

**GLENORCHY PLANNING AUTHORITY MEETING
AGENDA
MONDAY, 21 FEBRUARY 2022**



GLENORCHY CITY COUNCIL

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

Chairperson: Alderman Bec Thomas

Hour: 4.00 p.m.

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1. PLANNING AUTHORITY DECLARATION

The Chairperson stated that the Glenorchy Planning Authority intended to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993*.

2. APOLOGIES/LEAVE OF ABSENCE

3. PECUNIARY INTERESTS

4. CONFIRMATION OF MINUTES

That the minutes of the Glenorchy Planning Authority Meeting held on 24 January 2022 be confirmed.

**5. PROPOSED USE AND DEVELOPMENT - MULTIPLE DWELLINGS
(EIGHT PROPOSED) - 21 WINDERMERE BEACH ROAD
CLAREMONT**

Author: Planning Officer (Sylvia Jeffreys)
 Qualified Person: Planning Officer (Sylvia Jeffreys)
 Property ID: 5349172

REPORT SUMMARY

Application No.:	PLN-21-494
Applicant:	Longview Design & Drafting
Owner:	C G Priest
Zone:	General Residential
Use Class	Residential
Application Status:	Discretionary
Discretions:	<p>8.4.4 P1 Sunlight to private open space of multiple dwellings</p> <p>C2.6.5 A1.1 Pedestrian Access</p> <p>(The proposal meets all other applicable standards as demonstrated in the attached appendices)</p>
Level 2 Activity?	No
42 Days Expires:	Extension of time granted to 21 Feb 2022
Existing Land Use:	Single Dwelling
Representations:	0
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The application is for eight dwellings and demolition of an existing house and shed. The proposed dwellings would be single storey, clad with cement sheet weatherboards and capped with iron, hipped roofs.

The dwellings would accommodate three bedrooms, open plan living and an integrated single garage each.

A central driveway would give access to eighteen car parking spaces, which includes spaces within the garages.

Each dwelling would have private outdoor space of 4m x 6m with a grade no steeper than 1: 10.

The application is discretionary for sunlight to private outdoor space and pedestrian access. The proposal is shown in Figure 1.

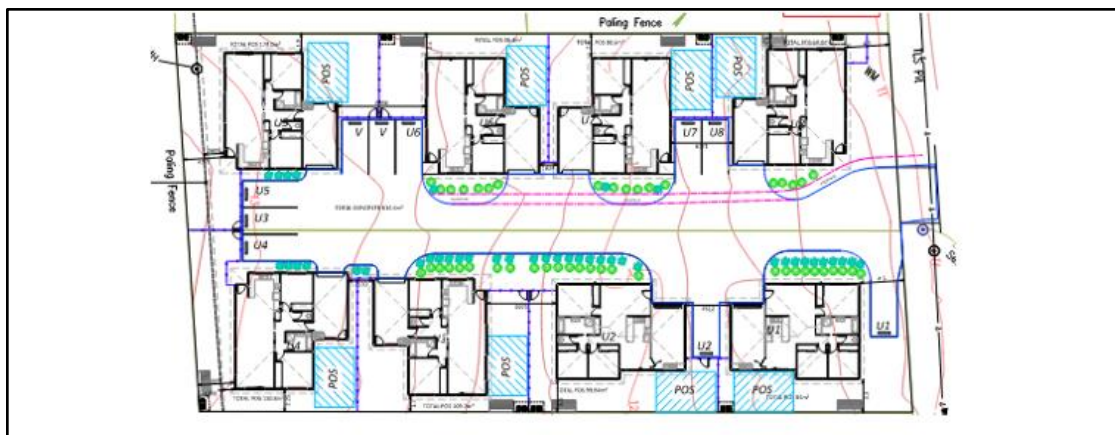


Figure 1: Proposal - Longview Design and Drafting

SITE and LOCALITY

The site is known as 21 Windermere Beach Road as shown in Figure2.



Figure 2: Subject Property - theList

The site comprises two titles in CT24200/3 and CT24200/4 with areas of 1414m² and 1305m² respectively. The site is rectangular and is occupied by a single dwelling and a shed. There are several mature trees surrounding the dwelling. The site adjoins seven residential properties. Six properties contain single dwellings, and one contains ten dwellings.

