building Works			
C2.6.1 Construction of parking areas	A1 All parking, access ways, manoeuvring and circulation spaces must: (a) be constructed with a durable all weather pavement; (b) be drained to the public stormwater system, or contain stormwater on the site; and (c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.	Parking and driveway area proposed to be paved surface and surfaced water are to be drained to the stormwater connection.	Yes
C2.6.2 Design and layout of parking areas	A1.1 Parking, access ways, manoeuvring and circulation spaces must either: (a) comply with the following: (i) have a gradient in accordance with <i>Australian Standard AS 2890 - Parking facilities, Parts 1-6</i> ;	Layout and gradients are provided in accordance with the AS2890.1	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<ul style="list-style-type: none"> (ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces; (iii) have an access width not less than the requirements in Table C2.2; (iv) have car parking space dimensions which satisfy the requirements in Table C2.3; (v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces; (vi) have a vertical clearance of not less than 2.1m above the parking surface level; and (vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or <p>(b) comply with <i>Australian Standard AS 2890- Parking facilities, Parts 1-6.</i></p> <p>A1.2</p> <p>Parking spaces provided for use by persons with a disability must satisfy the following:</p> <ul style="list-style-type: none"> (a) be located as close as practicable to the main entry point to the building; (b) be incorporated into the overall car park design; and 		

Standard	Acceptable Solution	Proposed	Complies?
	(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 Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.		N/A
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>		N/A

Standard	Acceptable Solution	Proposed	Complies?
<p>C2.6.5</p> <p>Pedestrian access</p>	<p>A1.1</p> <p>Uses that require 10 or more car parking spaces must:</p> <p>(a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by:</p> <p>(i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or</p> <p>(ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and</p> <p>(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>		N/A
<p>C2.6.6</p> <p>Loading bays</p>	<p>A1</p> <p>The area and dimensions of loading bays and access way areas must be designed in accordance with <i>Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Off-street commercial vehicle facilities</i>, for the type of vehicles likely to use the site.</p>		N/A

Standard	Acceptable Solution	Proposed	Complies?
	<p>A2</p> <p>The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward direction in accordance with <i>Australian Standard AS 2890.2 – 2002, Parking Facilities, Part 2: Parking facilities Offstreet commercial vehicle facilities.</i></p>		N/A
<p>C2.6.7</p> <p>Bicycle parking and storage facilities within the General Business Zone and Central Business Zone</p>	<p>A1</p> <p>Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 “Basis of Design” and clause 3.6 “Car Parks” in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.</p>		N/A
	<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>		N/A

Standard	Acceptable Solution	Proposed	Complies?
	(c) include a rail or hoop to lock a bicycle that satisfies <i>Australian Standard AS 2890.3-2015 Parking facilities - Part 3: Bicycle parking</i> .		
<p>C2.6.8</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 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>		N/A
	<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. 		N/A
C2.7 Parking Precinct Plan			
<p>C2.7.1</p> <p>Parking Precinct Plan</p>	<p>A1</p> <p>Within a parking precinct plan, onsite parking must:</p> <ul style="list-style-type: none"> (a) not be provided; or (b) not be increased above existing parking numbers. 		N/A

Footnotes

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

C3 Road and Railway Assets Code

Standard	Acceptable Solution	Proposed	Complies?
C3.5 Use Standards			
<p>C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction</p>	<p>A1.1 For a category 1 road or a limited access road, vehicular traffic to and from the site will not require:</p> <ul style="list-style-type: none"> (a) a new junction; (b) a new vehicle crossing; or (c) a new level crossing. <p>A1.2 For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority.</p> <p>A1.3 For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.</p> <p>A1.4 Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:</p> <ul style="list-style-type: none"> (a) the amounts in Table C3.1; or 	<p>Vehicular traffic is not increased by 20% or 40 vpd.</p>	<p>Yes</p>

