

PLANNING APPLICATION FORM

Section 57 & 58

OFFICE USE
ONLY

Application Number PA2025260

Assess No: A13305

PID No: 9773201

Applicant Name:	Nova Land Consulting					
Applicant Contact Name						
Postal Address:						
Contact Phone:	Home		Work		Mobile	
Email Address:						

Planning Application Lodgement Checklist

The following documents have been submitted to support the consideration of this application:

1. A current copy of the property title text, folio plan and schedule of easements X ☐
2. A completed application form including a detailed description of the proposal X ☐
3. A complete plan set: X ☐
 - a) Floor plans ☐
 - b) Elevations (from all orientations/sides and showing natural ground level and finished surface level) ☐
 - c) Site Plan showing: ☐
 - Orientation
 - All title boundaries
 - Location of buildings and structure (both existing and proposed)
 - Setbacks from all boundaries
 - Native vegetation to be removed
 - Onsite services, connections and drainage details (including sewer, water and stormwater)
 - Cut and/or Fill
 - Car parking and access details (including construction material of all trafficable areas)
 - Fence details
 - Contours
4. Other:

*If submitting plans in over the counter please ensure they are A3.
All plans must be to scale.*

WEST TAMAR COUNCIL



Application Number: «Application Number»

APPLICANT DETAILS

Applicant Name: Nova Land Consulting

Note: Full name(s) of person(s) or company making the application and postal address for correspondence.

LAND DETAILS

Owner/Authority Name:
(as per certificate of title) Telos Offset Homes Pty Ltd.

Location / Address: 1 Wivell Street, Legana

Title Reference: 180377/77

Zone(s): General Residential Zone

Existing Development/Use: Vacant Land

Existing Developed Area: NA

Are any of the components in this Application seeking retrospective approval?
E.g. Use and/or development that has commenced without a Planning Permit.

YES ☐

NO ☒ X

(If yes please specify the relevant components):

DEVELOPMENT APPLICATION DETAILS

Proposed Use:

Residential: X	Visitor Accommodation: <input type="checkbox"/>	Commercial: <input type="checkbox"/>	Other: <input type="checkbox"/>
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Description of Use:
Residential – Multiple Dwellings x 3

Development Type:

Building work: X	Demolition: <input type="checkbox"/>	Subdivision: <input type="checkbox"/>	Other: <input type="checkbox"/>
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Description of development:
Residential – Multiple Dwellings x 3

New or Additional Area: Refer plans

Estimated construction cost of the proposed development: \$660,000

Building Materials:	Wall Type:	Colour:
	Roof Type:	Colour:

Application Number: «Application Number»

VISITOR ACCOMMODATION

☐ N/A

Gross Floor Area to be used per lot:		Number of Bedrooms to be used:	
Number of Carparking Spaces:		Maximum Number of Visitors at a time:	

SUBDIVISION

☐ N/A

Subdivision creating additional lots ☐
 Boundary adjustment with no additional lots created ☐

Number of Lots (existing) :		Number of Lots (proposed) :	
Description:			
If applying for a subdivision which creates a new road(s), please supply three proposed names for the road(s), in order of preference:			
1.			
2.			
3.			

COMMERCIAL, INDUSTRIAL OR OTHER NON-RESIDENTIAL DEVELOPMENT/USE

☐ N/A

Hours of Operation:	Monday / Friday:		To	
	Saturday:		To	
	Sunday:		To	

Existing Car Parking:	
Proposed Car Parking:	

Number of Employees: (Existing)	
Number of Employees: (Proposed)	

Type of Machinery installed:	
Details of trade waste and method of disposal:	

Application Number: «Application Number»

APPLICANT DECLARATION

Owner: As the owner of the land, I declare that the information contained in this application is a true and accurate representation of the proposal and I consent to this application being submitted and for Council Officers to conduct inspections as required for the proposal,

Name (print)


Signed

Date

Applicant: As the applicant, I declare that I have notified the owner of my intention to make this application and that the information contained in this application is a true and accurate representation of the proposal,
(if not the owner)

James Stewart

Name (print)



Signed

25/08/2025

Date

Please Note: If the application involves Crown Land you will need to provide a letter of consent and this form signed by the Minister, or a delegated officer of the Crown with a copy of the delegation.

**Crown
Consent**
(if required)

Name (print)

Signed

Date

**Chief
Executive
Officer**
(if required)

Name (print)

Signed

Date

If the subject site is accessed via a right of way, the owner of the ROW must also be notified of the application.

Right of Way Owner:

As the applicant, I declare that I have notified the owner of the land encumbered by the Right Of Way, of my intent to lodge this application that will affect their land.

Name (print)

Signed

Date

<p>OWNER: VOS ENTERPRISES PTY LTD</p> <p>FOLIO REFERENCE: F.R. 179399/1</p> <p>GRANTEE: PART OF 2500 ACRES GRANTED TO JOHN GRIFFITHS</p>	<h3>PLAN OF SURVEY</h3> <p>BY SURVEYOR: J.W.DENT of PDA Surveyors <small>WALTER SURVEYS</small> Surveying, Engineering & Planning</p> <p>3/23 BRISBANE STREET, LAUNCESTON</p> <p>LOCATION: TOWN OF LEGANA</p> <p>SCALE 1:1000</p> <p>LENGTHS IN METRES</p>	<p>REGISTERED NUMBER</p> <h2>SP180377</h2> <p>APPROVED 18 JAN 2021</p> <p>EFFECTIVE FROM</p> <p>Recorder of Titles</p>
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<p> 24/11/20</p> <p>Registered Land Surveyor Date</p>	<p> 24/12/2020</p> <p>Council Delegate Date</p>
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SCHEDULE OF EASEMENTS	Registered Number SP 180377
NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.	

PAGE 1 OF 3 PAGE/S

EASEMENTS AND PROFITS

Each lot on the plan is together with:-

(1) such rights of drainage over the drainage easements shown on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and

(2) any easements or profits a prendre described hereunder.

Each lot on the plan is subject to:-

(1) such rights of drainage over the drainage easements shown on the plan (if any) as passing through such lot as may be necessary to drain the stormwater and other surplus water from any other lot on the plan; and

(2) any easements or profits a prendre described hereunder.

The direction of the flow of water through the drainage easements shown on the plan is indicated by arrows.

Lots 50, 51, 53, 54 and 55 on the Plan are each subject to a Right of Drainage in favour of the West Tamar Council over the land marked "PIPELINE & SERVICES & DRAINAGE EASEMENT 4.00 WIDE 'A'" shown on the Plan.

Lots 50, 51, 53, 54 and 55 on the Plan are each subject to a Pipeline and Services Easement in gross in favour of TasWater over the land marked "PIPELINE & SERVICES & DRAINAGE EASEMENT 4.00 WIDE 'A'" shown on the Plan ("the Easement Land").

Lots 66, 67, 68, 69 and 70 on the Plan are each subject to a Right of Drainage in favour of the West Tamar Council over the land marked "PIPELINE & SERVICES & DRAINAGE EASEMENT 4.00 WIDE 'B'" shown on the Plan.

Lots 66, 67, 68, 69 and 70 on the Plan are each subject to a Pipeline and Services Easement in gross in favour of TasWater over the land marked "PIPELINE & SERVICES & DRAINAGE EASEMENT 4.00 WIDE 'B'" shown on the Plan ("the Easement Land").

Lot 72 on the Plan is subject to a Right of Drainage in favour of the West Tamar Council over the land marked "DRAINAGE EASEMENT 3.00 WIDE 'A'" shown passing through Lot 72 on the Plan.

Lot 76 on the Plan is subject to a Right of Drainage in favour of the West Tamar Council over the land marked "DRAINAGE EASEMENT 3.00 WIDE 'B'" shown passing through Lot 76 on the Plan.

Lots 89, 90 and 91 on the Plan are each subject to a Right of Drainage in favour of the West Tamar Council over the land marked "PIPELINE & SERVICES & DRAINAGE EASEMENT 4.00 WIDE 'C'" shown on the Plan.

~~and lot 90 to drainage easement 3.00 wide 'C'~~

Lots 89, 90 and 91 on the Plan are each subject to a Pipeline and Services Easement in gross in favour of TasWater over the area marked "PIPELINE & SERVICES & DRAINAGE EASEMENT 4.00 'C'" shown on the Plan.

Lot 90 on the Plan is subject to a right of drainage in favour of the West Tamar Council over the land marked Drainage Easement 3.00 wide 'C' shown passing through Lot 90 on the Plan.

FENCING COVENANT

The Owner of each lot on the Plan covenants with the Vendor (Vos Enterprises Pty Ltd) that the Vendor shall not be required to fence.


Adrian Donald Bott


Barry David Sproal

(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER: Vos Enterprises Pty Ltd FOLIO REF: Certificate of Title Volume 179399 Folio 1 SOLICITOR & REFERENCE: Sproal & Associates – Barry Sproal	PLAN SEALED BY: West Tamar Council DATE: 24/12/2020 PA2016242 REF NO.
NOTE: The Council Delegate must sign the Certificate for the purposes of identification.	

ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 2 OF 3 PAGES	Registered Number SP 180377
SUBDIVIDER: Vos Enterprises Pty Ltd FOLIO REFERENCE: Volume 179399 Folio 1	

INTERPRETATION

In this schedule of easements "Pipeline and Services Easement" is defined as follows:

FIRSTLY, THE FULL AND FREE RIGHT AND LIBERTY for TasWater and its employees, contractors, agents and all other persons duly authorized by it, at all times to:

- (1) enter and remain upon the Easement Land with or without machinery, vehicles, plant and equipment;
- (2) investigate, take soil, rock and other samples, survey, open and break up and excavate the Easement Land for any purpose or activity that TasWater is authorized to do or undertake;
- (3) install, retain, operate, modify, relocate, maintain, inspect, cleanse, repair, remove and replace the Infrastructure;
- (4) run and pass sewerage, water and electricity through and along the Infrastructure;
- (5) do all works reasonably required in connection with such activities or as may be authorized or required by any law:
 - (a) without doing unnecessary damage to the Easement Land; and
 - (b) leaving the Easement Land in a clean and tidy condition;
- (6) if the Easement Land is not directly accessible from a highway, then for the purpose of undertaking any of the preceding activities TasWater may with or without employees, contractors, agents and any other persons authorized by it, and with or without machinery, vehicles, plant and equipment enter the Lot from the highway at any vehicle entry and cross the Lot to the Easement Land; and
- (7) use the Easement Land as a right of carriageway for the purpose of undertaking any of the preceding purposes on other land, TasWater reinstating any damage that it causes in doing so to any boundary fence of the Lot.

SECONDLY, the benefit of a covenant in gross for TasWater with the registered proprietor/s of the Easement Land and their successors and assigns not to erect any building, or place any structures, objects, vegetation, or remove any thing that supports, protects or covers any Infrastructure on or in the Easement Land, without the prior written consent of TasWater to the intent that the burden of the covenant may run with and bind the servient land and every part thereof and that the benefit thereof may be annexed to the easement herein described.

Interpretation:

"Infrastructure" means infrastructure owned on for which TasWater is responsible and includes but is not limited to:

- (a) Sewer pipes and water pipes and associated valves;
- (b) Telemetry and monitoring devices;
- (c) Inspection and access pits;
- (d) Electricity assets and other conducting media (excluding telemetry and monitoring devices);
- (e) Markers or signs indicating the location of the Easement Land or any other Infrastructure or any warnings or restrictions with respect to the Easement Land or any other Infrastructure;
- (f) Anything reasonably require to support, protect or cover any other Infrastructure;
- (g) Any other infrastructure whether of a similar nature or not to the preceding which is reasonably required for the piping of sewerage or water, or the running of electricity, through the Easement Land or monitoring or managing that activity; and
- (h) Where the context permits, any part of the Infrastructure.

"TasWater" means Tasmanian Water & Sewerage Corporation Pty Ltd (ACN 162 220 653), its successors and assigns.


Adrian Donald Bott


Barry David Sproal

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

ANNEXURE TO
SCHEDULE OF EASEMENTS

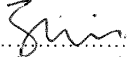
PAGE 3 OF 3 PAGES

Registered Number

SP 180377

SUBDIVIDER: Vos Enterprises Pty Ltd
FOLIO REFERENCE: Volume 179399 Folio 1

EXECUTED by VOS ENTERPRISES PTY LTD by its Attorneys Adrian Donald Bott and Barry David Sproal pursuant to Power of Attorney Registered No. PA110960 (and the said Adrian Donald Bott and the said Barry David Sproal do hereby declare that they have received no notice of revocation of the said power) in the presence of:


.....
(witness to sign)

..... **ZULENA ROSE JARVIS**
(full name of witness)
..... **71A ST JOHN STREET**
(occupation) **LAUNCESTON TAS 7250**
..... **LAW CLERK**
(address)

a D Bott



Legana Orchards Pty Ltd, as mortgagee, consents to this
Schedule of Easements

EXECUTED by LEGANA ORCHARDS PTY LTD pursuant to
Section 127 of the Corporations Act 2001:

Director

Director

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

A background graphic of a topographic map with white contour lines on a light green background, located in the upper left portion of the page.

PLANNING REPORT

Residential –Proposed Multiple Dwellings (3)

1 Wivell Street, Legana

August 2025

An aerial photograph of a dense green forest. A light-colored, winding road or path cuts through the trees. A small, light-colored car is visible on the road. Overlaid on the left side of the image is a white topographic map with contour lines and the NOVA LAND CONSULTING logo.

NOVA
LAND
CONSULTING

Unlocking land potential.

Job Number: L250708

Prepared by: Alex Bowles
(alex@novaland.com.au)
Town Planner

Reviewed by: James Stewart
Senior Town Planner

Rev. no	Description	Date
1	Draft	19 August 2025



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1.0 Introduction

This report has been prepared in support of a planning permit application under Section 57 of the *Land Use Planning and Approval Act 1993* (the 'Act') to develop land at 1 Wivell Street, Legana (the 'subject site').

The proposal seeks approval for the intended use or development of Residential –Proposed Multiple Dwellings (3) at the subject site. This report provides a detailed assessment of the site's characteristics, the proposed development's alignment with planning controls of the municipal area and considers any potential impacts.

This application is to be read in conjunction with the following supporting documentation:

Document	Consultant
Proposal Plans	Offset Australia

1.1 Summary

Subject Site	
Address(es)	1 Wivell Street, Legana
Property ID	9773201
Title(s)	180377/77
Land area	953m ²
Planning Authority	West Tamar Council
Covenant/Easements	No easements are present on the subject site.
Access	Access is via the existing crossover on Wivell Street
Planning Controls	
Zone	General Residential Zone (8.0)
Overlays	No overlays present on the site.
Proposal	
Proposed Use/Development	Residential –Proposed Multiple Dwellings (3)
Use Class	Residential
Use Class Status	Permitted
Existing services and infrastructure	
Water	Within a TasWater serviced area
Sewer	Within a TasWater serviced area
Stormwater	Within a stormwater serviced area

2.0 Site Characteristics and Surroundings

2.1 Subject Site & Surrounding Area

The subject site is located at 1 Wivell Street, Legana, within the General Residential Zone under the *Tasmanian Planning Scheme – West Tamar*. The lot is an irregular-shaped parcel of approximately 953m², incorporating an access handle to Wivell Street which provides direct vehicular access to the local road network. The site is considered to have frontage to both Bindaree Road and Ridge Road, which are identified as *local collector roads* within the Legana Structure Plan, however no direct vehicular access is considered for these roads.

The site is unconstrained in planning terms containing no overlays within the Local Provisions Schedule, including non-LPS overlays such as Tasmanian Strategic Flood Map, Tasmanian Heritage Register and Threatened Native Vegetation Communities. It is not affected by a Specific Area Plan, site-specific qualification, or other local planning qualification.

Topographically, the land generally sits between the 40m and 35m AHD contours and slopes at an approximate 7° gradient from west to east.

The lot is fully serviced, being connected to reticulated water, sewer and stormwater infrastructure.



Figure 1 – View across the subject site.

In the broader context:

- **West:** The site adjoins other General Residential properties, with land in the Rural Living Zone further to the west. This rural living land has been identified in the Legana Structure Plan as an area likely to urbanise in the longer term.
- **North and South:** Substantial areas of General Residential-zoned land exist.
- **East:** The site adjoins further General Residential land, with the Future Urban Zone located more broadly to the east.

The property forms part of a recently established residential subdivision, which began development around 2019, and with titles issued in 2021. The surrounding housing stock reflects a typical contemporary residential subdivision pattern, comprising predominantly single dwellings and multiple dwelling developments consistent with the General Residential Zone.

Overall, the subject site is an irregular-shaped residential lot with an access handle, situated within a newly constructed subdivision.