ZONE

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

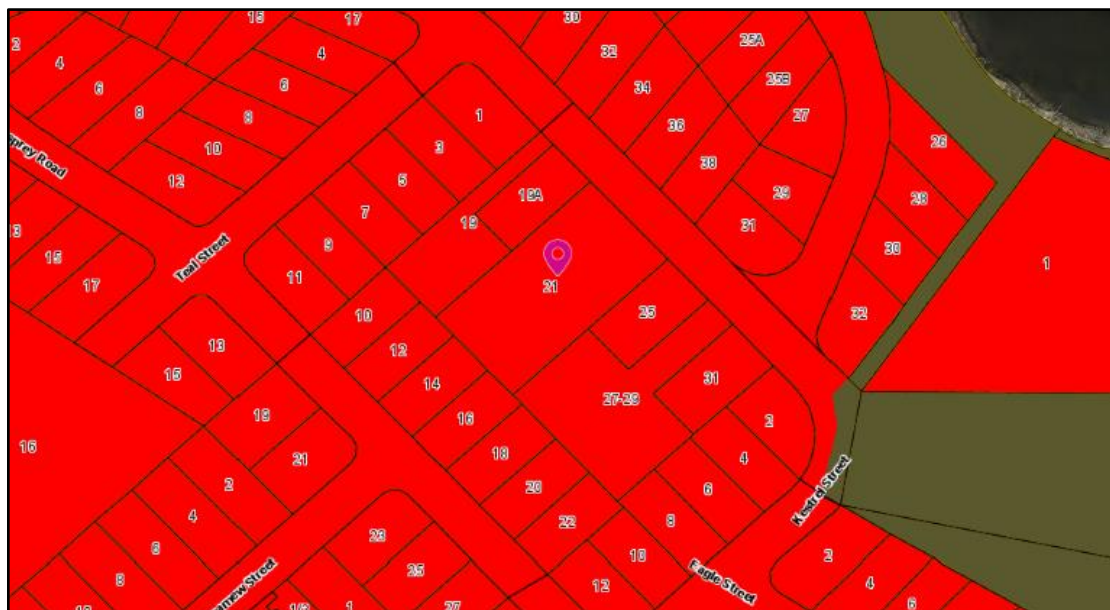


Figure 3: Zoning Map - theList

BACKGROUND

The following permit was granted for the site:

- PLN-21-212 Boundary Adjustment – Approved 17/06/2021

The above permit allowed for separation of the existing dwelling on its own lot. This permit was not acted on.

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 specific area plan applies. The following general provision and codes apply and prevail over the relevant Zone provisions if there is any conflict.

General Provisions

- 7.9 Demolition

Codes

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

Use Class Description (Table 6.2):

The application is for eight dwellings which fits under the use class Residential (Multiple 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:

multiple dwellings

means 2 or more dwellings on a site.

dwelling

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

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:

- *8.4.4 P1 Sunlight to private open space of multiple dwellings*

General Provisions

The application includes the demolition of a dwelling and a shed. Therefore, the following General Provisions of the Scheme apply to this proposal:

7.9 Demolition

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

Comment

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

Zones

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

Zone Purpose Statements

The purpose of the General Residential Zone is:

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

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

8.1.3 To provide for non-residential use that:

(a) primarily serves the local community; and

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

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

Comment

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

Use Table

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

Use Standards

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

Development Standards for dwellings

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

8.4.4 A1 Sunlight to private open space of multiple dwellings

The proposal does not accord with the acceptable solution in clause 8.4.4 A1 with respect to solar access of private outdoor space. Therefore, the proposal relies on the related performance criteria as follows:

8.4.4 P1 Sunlight to private open space of multiple dwellings

A multiple dwelling must be designed and sited to not cause an unreasonable loss of amenity by overshadowing the private open space, of another dwelling on the same site, which is required to satisfy A2 or P2 of clause 8.4.3 of this planning scheme.

Comment

The acceptable solution requires 3m separation from the northern edge of private outdoor space to another dwelling. Alternatively, a multiple dwelling must not cause 50% of the private open space to receive less than three hours of sunlight between 9.00am and 3.00pm on 21st June.

All dwellings except for Unit 1 and Unit 2 have more than 3m separation between private outdoor space and another dwelling on the same site, which would otherwise satisfy the performance criteria. Therefore, it is considered that the private outdoor space of these dwellings is not unreasonably affected by overshadowing.