Standard	Acceptable Solution	Proposed	Complies?
	<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 Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>		
C3.6 Development Standards for Buildings and Works			
<p>C3.6.1</p> <p>Habitable buildings for sensitive uses within a road or railway attenuation area</p>	<p>A1</p> <p>Unless within a building area on a sealed plan approved under this planning scheme, habitable buildings for a sensitive use within a road or railway attenuation area, must be:</p> <p>(a) within a row of existing habitable buildings for sensitive uses and no closer to the existing or future major road or rail network than the adjoining habitable building;</p> <p>(b) an extension which extends no closer to the existing or future major road or rail network than:</p> <p style="padding-left: 20px;">(i) the existing habitable building; or</p> <p style="padding-left: 20px;">(ii) an adjoining habitable building for a sensitive use;</p> <p>(c) located or designed so that external noise levels are not more than the level in Table C3.2 measured in accordance with Part D of the <i>Noise Measurement Procedures Manual, 2nd edition, July 2008</i>.</p>		<p>N/A</p>

Standard	Acceptable Solution	Proposed	Complies?
C3.7 Development Standards for Subdivision			
C3.7.1 Subdivision for sensitive uses within a road or railway attenuation area	A1 A lot, or a lot proposed in a plan of subdivision, intended for a sensitive use must have a building area for the sensitive use that is not within a road or railway attenuation area.		N/A

APPENDIX 3 – COMMENTS FROM REFERRAL BODIES

INTERNAL REFERRALS

Development Engineer

The development application seeks an approval for Section 40T combined planning scheme amendment to rezone to inner residential zone and construction of four (4) multiple dwellings on the subject site. The works include internal alteration to the existing dwelling and convert it to unit 4, install a new 5.5m wide vehicle crossing, construction of three (3) two-storey units and works to the driveway and parking areas. The scope of work can be seen in the figure below.



C3.0 Road and Railway Assets Code

The proposed development is not expected to increase vehicle movements over 40 vehicle trips per day. The site can be accessed off the new proposed vehicle crossing. The existing vehicle crossing shall be made redundant and made good to footpath. Therefore, the proposed development complies with the code requirements.

C2.0 Parking and Sustainable Transport Code

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

The site can be accessed off the existing vehicular access, which is proposed to be widened, onto the driveway and parking areas. The requirement under the C2.5.1 and table C2.1, A1 requires the total of nine (9) car parking spaces which comprises of two (2) car parking spaces for each residential dwelling and one (1) visitor car space. The applicant proposes to comply with the requirements providing car parking area for two car spaces each dwelling and a visitor space close to the access point to the site. There are no requirements for accessible car parking, motorcycle parking spaces, bicycle parking spaces and commercial vehicle applicable to the development application. The layout of parking area complies with the standard AS2890.1:2004. The turning swept path is provided demonstrate compliance to the standard. The surface treatment of the driveway is proposed to be concrete. Surface runoff is proposed to be captured and directed to the Council's stormwater system.

Other

C15.0 Landslide Code

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

C7.0 Natural Assets Code

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

C12.0 Flood-Prone Areas Hazard Code

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

Waste Management

Waste Services to the proposed multiple dwelling development at 26A Tregear Street Moonah would be Council's standard bin service collected fortnightly.

- The Council's Standard Bin Service includes one (1) x 140L wheelie bin for Waste, one (1) x 240L wheelie bin for recycling and (1) x 240L FOGO bin to each of the dwelling, collected fortnightly.
- Please note that this property would have a total of twelve (12) bins, four (4) Waste bins and four (4) Recycling Bins, and four (4) FOGO bins.
- This property has an existing kerbside/nature strip area for placement of the bins therefore the dwellings would have their own individual bins.
- All bins are to be placed on the kerbside for collection.
- Council's Waste Management Contractor collection trucks will not enter the property to collect and empty the wheelie bins.

External Referrals

TasWater

Pursuant to the *Water and Sewerage Industry Act 2008* (Tas) Section 56P(1) TasWater makes the following submission(s)

- TasWater does not object to the proposed amendment to the planning scheme and has no formal comment for the Tasmanian Planning Commission in relation to this matter and does not require to be notified of nor attend any subsequent hearings.
- Pursuant to the *Water and Sewerage Industry Act 2008* (Tas) Section 56P(1) TasWater imposes the conditions listed in Submission to Planning Authority Notice TWDA 2021/01752-GCC, dated 18 October 2021 on planning permit PLAM-21/02 (see **Attachment 3**)