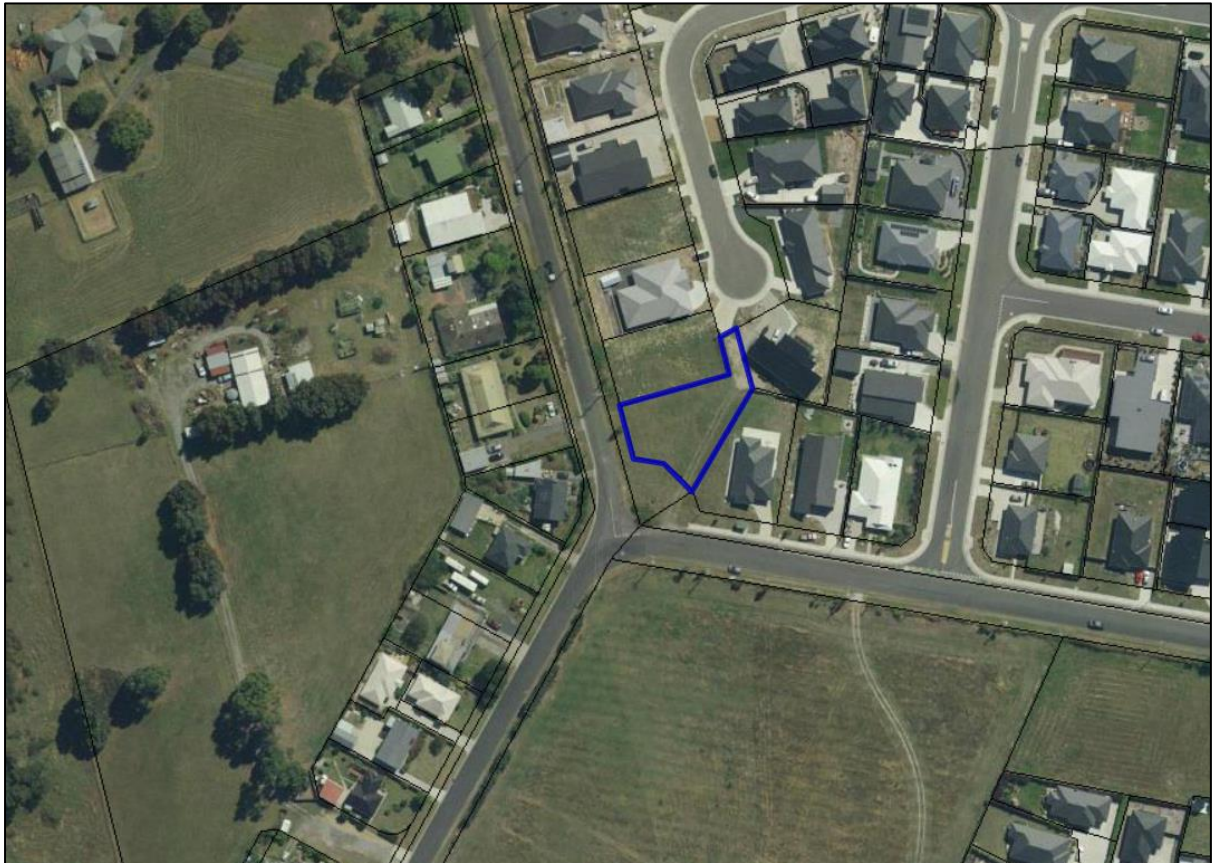


Figure 2 - Aerial view of subject site (highlighted in blue) and surrounding area. Source: LISTMAP

2.2 Planning Matters

2.2.1 General Residential Zone

The subject site is located within the General Residential Zone under the Tasmanian Planning Scheme. In accordance with the Local Provisions Schedule (LPS) guidelines issued by the Tasmanian Planning Commission, the General Residential Zone represents the primary residential areas of established settlements. This zone is typically applied to unconstrained residential land that is fully serviced by reticulated infrastructure and not intended for higher density residential developments (e.g. apartment buildings).

As the site falls within this zone, any proposed development is required to be assessed against the zone purpose statements and the applicable standards of the General Residential Zone demonstrating compliance with these provisions in order to be approved.

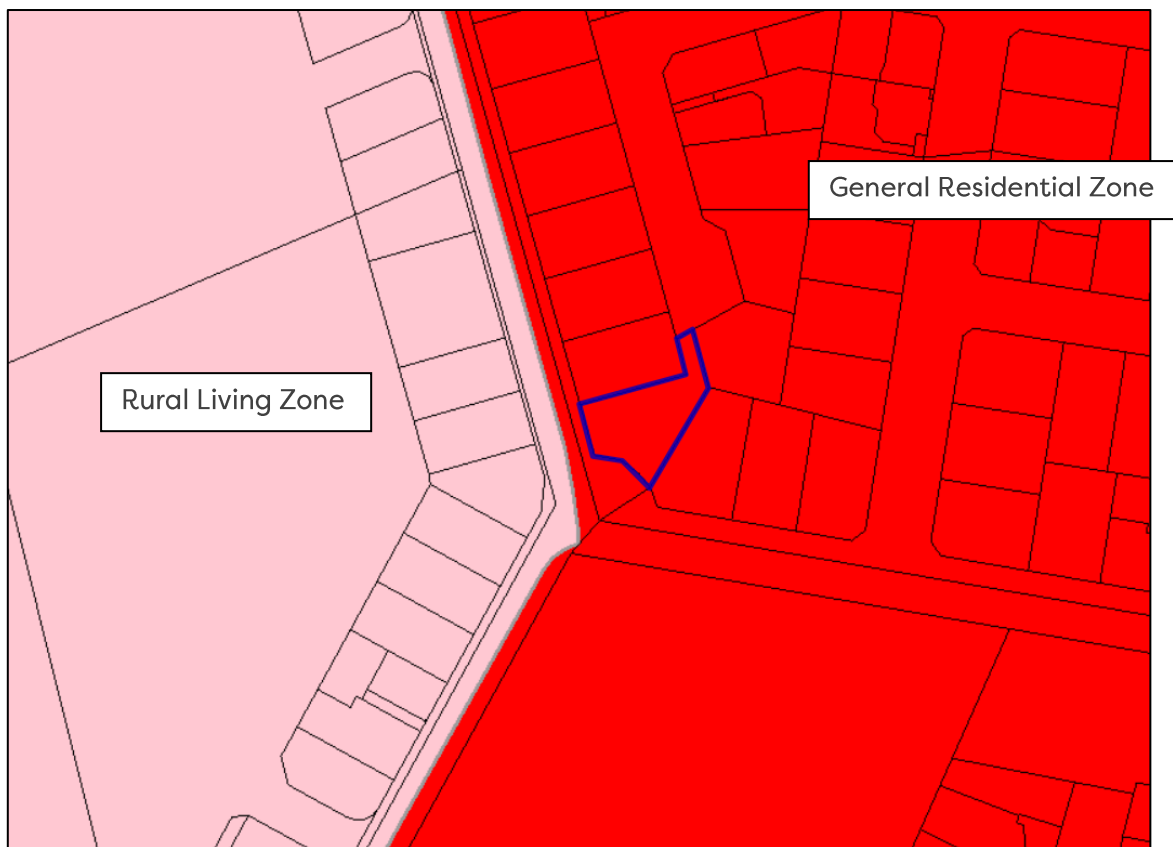


Figure 3 – Zoning of subject site (highlighted in blue) and surrounding area. Source: LISTMAP

2.2.2 Carparking and Sustainable Transport Code

The Parking and Sustainable Transport Code applies to all use and development under the Planning Scheme. As such, the majority of proposals are considered against this Code. The intent of the provisions is to ensure development delivers suitable and usable parking facilities and supports the integration of active and sustainable transport infrastructure.

Although, the code does have a parking precinct overlay, this does not affect the site.

As the proposal involves the development of a multiple dwelling, the Code is applicable to this application, and an assessment against its provisions is required.

3.0 Proposed Use and Development

3.1 Proposal

The proposal is for the construction of three multiple dwellings at 1 Wivell Street, Legana. Each dwelling is a single-storey, two-bedroom unit with one bathroom, an open-plan living, kitchen, and dining area, and an attached carport. All three dwellings follow the same layout, with an overall floor area of 72.5m².

The buildings are low-profile structures with a maximum height of 3.771m, designed with a 5° skillion roof to reduce bulk and visual impact. Due to the slope of the land, some moderate cut and fill is proposed, with the finished building heights above natural ground level as follows:

- Unit 1 – 4.47m
- Unit 2 – 4.65m
- Unit 3 – 4.67m

The dwellings are oriented on a northeast to southwest axis, allowing their main living areas to face northwest. This orientation provides solar access during the evening and ensures that the private open space to the northwest of each dwelling is not overshadowed by adjoining buildings on the site.

Vehicle access is provided via the existing 4m-wide access handle to Wivell Street, which incorporates several 5m x 2m passing bays.

Parking is allocated as follows:

- Units 2 and 3 each contain tandem parking spaces.
- Unit 1 has one space beneath the carport and a second directly to the north of the unit.
- An additional on-site space adjacent Unit 1's parking is provided for use as visitor parking.

The development will be fully serviced by reticulated water, sewer and stormwater infrastructure.