Unit 2 is approximately 2.75m from the edge of the private outdoor space of Unit 3, as shown in Figure 4. It is considered that this distance is marginally less than the 3m normally required by the acceptable solution. Therefore, it is considered that Unit 2 would not unreasonably affect the private outdoor space of Unit 3.

There would also be additional private outdoor space outside the nominated rectangle available, which is usable and less affected by shadows as it would be northwest.

Unit 1 is to the north of private outdoor space of Unit 2, separated by approximately 1.2m from the northern corner, as shown in Figure 4. There would be some impact on the private outdoor space of Unit 2. However, there would be also additional private outdoor space.

The provided outdoor space for Unit 2, would receive sunlight for most of the morning. Therefore, it is not considered that Unit 1 would cause an unreasonable loss of sunlight to the private outdoor space of Unit 2.



Figure 4: Private Outdoor Space Separation

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

Codes

The following codes of the Scheme apply to this proposal:

C2.0 Parking and Sustainable Transport Code

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

C2.6.5 A1.1 Pedestrian Access

The proposal does not accord with the acceptable solution in clause C2.6.5 A1.1 with respect to pedestrian access. Therefore, the proposal relies on the related performance criteria as follows:

C2.6.5 P1 Pedestrian Access

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

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

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

Comment

The acceptable solution requires a 1m-wide footpath for uses that require ten or more parking spaces with a horizontal distance of 2.5m from the edge of the footpath and the accessway or a parking aisle.

The proposal provides a footpath as required but not the separation distance. Nevertheless, the engineering assessment found that the proposed footpath is acceptable due to the nature of the use and the frequency of traffic for this development.

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.

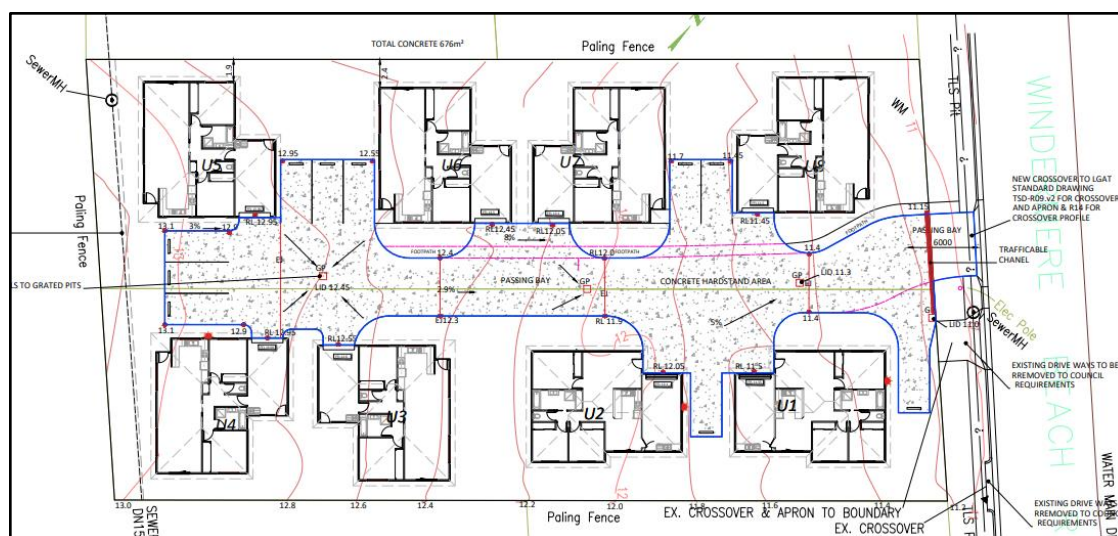
INTERNAL REFERRALS

Development Engineer

Comments

The development application seeks an approval for demolition of the existing structures and construction of eight multiple dwellings at the subject site. The works include reinstating the redundant access and installing a new 5.5m wide access, parking, driveway and stormwater quantity and quality management devices to detain and treat runoff so the post development runoff does not exceed the pre-existing.

The scope of works is shown in the figure below.



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

C3.0 Road and Railway Assets Code

Though the traffic generated is expected to exceed 40 vehicle trips per day the proposed development is not expected to increase vehicle movements over 20% of the annual average daily traffic of Windermere Beach Road.

The traffic generated by the development is expected to be 52 vehicles per day while the annual average daily traffic in the Windermere Beach Road is 782 vehicles based on traffic data in 2014. Therefore, the acceptable solution A4 is met.

The site can be accessed off the proposed 5.5m wide vehicle crossing and the existing access is to be reinstated to the footpath. Therefore, the proposed development complies with the code requirements.

C2.0 Parking and Sustainable Transport Code

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

The site can be accessed off the new 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 eighteen (18) car parking spaces for the development which comprises of two (2) spaces for each dwelling and two (2) spaces for visitors. The applicant proposes to comply with the requirements, providing a total of 18 car parking spaces.

There are no requirements for accessible car parking, bicycle parking spaces, motorcycle parking space and commercial vehicle applicable to the development application. The layout of the parking area can comply with the standard AS2890.1:2004. This will be conditioned in the permit.

The turning swept path provided, demonstrate compliance with 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 proposes to provide a 1m footpath within the site but the 2.5m distance does not meet the acceptable solution requirement.

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

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

Waste Management Officer

Waste Services to the proposed multiple dwelling development at 21 Windermere Beach Road Claremont 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 twenty-four (24) bins, eight (8) Waste bins and eight (8) Recycling Bins, and eight (8) FOGO bins.
- This property has an existing kerbside/nature strip area for placement of the bins therefore the dwellings would have their own individual bins.
- All bins are to be placed on the kerbside for collection.
- Council's Waste Management Contractor collection trucks will not enter the property to collect and empty the wheelie bins.

EXTERNAL REFERRALS

TasWater

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

REPRESENTATIONS

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

CONCLUSION

The application is for eight dwellings and demolition of an existing house and shed over two titles.

The application is discretionary for sunlight to private outdoor space and pedestrian access. In terms of sunlight to private outdoor space, it is considered that the layout of the proposal would not result any unreasonable loss of amenity by way of overshadowing of private outdoor space.

In terms of pedestrian access, the proposed footpath is considered adequate and safe due to the proposed use and frequency of traffic.

The proposal accords with all other relevant acceptable solutions.

The application was advertised in accordance with statutory requirements. There were no representations received.

A condition is recommended for the adhesion of the two titles.

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 21 Windermere Beach Road Claremont subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-21-494 and Drawings submitted on 21/12/2021, 18 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 2021-01688-GCC, dated 10/09/2021, form part of this permit.
3. Titles for the land subject to the use and development approved herewith must be adhered prior to the lodgement of a Building Permit application, or if agreed to by the Coordinator of Building Services, prior to a Certificate of Occupancy

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

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

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

- (a) Be constructed to a sealed finish.
- (b) The total of eighteen (18) clearly marked car parking spaces (2 spaces per each dwelling plus 2 visitor spaces) must be provided in accordance with the approved plan received by Council 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) 1m wide footpath must be provided.
- (f) Passing bay at the access must be installed.
- (g) The parallel car parking spaces must comply with the Figure 2.5 of the Australian Standard. The landscaping area must be removed.
- (h) The gradient of any parking areas must not exceed 5%; and
- (i) 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.

8. A new 5.5m wide concrete vehicle crossing must be constructed in accordance with the Tasmanian standard drawing TSD-R09-v3, TSD-R11-v3 and TSD-R14-v3 between the kerb and the property boundary and completed to the satisfaction of Council's Development Engineer prior to the occupancy. The redundant vehicle crossing must be reinstated to footpath in accordance with the standard. The detail design must be submitted and approved prior to the issuing of a Building Permit Approval.
9. Prior to the commencement of any work within the road reservation by a private contractor, the contractor must obtain a Road Opening Permit from the Council's Compliance Officer. This permit shall include items such as hours of work, road safety, reinstatement, soil and water management, etc.

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

Advice to Applicant

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

General Manager's Consent for Stormwater Management

Any conditions and/or advice as set out in the attached General Manager's Consent for Stormwater Management, reference No. PLN-21-494 dated 09/02/2022, is associated with this permit.

Other Permits

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

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

Other Services

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

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

Waste Management

Waste Services to the multiple dwelling development will be Council's standard bin service collected fortnightly.

- The Council's Standard Bin Service includes one (1) x 140L wheelie bin for Waste, one (1) x 240L wheelie bin for recycling and (1) x 240L FOGO bin to each of the dwelling, collected fortnightly.
- Please note that this property would have a total of twenty-four (24) bins, eight (8) Waste bins and eight (8) Recycling Bins, and eight (8) FOGO bins.
- This property has an existing kerbside/nature strip area for placement of the bins therefore the dwellings would have their own individual bins.
- All bins are to be placed on the kerbside for collection.
- Council's Waste Management Contractor collection trucks will not enter the property to collect and empty the wheelie bins.