3.2 Proposal plans

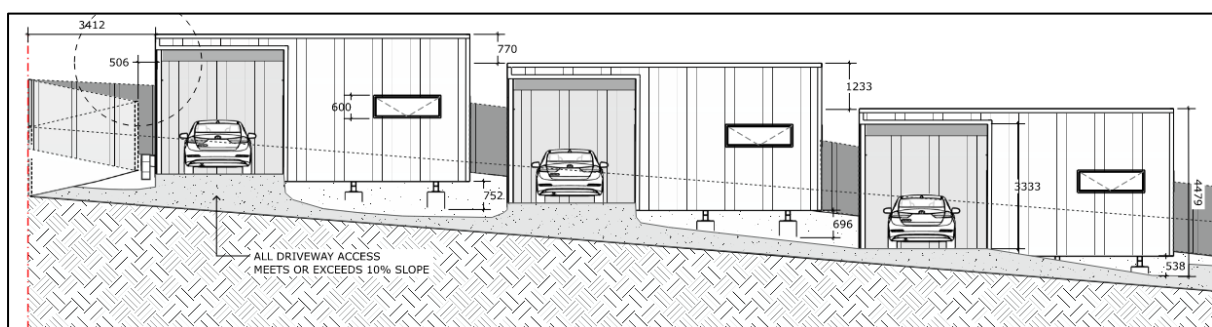


Figure 4 - Proposal Plan – Elevations. Source: Offest Australia

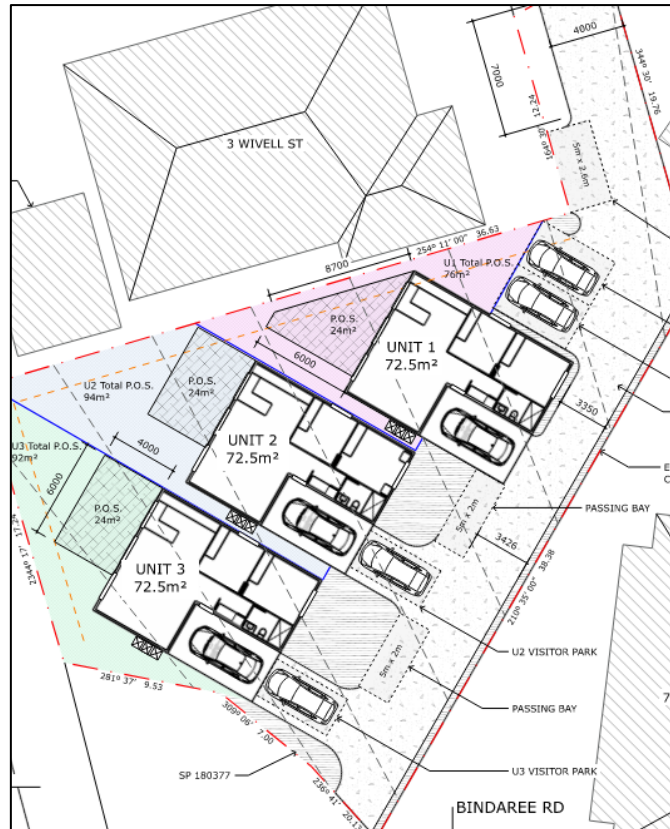


Figure 5 - Proposal Plan – Site Plan. Source: Offest Australia

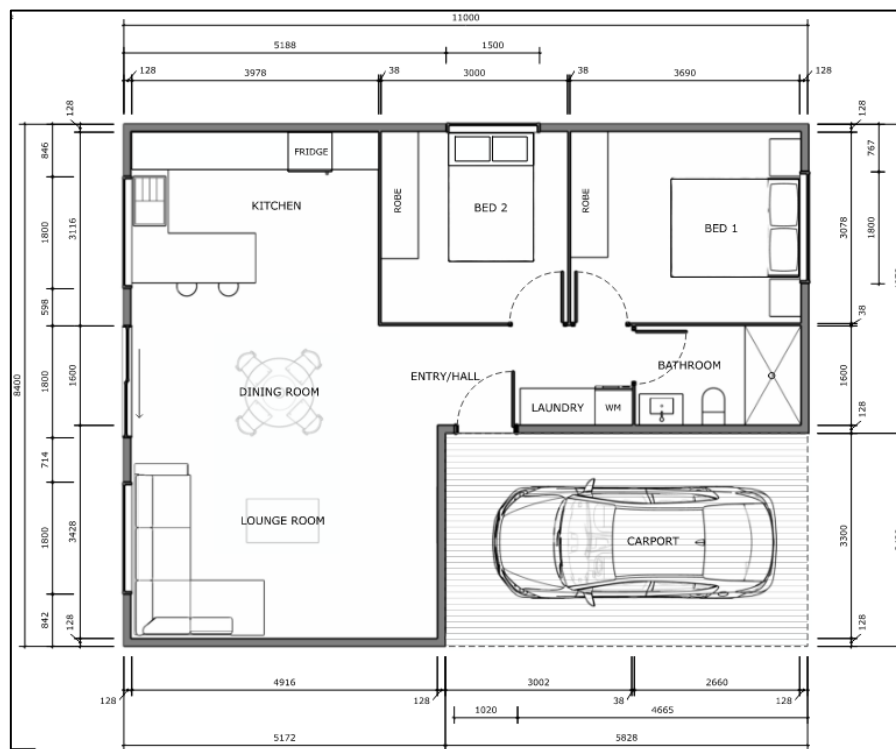


Figure 6 - Proposal Plan – Floor Plan. Source: Offest Australia

A full set of plans is included with the application.

4.0 Planning Assessment

4.1 Planning Scheme Zone Assessment

8.0 General Residential Zone

8.1 Zone Purpose

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.

Planners Response:

The proposal is for a multiple dwelling development that utilises an existing serviced site within the General Residential Zone. The site is fully connected to reticulated water, sewer and stormwater infrastructure, consistent with the intent of this zone to accommodate residential use where full services are available. The development will introduce three (3) two-bedroom dwellings into current housing stock, increasing housing supply and contributing to the range of dwelling types available within the settlement.

Recent demographic analysis as part of the residential supply and demand study (REMPAN, 2024) indicates that household sizes in the area are projected to decrease from 2.64 persons per dwelling to 2.5 by 2040. In addition, the proportion of lone households is expected to increase by approximately 68.67% (from 332 to 560 households), alongside an overall population growth of 47.12% and an increase in the elderly population. Accordingly, the provision of smaller two-bedroom dwellings will provide downsizing opportunities for older residents and affordable housing options for smaller households, supporting the intent of this purpose.

The proposal represents an efficient use of existing social, transport, and service infrastructure. The site is located approximately 400 metres walk from the nearest public bus stop, providing access to public transport and broader services within Legana and the wider region. The development takes advantage of available servicing and infrastructure already in place, consistent with the efficient utilisation objective.

No non-residential use is proposed as part of this application. Accordingly, there will be no potential for unreasonable loss of amenity associated with noise, traffic generation, or other off-site impacts.

The proposal does not include visitor accommodation. As such, this purpose is not

applicable to the assessment of this application.

The proposed development of three multiple dwellings at 1 Wivell Street, Legana is consistent with the purpose of the General Residential Zone. The development provides a range of smaller dwelling types to meet the projected demand for downsizing and affordable housing, efficiently utilises existing infrastructure, and does not include non-residential uses or visitor accommodation that could impact the amenity of the area. Overall, the proposal aligns with the zone's objectives to support sustainable, serviced, and appropriately scaled residential development within the settlement.

Use Table

Use Class	Qualification
No Permit Required	
Natural and Cultural Values Management	
Passive Recreation	
Residential	If for a single dwelling.
Utilities	If for minor utilities.
Permitted	
Residential	If not listed as No Permit Required.
Visitor Accommodation	
Discretionary	
Business and Professional Services	If for a consulting room, medical centre, veterinary centre, child health clinic, or for the provision of residential support services.
Community Meeting and Entertainment	If for a place of worship, art and craft centre, public hall, community centre or neighbourhood centre.
Educational and Occasional Care	If not for a tertiary institution.
Emergency Services	
Food Services	If not for a take away food premises with a drive through facility.
General Retail and Hire	If for a local shop.
Sports and Recreation	If for a fitness centre, gymnasium, public swimming pool or sports ground.
Utilities	If not listed as No Permit Required.
Prohibited	

All other uses	
<p>Planners Response:</p> <p>The proposal is for multiple dwellings, which is classified under the <i>Residential</i> use class as defined in the <i>Tasmanian Planning Scheme</i>. <i>Residential</i> means:</p> <p>use of land for self-contained or shared accommodation. Examples include a <i>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</i>.</p> <p>A multiple dwelling development clearly falls within this use class. Within the General Residential Zone, a multiple dwelling is a <i>Permitted</i> use.</p>	

8.3 Use Standards

8.3.1 Discretionary uses

<p>Planners Response Not applicable to application.</p> <p>Discretionary use not proposed. Proposal's use class is considered a <i>Permitted</i> use class. Standards within 8.3.1 are only applicable to discretionary uses proposed within the zone, therefore the proposal for a <i>Permitted</i> use is not applicable to the application.</p>

8.3.2 Visitor Accommodation

<p>Planners Response: Not applicable to application.</p> <p>The proposal does not include Visitor Accommodation and is for a Multiple Dwelling development, which falls within the <i>Residential</i> use class. The Visitor Accommodation standards are only applicable where Visitor Accommodation is proposed. As no such use is included in this application, these standards are not relevant and are not applicable to the assessment of the proposal.</p>

8.4 Development Standards for Dwellings

8.4.1 Residential density for multiple dwellings

Objective:	That the density of multiple dwellings:
	(a) makes efficient use of land for housing; and
	(b) optimises the use of infrastructure and community services.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Multiple dwellings must have a site area per dwelling of not less than 325m².</p>	<p>P1</p> <p>Multiple dwellings must only have a site area per dwelling that is less than 325m², if the development will not exceed the capacity of infrastructure services and:</p>

	<p>(a) is compatible with the density of existing development on established properties in the area; or</p> <p>(b) provides for a significant social or community benefit and is:</p> <ul style="list-style-type: none"> (i) wholly or partly within 400m walking distance of a public transport stop; or (ii) wholly or partly within 400m walking distance of an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone, Central Business Zone or Commercial Zone.
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Planners Response: Relies on Performance criteria

The proposal involves the construction of three multiple dwellings on the subject site at 1 Wivell Street, Legana. In considering compliance with P1, regard has been given to the clause objectives under (a) and (b).

The proposed dwellings are designed to provide a compliant area of private open space, on-site parking, and manoeuvring, while accommodating three dwellings on a lot of 953m², resulting in an average site area per dwelling slightly below 325m². The development is intended to be compatible with the existing density of residential development in the surrounding General Residential Zone. Observations of the area indicate multiple nearby developments with site areas per dwelling ranging between approximately 325–360m², demonstrating that the proposed density is generally consistent with the established pattern.

The proposed dwellings are fully serviced by reticulated water, sewer, and stormwater infrastructure. Based on available information, the surrounding infrastructure has sufficient capacity to accommodate the additional dwellings without adverse impact, consistent with the performance criteria requirement that development not exceed the capacity of services.