Attachments/Annexures

- 1 PLN-21-494 GPA Attachment

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

Standard	Acceptable Solution	Proposed	Complies?
	<p>A4 No acceptable solution.</p>		NA
<p>8.3.2 Visitor Accommodation</p>	<p>A1 Visitor Accommodation must: (a) accommodate guests in existing habitable buildings; and (b) have a gross floor area of not more than 200m² per lot.</p>		NA
	<p>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.</p>		NA
<p>8.4 Development Standards for Dwellings</p>			
<p>8.4.1 Residential density for multiple dwellings</p>	<p>A1 Multiple dwellings must have a site area per dwelling of not less than 325m².</p>	<p>Land area: 2719m²/8= 339.87m²</p>	Yes
<p>8.4.2 Setbacks and building envelopes for all dwellings</p>	<p>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;</p>	<p>Front setback: 4.5m</p>	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<p>(b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site;</p> <p>(c)if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or</p> <p>(d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level.</p>		
	<p>A2</p> <p>A garage or carport for a dwelling must have a setback from a primary frontage of not less than:</p> <p>(a) 5.5m, or alternatively 1m behind the building line;</p> <p>(b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or</p> <p>(c)1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</p>	<p>Garage setback: more than 5.5m</p>	<p>Yes</p>

Standard	Acceptable Solution	Proposed	Complies?
	<p>A3</p> <p>A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at 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>Front setback: 4.5m</p> <p>Side setback NW: 1.5m</p> <p>Side setback SE: 1.7m</p> <p>Rear setback: 3.698m</p> <p>All walls are less than 4.5 in height, which requires a 1.5m setback</p>	<p>Yes</p>

Standard	Acceptable Solution	Proposed	Complies?
<p>8.4.3</p> <p>Site coverage and private open space for all dwellings</p>	<p>A1</p> <p>Dwellings must have:</p> <ul style="list-style-type: none"> (a) a site coverage of not more than 50% (excluding eaves up to 0.6m wide); and (b) for multiple dwellings, a total area of private open space of not less than 60m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer). 	<p>Site coverage 33.35%</p> <p>Total POS per dwelling: Between 68m² and 179m²</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); 	<p>Each dwelling would have POS of 4m x 6m with a grade of less than 1:10.</p>	<p>Yes</p>

Standard	Acceptable Solution	Proposed	Complies?
	<p>(c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and</p> <p>(d) has a gradient not steeper than 1 in 10.</p>		
<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> <p>(a) the multiple dwelling is contained within a line projecting (see Figure 8.4):</p> <p style="padding-left: 20px;">(i) at a distance of 3m from the northern edge of the private open space; and</p> <p style="padding-left: 20px;">(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 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> <p style="padding-left: 20px;">(i) an outbuilding with a building height not more than 2.4m; or</p> <p style="padding-left: 20px;">(ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling.</p>	<p>See report</p>	<p>No- Discretion</p>

Standard	Acceptable Solution	Proposed	Complies?
<p>8.4.5</p> <p>Width of openings for garages and carports for all dwellings</p>	<p>A1</p> <p>A garage or carport for a dwelling within 12m of a primary frontage, whether the garage or carport is free-standing or part of the dwelling, must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).</p>	<p>Not within 12m</p>	<p>NA</p>
<p>8.4.6</p> <p>Privacy for all dwellings</p>	<p>A1</p> <p>A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above existing ground level must have a permanently fixed screen to a height of not less than 1.7m above the finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a:</p> <ul style="list-style-type: none"> (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 3m from the side boundary; (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m: <ul style="list-style-type: none"> (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space of the other dwelling on the same site. 	<p>Not proposed</p>	<p>NA</p>

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 	<p>Floor level is less than 1m above NGL for all dwellings.</p>	<p>NA</p>