The proposal also meets aspects of P1(b), in that the site is located approximately 400 metres from a public bus stop on Bindaree Road, (or 35 metres with direct access) providing access to public transport within walking distance. The layout of the dwellings and potential pedestrian connectivity could further enhance access to transport services, supporting reduced reliance on private vehicles. The dwellings are also considered to provide a social benefit, being smaller in size, and designed so they are more affordable than typical dwellings in Legana (i.e. no contained garage).

In terms of compatibility with the surrounding area, TASCAT precedent (M Drury v Clarence City Council, 2020 TASRMPAT 26) notes that compatibility refers to the ability of development to exist in harmony with adjacent properties. In this context, the proposed three-dwelling development aligns with the existing character and density of nearby General Residential Zoned land, and is not considered to introduce a substantially different site area standard or development intensity.

The below image provides an indication of existing multiple dwelling developments in the surrounding area. It is considered that the proposed three dwellings will be in harmony with the existing use and character of established properties in the surrounding area based on what currently exists.



Figure 7 - Aerial view of the surrounding area, showing existing multiple dwelling sites in green

Opportunities to improve pedestrian connectivity from the rear of the property may further support the objectives of the standard. Feedback from Council indicates there may be scope to provide rear pedestrian access onto Bindaree Road, upon completion of a roundabout works.

Overall, the development is considered capable of meeting the performance criteria of P1, ensuring that it does not exceed infrastructure capacity and is compatible with the existing density and character of surrounding residential development, while supporting access to public transport

8.4.2 Setbacks and building envelope for all dwellings

Objective:	<p>The siting and scale of dwellings:</p> <ul style="list-style-type: none"> (a) provides reasonably consistent separation between dwellings and their frontage within a street; (b) provides consistency in the apparent scale, bulk, massing and proportion of dwellings; (c) provides separation between dwellings on adjoining properties to allow reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space; and (d) provides reasonable access to sunlight for existing solar energy installations.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that</p>	<p>P1</p> <p>A dwelling must have a setback from a frontage that is compatible with the streetscape, having regard to any topographical constraints.</p>

<p>is:</p> <ul style="list-style-type: none"> (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 (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>Planners Response: Relies on performance criteria.</p> <p>Under the Tasmanian Planning Scheme, <i>frontage</i> is defined as a ‘boundary of a lot which abuts a road’. In this case, the subject site has frontage to Wivell Street, Bindaree Road and Ridge Road. Although the proposal’s primary frontage and access is from Wivell Street, Unit 3 is located less than 3 metres from the Ridge Road frontage, which technically triggers assessment under this provision.</p> <p>The subject lot is irregularly shaped, with a significant extent of frontage to Ridge Road and Bindaree Road. Due to the site’s configuration and the indentation of the boundary, the opportunity for alternative dwelling placement is limited. However, the reduced setback does not result in a significant adverse impact to the established streetscape.</p> <p>The primary access and interface for the development is to Wivell Street, which functions as the local street for this subdivision. No access is proposed to either Bindaree Road or Ridge Road, which are classified as local collector roads. As such, the orientation of the dwellings is directed toward Wivell Street, with the rear boundaries of properties generally abutting Ridge Road. This pattern is consistent throughout the subdivision, where Ridge Road effectively functions as a rear boundary interface, rather than a primary frontage.</p> <p>The topography of the site also contributes to this outcome, as the land slopes away from Ridge Road. This reduces the ability for development to directly front that road, while also minimising direct visual and physical connections. As a result, the Ridge Road</p>	

boundary is treated more as a rear fence line to the subdivision, rather than an active street frontage. This pattern is further evidenced by existing development, such as the outbuilding at 3 Wivell Street, which directly abuts Ridge Road. A 1.8m Colorbond fence is provided along the rear boundary, which provides screening of the dwelling when viewed from public areas. Similar fencing is evident on the eastern side of the Ridge Road.

On this basis, the reduced setback to Ridge Road for Unit 3 is considered compatible with the existing subdivision pattern and the character of the streetscape, having regard to both the topographical constraints of the land and the way Ridge Road functions as a rear boundary within the area.

A2

A garage or carport for a dwelling must have a setback from a primary frontage of not less than:

- (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.

P2

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.

Planners Response: Complies with acceptable solution.

Setback of the carport is in excess of 5.5m from the primary frontage (Wivell Street).

A3

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:

- (a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by:
 - (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

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; and

<p>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>(iii) 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>(c) 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>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;</p> <p>(b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and</p> <p>(c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:</p> <p>(i) an adjoining property; or</p> <p>(ii) another dwelling on the same site.</p>
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Planners Response: Relies on performance criteria.

The proposed dwellings are single-storey, small-scale structures with modest overall height and floor area. As the site slopes down from the primary frontage, the apparent bulk and scale of the buildings is further reduced when viewed from the road reserves and their single storey won't appear bulky to neighbouring dwellings. In this context, the dwellings are not expected to cause issues of visual dominance or create unreasonable amenity impacts for neighbouring properties.

In relation to overshadowing, shading from the proposed buildings will be largely

contained within the subject site. Any limited shadowing beyond the lot will fall across the internal access handle or the adjoining road reserve, rather than directly affecting the private open space or habitable living areas of nearby dwellings. The orientation of the dwellings ensures that the proposal does not result in an unreasonable loss of sunlight to the other dwellings proposed.

The setbacks and separation distances provided are consistent with the established pattern of residential development in the surrounding General Residential Zone. This spacing ensures that the development integrates appropriately into the area in a similar manner to proximate multiple dwelling developments and avoids an appearance of overcrowding.

No solar energy installations on adjoining properties or within the site will be adversely affected by the proposal.

On this basis, the siting and scale of the dwellings are considered to be appropriate with the development maintaining amenity, avoiding unreasonable overshadowing, and providing separation consistent with the character of the surrounding residential area.

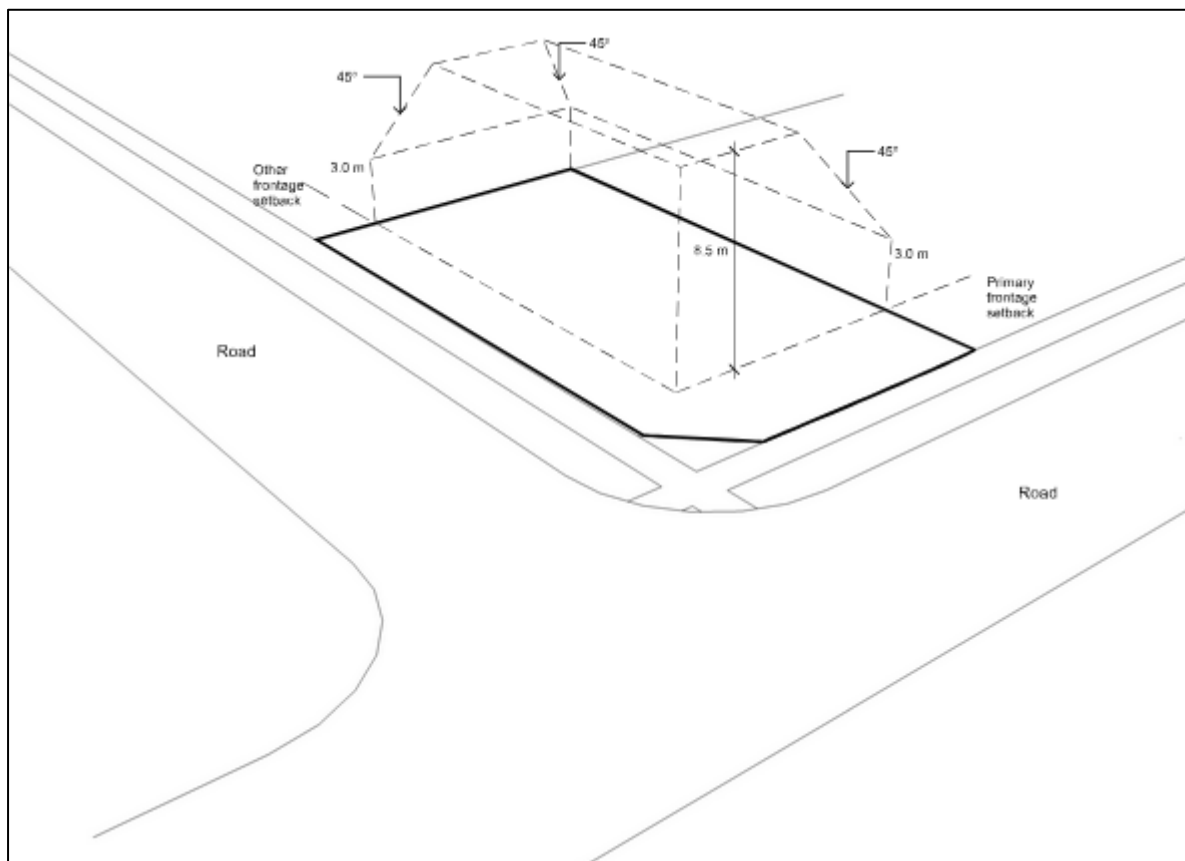


Figure 7 - Excerpt of Figure 8.3 - Building envelope as required by clause 8.4.2 A3(a) and clause 8.5.1 A2(a)

8.4.3 Site coverage and private open space for all dwellings

Objective:	<p>That dwellings are compatible with the amenity and character of the area and provide:</p> <ul style="list-style-type: none"> (a) for outdoor recreation and the operational needs of the residents; (b) opportunities for the planting of gardens and landscaping; and (c) private open space that is conveniently located and has access to sun-light.
Acceptable Solutions	Performance Criteria
<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>P1</p> <p>Dwellings must have:</p> <ul style="list-style-type: none"> (a) site coverage consistent with that existing on established properties in the area; (b) private open space that is of a size and with dimensions that are appropriate for the size of the dwelling and is able to accommodate: <ul style="list-style-type: none"> (i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any common open space provided for this purpose within the development; and (ii) operational needs, such as clothes drying and storage; and (c) reasonable space for the planting of gardens and landscaping.
<p>Planners Response: Complies with acceptable solution.</p> <p>Site coverage is 217.26m² or approximately 22.79%.</p> <p>Each dwelling is provided with private open space in excess of 60m².</p> <p>Complies with acceptable solution.</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 	<p>P2</p> <p>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:</p> <ul style="list-style-type: none"> (a) conveniently located in relation to a living area of the dwelling; and (b) orientated to take advantage of sunlight.

- 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:
- (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.

Planners Response: Complies with acceptable solution.

The proposed dwelling includes private open space that meets all the requirements of this acceptable solution. The primary private open space of each dwelling is provided in one location with a total area exceeding 24m², has a minimum horizontal dimension greater than 4m, is not located between the dwelling and the frontage, and is located on a part of the site with a gradient less than 1 in 10.

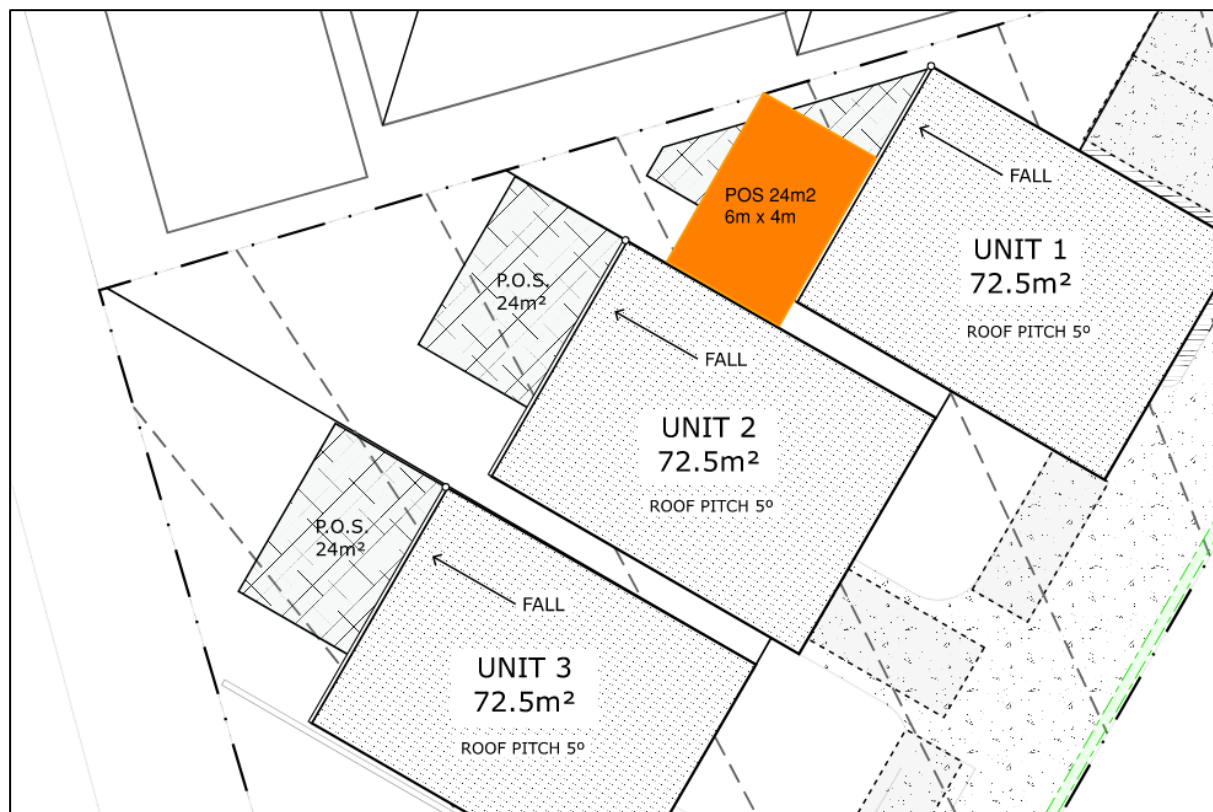


Figure 8 – Private open space of each dwelling – Unit 1 shown in orange to provide consistent dimensions and position to demonstrate compliance with standard.

The acceptable solution is therefore met.

8.4.4 Sunlight to private open space of multiple dwellings

Objective:	That the separation between multiple dwellings provides reasonable opportunity for sunlight to private open space for dwellings on the same site.
Acceptable Solutions	Performance Criteria
<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 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> <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>P1</p> <p>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.</p>
<p>Planners Response: Complies with acceptable solution.</p> <p>The proposal meets the acceptable solution, as the siting and scale of the dwellings will not result in more than 50% of the private open space of any dwelling receiving less than 3</p>	

hours of sunlight between 9:00am and 3:00pm on 21 June. This is demonstrated in the shadow diagrams. Complies.

8.4.5 Width of openings for garages and carports for all dwellings

Objective:	To reduce the potential for garage or carport openings to dominate the primary frontage.	
Acceptable Solutions		Performance Criteria
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).	P1 A garage or carport for a dwelling must be designed to minimise the width of its openings that are visible from the street, so as to reduce the potential for the openings of a garage or carport to dominate the primary frontage.
Planners Response: Not applicable to application. No garage or carport within 12m. Not applicable to the application.		

8.4.6 Privacy for all dwellings

Objective:	To provide a reasonable opportunity for privacy for dwellings.	
Acceptable Solutions		Performance Criteria
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; 	P1 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 be screened, or otherwise designed, to minimise overlooking of: <ul style="list-style-type: none"> (a) a dwelling on an adjoining property or its private open space; or (b) another dwelling on the same site or its private open space.

<p>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and</p> <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>Planners Response: Complies with acceptable solution.</p> <p>No balcony, deck, roof terrace, parking space, or carport for a dwelling has a floor level exceeding 1m of the natural ground level. Complies.</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 	<p>P2</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 be screened, or otherwise located or designed, to minimise direct views to:</p> <ul style="list-style-type: none"> (a) a window or glazed door, to a habitable room of another dwelling; and (b) the private open space of another dwelling.

<p>edge of a window or glazed door, to a habitable room of another dwelling;</p> <p>(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> <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>Planners Response: Complies with acceptable solution.</p> <p>No window or glazed door for a dwelling has a floor level exceeding 1m of the natural ground level. Complies.</p>	
<p>A3</p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than:</p> <p>(a) 2.5m; or</p> <p>(b) 1m if:</p> <p>(i) it is separated by a screen of not less than 1.7m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level.</p>	<p>P3</p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise unreasonable impact of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.</p>
<p>Planners Response: Relies on performance criteria.</p> <p>In relation to P3, Units 2 and 3 are appropriately setback from the shared access and are considered to comply with the intent of the provision. The combination of sill heights above 1.7m and separation from the access ensures that these dwellings will not be subject to unreasonable impacts from vehicle noise or light intrusion.</p>	

Unit 1 is located within 1m of the shared access (approximately 500mm) and therefore relies on performance criteria. The habitable room window adjacent to the access is a highlight window with a sill height above 1.7m, allowing natural light while limiting any potential impact from headlights. Given the linear alignment of the driveway, vehicle lights are generally directed along the access and not directly into dwellings. In addition, the topography and raised construction on piers mean that vehicle headlights will typically fall below the sill line, further reducing potential intrusion.

Generally, traffic moving within the site is low speed low intensity traffic, and vehicle movements are not excessively frequent. Current construction standards, including double glazing and insulation requirements, will also contribute to noise attenuation. Although conditioning around this aspect could be considered, the impacts are not considered to warrant this approach. On balance, the development is not expected to result in unreasonable noise or light intrusion to habitable rooms, and therefore is considered to satisfy the performance criteria.