Standard	Acceptable Solution	Proposed	Complies?
	(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%		
	<p>A3</p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than:</p> <p>(a) 2.5m; or</p> <p>(b) 1m if:</p> <p>(i) it is separated by a screen of not less than 1.7m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level.</p>	There would be garden beds in front of windows facing the driveway, more than 2.5m wide. There are some parking spaces closer than 2.5m to a dwelling, however these parking spaces are not shared as they belong to the relevant dwellings.	Yes
<p>8.4.7</p> <p>Frontage Fences for all dwellings</p>	<p>A1</p> <p>No Acceptable Solution¹.</p> <p><i>(¹An exemption applies for fences in this zone – see Table 5.6 in Exemptions)</i></p>	Not proposed	NA

Standard	Acceptable Solution	Proposed	Complies?
<p>8.4.8</p> <p>Waste Storage for multiple dwellings</p>	<p>A1</p> <p>A multiple dwelling must have a storage area, for waste and recycling bins, that is not less than 1.5m² per dwelling and is within one of the following locations:</p> <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 (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>Each dwelling would have sufficient bin storage space.</p>	<p>Yes</p>

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 parking must be calculated as follows: 	18 spaces proposed – 2 spaces for each dwelling and 2 visitor parking spaces.	Yes

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 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> <i>Educational and Occasional Care;</i> <i>Food Services;</i> <i>General Retail and Hire;</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>(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>NA</p>

Standard	Acceptable Solution	Proposed	Complies?
<p><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>C2.5.4 Loading bays <i>This applies to:</i> <i>Bulky Goods Sales;</i> <i>General Retail and Hire;</i> <i>Manufacturing and Processing;</i> <i>and</i> <i>Storage.</i></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></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>NA</p>

Standard	Acceptable Solution	Proposed	Complies?
<p><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></p>			
C2.6 Development Standards for Building Works			
<p>C2.6.1 Construction of parking areas</p>	<p>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.</p>	<p>Parking and driveway area proposed to be paved surface and surfaced water are to be drained to the stormwater connection.</p>	<p>Yes</p>
<p>C2.6.2 Design and layout of parking areas</p>	<p>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></p>	<p>Layout and gradients are provided in accordance with the AS2890.1</p>	<p>Yes</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 2890.6:2009 Parking facilities, Off-street parking for people with disabilities.</i> [S35] 		

Standard	Acceptable Solution	Proposed	Complies?
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 Uses that require 10 or more car parking spaces must:</p> <ul style="list-style-type: none"> (a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by: <ul style="list-style-type: none"> (i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or (ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and (b) be signed and line marked at points where pedestrians cross access ways or parking aisles. <p>A1.2 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>Due to the nature of the use and the frequency of traffic it is considered the development can satisfy the performance criteria.</p>	<p>No</p>
<p>C2.6.6 Loading bays</p>	<p>A1 The area and dimensions of loading bays and access way areas must be designed in accordance with <i>Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Offstreet commercial vehicle facilities</i>, for the type of vehicles likely to use the site.</p>		<p>NA</p>

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>		
<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>		NA
	<p>A2</p> <p>Bicycle parking spaces must:</p> <p>(a) have dimensions not less than:</p> <ul style="list-style-type: none"> (i) 1.7m in length; (ii) 1.2m in height; and (iii) 0.7m in width at the handlebars; <p>(b) have unobstructed access with a width of not less than 2m and a gradient not steeper than 5% from a road, cycle path, bicycle lane, shared path or access way; and</p> <p>(c) include a rail or hoop to lock a bicycle that satisfies <i>Australian Standard AS 2890.3-2015 Parking facilities - Part 3: Bicycle parking.</i></p>		NA

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.		
	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. 		
C2.7 Parking Precinct Plan			
C2.7.1 Parking Precinct Plan	A1 Within a parking precinct plan, onsite parking must: <ul style="list-style-type: none"> (a) not be provided; or (b) not be increased above existing parking numbers. 		NA

Footnotes

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

APPENDIX

C3 Road and Railway Assets Code

Standard	Acceptable Solution	Proposed	Complies?
C3.5 Use Standards			
<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% 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</p> <p>Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>		
C3.6 Development Standards for Buildings and Works			
<p>C3.6.1</p> <p>Habitable buildings for sensitive uses within a road or railway attenuation area</p>	<p>A1</p> <p>Unless within a building area on a sealed plan approved under this planning scheme, habitable buildings for a sensitive use within a road or railway attenuation area, must be:</p> <p>(a) within a row of existing habitable buildings for sensitive uses and no closer to the existing or future major road or rail network than the adjoining habitable building;</p> <p>(b) an extension which extends no closer to the existing or future major road or rail network than:</p> <p 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>NA</p>

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