8.4.7 Frontage fences for all dwellings

Objective:	<p>The height and transparency of frontage fences:</p> <ul style="list-style-type: none"> (a) provides adequate privacy and security for residents; (b) allows the potential for mutual passive surveillance between the road and the dwelling; and (c) is reasonably consistent with that on adjoining properties.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>No Acceptable Solution.¹</p>	<p>P1</p> <p>A fence (including a free-standing wall) for a dwelling within 4.5m of a frontage must:</p> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (i) the topography of the site; and (ii) traffic volumes on the adjoining road.
<p>Planners Response: Relies on performance criteria.</p> <p>The proposed front fence exceeds the exemption height under the planning scheme and is therefore assessed against the performance criteria. The site has frontage to both Ridge Road and Bindaree Road, however the primary property interface is oriented toward Wivell Street. Along Wivell Street and within the surrounding area, there is an established pattern of higher fencing that provides for privacy while still allowing an adequate level of passive surveillance of the road. In this context, the proposed fencing is considered compatible with the existing streetscape and consistent with the character of fencing in the locality.</p> <p>Given the topography of the site, indented boundary on the corner of Bindaree Road/Ridge Road, sight lines will not be obstructed and the impact to the road reserves will be negligible. On balance, the proposal is considered acceptable when assessed against the performance criteria.</p>	

8.4.8 Waste storage for multiple dwellings

Objective:	To provide for the storage of waste and recycling bins for multiple dwellings.
Acceptable Solutions	Performance Criteria
<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>P1</p> <p>A multiple dwelling must have storage for waste and recycling bins that is:</p> <ul style="list-style-type: none"> (a) capable of storing the number of bins required for the site; (b) screened from the frontage and any dwellings; and (c) if the storage area is a common storage area, separated from any dwellings to minimise impacts caused by odours and noise.
<p>Planners Response: Not applicable to application.</p> <p>Multiple dwellings each contain a dedicated bin area sufficient to meet the dimension requirements outlined in the acceptable solution.</p>	

8.5 Development Standards for Non-dwellings

Planners Response: Not applicable to application.

Development is not for 'non-dwelling' therefore the proposal is not applicable to the application.

8.6 Development Standards for Subdivision

Planners Response: Not applicable to application.

Development is not for subdivision, therefore the proposal is not applicable to the application.

4.2 Planning Scheme Code Assessment

C2.0 Parking and Sustainable Transport Code

C2.1 Code Purpose

The purpose of the Parking and Sustainable Transport Code is:

- C2.1.1 To ensure that an appropriate level of parking facilities is provided to service use and development.
- C2.1.2 To ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas.
- C2.1.3 To ensure that access for pedestrians, vehicles and cyclists is safe and adequate.
- C2.1.4 To ensure that parking does not cause an unreasonable loss of amenity to the surrounding area.
- C2.1.5 To ensure that parking spaces and accesses meet appropriate standards.
- C2.1.6 To provide for parking precincts and pedestrian priority streets.

C2.5 Use Standards

C2.5.1 Car parking numbers

Objective:	That an appropriate level of car parking spaces are provided to meet the needs of the use.	
Acceptable Solutions		Performance Criteria
A1 The number of on-site car parking spaces must be no less than the number specified in Table 2.1, less the number of car parking spaces that cannot be provided due to the site including container refund scheme space, 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: 		P1.1 The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to: <ul style="list-style-type: none"> (a) the availability of off-street public car parking spaces within reasonable walking distance of the site; (b) the ability of multiple users to share spaces because of: <ul style="list-style-type: none"> (i) variations in car parking demand over time; or (ii) efficiencies gained by consolidation of car parking spaces; (c) the availability and frequency of public transport within reasonable walking distance of the site; (d) the availability and frequency of other transport alternatives;

<p>(i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or</p> <p>(ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:</p> <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>(e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;</p> <p>(f) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;</p> <p>(g) the effect on streetscape; and</p> <p>(h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development.</p> <p>P1.2</p> <p>The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to:</p> <p>(a) the nature and intensity of the use and car parking required;</p> <p>(b) the size of the dwelling and the number of bedrooms; and</p> <p>(c) the pattern of parking in the surrounding area.</p>
<p>Planners Response: Complies with acceptable solution.</p> <p>The proposal meets the acceptable solution outlined. The number of on-site car parking spaces provided complies with the requirements specified in Table C2.1 of the planning scheme i.e. 6 dedicated parking spaces (2 for each dwelling) & 1 visitor parking space.</p>	

C2.5.2 Bicycle parking numbers

Objective:	That an appropriate level of bicycle parking spaces are provided to meet the needs of the use.
Acceptable Solutions	Performance Criteria

A1 Bicycle parking spaces must: <ul style="list-style-type: none"> (a) be provided on the site or within 50m of the site; and (b) be no less than the number specified in Table C2.1. 	P1 Bicycle parking spaces must be provided to meet the reasonable needs of the use, having regard to: <ul style="list-style-type: none"> (a) the likely number of users of the site and their opportunities and likely need to travel by bicycle; and (b) the availability and accessibility of existing and any planned parking facilities for bicycles in the surrounding area.
Planners Response: Not applicable to application. No bicycle parking required for this development under Table C2.1	

C2.5.3 Motorcycle parking numbers

Objective:	That the appropriate level of motorcycle parking is provided to meet the needs of the use.	
Acceptable Solutions		Performance Criteria
A1 The number of on-site motorcycle parking spaces for all uses must: <ul style="list-style-type: none"> (a) be no less than the number specified in Table C2.4; and (b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained. 		P1 Motorcycle parking spaces for all uses must be provided to meet the reasonable needs of the use, having regard to: <ul style="list-style-type: none"> (a) the nature of the proposed use and development; (b) the topography of the site; (c) the location of existing buildings on the site; (d) any constraints imposed by existing development; and (e) the availability and accessibility of motorcycle parking spaces on the street or in the surrounding area.
Planners Response: Not applicable to application. Use does not require more than 20 carparking spaces as per Table C2.4 – Therefore complies.		

C2.5.4 Loading Bays

Objective:	That adequate access for goods delivery and collection is provided, and to avoid unreasonable loss of amenity and adverse impacts on traffic flows.	
Acceptable Solutions		Performance Criteria
A1 A loading bay must be provided for uses with a floor area of more than 1000m ² in a single occupancy.		P1 Adequate space for loading and unloading of vehicles must be provided, having regard to: (a) the type of vehicles associated with the use; (b) the nature of the use; (c) the frequency of loading and unloading; (d) the location of the site; (e) the nature of traffic in the surrounding area; (f) the area and dimensions of the site; and (g) the topography of the site; (h) the location of existing buildings on the site; and (i) any constraints imposed by existing development.
Planners Response: Not applicable to application. As per Clause C2.2.3, development for the Residential use class is not required to be assessed against this standard. Therefore, this standard is not applicable to the proposal.		

C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential Zone

Objective:	To: <ul style="list-style-type: none"> (a) facilitate the reuse of existing non-residential buildings within the General Residential Zone and Inner Residential Zone; and (b) to not cause an unreasonable impact on residential amenity by the car parking generated by that reuse.
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Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for:</p> <p>(a) Food Services uses up to 100m² floor area or 30 seats, whichever is the greater; and</p> <p>(b) General Retail and Hire uses up to 100m² floor area,</p> <p>provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone.</p>	<p>P1</p> <p>Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, the number of on-site car parking spaces must be sufficient to meet the reasonable needs of users and must not cause an unreasonable impact on residential amenity, having regard to:</p> <p>(a) car parking demand generated by the proposed use during its proposed hours of operation;</p> <p>(b) the availability of on-street and public car parking in the surrounding area;</p> <p>(c) the availability and frequency of public transport within a 400m walking distance of the site;</p> <p>(d) the availability and likely use of other modes of transport;</p> <p>(e) the availability and suitability of alternative arrangements for car parking provision;</p> <p>(f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;</p> <p>(g) any car parking deficiency or surplus associated with the existing use of the land;</p> <p>(h) any relevant parking plan for the area adopted by council;</p> <p>(i) any existing on-street car parking restrictions; and</p> <p>(j) the proportion of residential properties without off-street parking within a 100m radius of the subject site.</p>
<p>Planners Response: Not applicable to application.</p>	

As per Clause C2.2.4, development for the Residential use class is not required to be assessed against this standard. Therefore, this standard is not applicable to the proposal.

C2.6 Development Standards for Buildings and Works

C2.6.1 Construction of parking areas

Objective:	That parking areas are constructed to an appropriate standard.	
Acceptable Solutions		Performance Criteria
A1		P1
All parking, access ways, manoeuvring and circulation spaces must:		All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed so that they are useable in all weather conditions, having regard to:
(a) be constructed with a durable all weather pavement;		(a) the nature of the use;
(b) be drained to the public stormwater system, or contain stormwater on the site; and		(b) the topography of the land;
(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.		(c) the drainage system available;
		(d) the likelihood of transporting sediment or debris from the site onto a road or public place;
		(e) the likelihood of generating dust; and
		(f) the nature of the proposed surfacing.
Planners Response: Complies with acceptable solution.		
The proposal is located within the General Residential Zone. All parking, access, and manoeuvring areas will be sealed with a durable, all-weather surface to prevent surface abrasion and minimise dust or sediment transfer in the road reserve or within the site. These areas will be appropriately drained to the reticulated stormwater system the site is connected to, ensuring effective water management. The proposal is considered compliant with the acceptable solution.		

C2.6.2 Design and layout of parking areas

Objective:	That parking areas are designed and laid out to provide convenient, safe and efficient parking.	
Acceptable Solutions	Performance Criteria	

<p>A1.1</p> <p>Parking, access ways, manoeuvring and circulation spaces must either:</p> <p>(a) comply with the following:</p> <ul style="list-style-type: none"> (i) have a gradient in accordance with <i>Australian Standard AS 2890 - Parking facilities, Parts 1-6</i>; (ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces; (iii) have an access width not less than the requirements in Table C2.2; (iv) have car parking space dimensions which satisfy the requirements in Table C2.3; (v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces; (vi) have a vertical clearance of not less than 2.1m above the parking surface level; and (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</i> 	<p>P1</p> <p>All parking, access ways, manoeuvring and circulation spaces must be designed and readily identifiable to provide convenient, safe and efficient parking, having regard to:</p> <ul style="list-style-type: none"> (a) the characteristics of the site; (b) the proposed slope, dimensions and layout; (c) useability in all weather conditions; (d) vehicle and pedestrian traffic safety; (e) the nature and use of the development; (f) the expected number and type of vehicles; (g) the likely use of the parking areas by persons with a disability; (h) the nature of traffic in the surrounding area; (i) the proposed means of parking delineation; and (j) the provisions of <i>Australian Standard AS 2890.1:2004 - Parking facilities, Part 1: Off-street car parking</i> and <i>AS 2890.2 - 2002 Parking facilities, Part 2: Off-street commercial vehicle facilities</i>.
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Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities. ¹	
<p>Planners Response: Relies on performance criteria.</p> <p>The site provides a gradient that is in accordance with the Australian standard. There is a slight fall to the east.</p> <p>All vehicles can enter and exit the site in a forward direction. There is ample turning and manoeuvring area that allows vehicles to reverse from individual units and leave the site in a forward direction.</p> <p>The access has a width of 4m for the first 7m, which is less than the required 4.5m width. The driveway width is considered appropriate, with passing bays provided to ensure adequate room to pull over and allow drivers through. Traffic movements to and from the site will be minimal, with all vehicle travelling in a very low speed environment.</p> <p>Within the carports, the vertical clearance exceeds 2.1m, and the gradient of the car parking area is consistent with Australian Standard AS 2890, with the parking and accessways meeting these gradients under this standard.</p> <p>Accordingly, the proposal is considered to meet the performance criteria.</p>	

¹Requirements for the number of accessible car parking spaces are specified in part D3 of the National Construction Code 2016.

C2.6.3 Number of accesses for vehicles

Objective:	<p>That:</p> <ul style="list-style-type: none"> (a) access to land is provided which is safe and efficient for users of the land and all road network users, including but not limited to drivers, passengers, pedestrians and cyclists by minimising the number of vehicle accesses; (b) accesses do not cause an unreasonable loss of amenity of adjoining uses; and (c) the number of accesses minimise impacts on the streetscape.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>The number of accesses provided for each frontage must:</p> <ul style="list-style-type: none"> (a) be no more than 1; or (b) no more than the existing number of accesses, whichever is the greater. 	<p>P1</p> <p>The number of accesses for each frontage must be minimised, having regard to:</p> <ul style="list-style-type: none"> (a) any loss of on-street parking; and (b) pedestrian safety and amenity; (c) traffic safety; (d) residential amenity on adjoining land; and (e) the impact on the streetscape.

Planners Response: Complies with acceptable solution.

Only one (1) access is located on the frontage. Council has indicated a second access onto Bindaree Road is not possible due to a future round about. Complies with the acceptable solution.

A2

Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.

P2

Within the Central Business Zone or in a pedestrian priority street, any new accesses must:

- (a) not have an adverse impact on:
 - (i) pedestrian safety and amenity; or
 - (ii) traffic safety; and
- (b) be compatible with the streetscape.

Planners Response: Not applicable to application.

Not within Central Business Zone or in a pedestrian priority street, therefore standard not applicable to the application.

C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone

Objective:	<p>That parking and vehicle circulation roads and pedestrian paths within the General Business Zone and Central Business Zone, which are used outside daylight hours, are provided with lighting to a standard which:</p> <ul style="list-style-type: none"> (a) enables easy and efficient use; (b) promotes the safety of users; (c) minimises opportunities for crime or anti-social behaviour; and (d) prevents unreasonable light overspill impacts.
Acceptable Solutions	Performance Criteria

<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>	<p>P1</p> <p>In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roadways and pedestrian paths, which are used outside daylight hours must be provided with lighting, having regard to:</p> <ul style="list-style-type: none"> (a) enabling easy and efficient use of the area; (b) minimising potential for conflicts involving pedestrians, cyclists and vehicles; (c) minimising opportunities for crime or anti-social behaviour though the creation of concealment spaces; (d) any unreasonable impact on the amenity of adjoining properties through light over-spill; and (e) the hours of operation of the use.
<p>Planners Response: Not applicable to application.</p> <p>Not within the General Business Zone and Central Business Zone, therefore standard not applicable to the application.</p>	

C2.6.5 Pedestrian access

Objective:	That pedestrian access within parking areas is provided in a safe and convenient manner.
Acceptable Solutions	Performance Criteria
<p>A1.1</p> <p>Uses that require 10 or more car parking spaces must:</p> <ul style="list-style-type: none"> (a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by: <ul style="list-style-type: none"> (i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or (ii) protective devices such as bollards, guard rails or planters between the 	<p>P1</p> <p>Safe and convenient pedestrian access must be provided within parking areas, having regard to:</p> <ul style="list-style-type: none"> (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;

<p>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>(f) the location and number of footpath crossings;</p> <p>(g) vehicle and pedestrian traffic safety;</p> <p>(h) the location of any access ways or parking aisles; and</p> <p>(i) any protective devices proposed for pedestrian safety.</p>
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Planners Response: Not applicable to application.

Use is for a Residential –Multiple Dwelling, which of the scale proposed has a requirement under Table C2.1 of 6 dedicated carparking spaces and 1 visitor parking. As this is under the threshold of 10 car parking spaces the proposal does not require a dedicated pedestrian access.

The proposal, under the NCC (National Construction Code) is not required to provide accessible car parking. Accessible car parking is limited to 1b, 3, 5,6,7,8 & 9. The proposed dwelling is considered under the NCC as falling within a class 2 classification and therefore no requirement exists to install accessible carparking. Occupants may install accessible elements on an as required basis, based on their needs.

Standard is not applicable.

C2.6.6 Loading bays

Objective:	That the area and dimensions of loading bays are adequate to provide safe and efficient delivery and collection of goods.	
Acceptable Solutions		Performance Criteria
<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>P1</p> <p>Loading bays must have an area and dimensions suitable for the use, having regard to:</p> <p>(a) the types of vehicles likely to use the site;</p> <p>(b) the nature of the use;</p> <p>(c) the frequency of loading and unloading;</p> <p>(d) the area and dimensions of the site;</p> <p>(e) the topography of the site;</p>

	<p>(f) the location of existing buildings on the site; and</p> <p>(g) any constraints imposed by existing development.</p>
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Planners Response: Not applicable to application.

No loading bays are proposed or required for a residential use, therefore standard is not applicable.

<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 – Off-street commercial vehicle facilities</i>.</p>	<p>P2</p> <p>Access for commercial vehicles to and from the site must be safe, having regard to:</p> <p>(a) the types of vehicles associated with the use;</p> <p>(b) the nature of the use;</p> <p>(c) the frequency of loading and unloading;</p> <p>(d) the area and dimensions of the site;</p> <p>(e) the location of the site and nature of traffic in the area of the site;</p> <p>(f) the effectiveness or efficiency of the surrounding road network; and</p> <p>(g) site constraints such as existing buildings, slope, drainage, vegetation, parking and landscaping.</p>
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Planners Response: Not applicable to application.

Commercial vehicles are not readily anticipated to ingress and egress from the subject site as the proposal is for a residential use.

The standard is not considered applicable as the use of the site is not commercial in nature.

C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone

Objective:	That parking for bicycles are safe, secure and convenient, within the General Business Zone and Central Business Zone.
Acceptable Solutions	Performance Criteria

<p>A1</p> <p>Bicycle parking for uses that require 5 or more bicycle spaces in Table C2.1 must:</p> <ul style="list-style-type: none"> (a) be accessible from a road, cycle path, bicycle lane, shared path or access way; (b) be located within 50m from an entrance; (c) be visible from the main entrance or otherwise signed; and (d) be available and adequately lit during the times they will be used, in accordance with Table 2.3 of <i>Australian/New Zealand Standard AS/NZS 1158.3.1: 2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting</i> - Performance and design requirements. 	<p>P1</p> <p>Bicycle parking must be provided in a safe, secure and convenient location, having regard to:</p> <ul style="list-style-type: none"> (a) the accessibility to the site; (b) the characteristics of the site; (c) the nature of the proposed use; (d) the number of employees; (e) the users of the site and the likelihood of travel by bicycle; (f) the location and visibility of proposed parking for bicycles; (g) whether there are other parking areas on the site; and (h) the opportunity for sharing bicycle parking on nearby sites.
<p>Planners Response: Not applicable to application.</p> <p>Not within the General Business Zone and Central Business Zone, therefore standard is not applicable to this application.</p>	
<p>A2</p> <p>Bicycle parking spaces must:</p> <ul style="list-style-type: none"> (a) have dimensions not less than: <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; (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 (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>P2</p> <p>Bicycle parking spaces and access must be convenient, safe, secure and efficient to use, having regard to:</p> <ul style="list-style-type: none"> (a) the characteristics of the site; (b) the space available; (c) the safety of cyclists; and (d) the provisions of <i>Australian Standard AS 2890.3- 2015 Parking facilities - Part 3: Bicycle parking</i>.

Planners Response: Not applicable to application.

Table C2.1 outlines that there is no requirement for the provision of bicycle parking spaces for a Residential - Single Dwelling in the General Residential Zone. Not applicable to the application.

Notably, there is enough space within the site to provide sufficient bicycle parking and storage if required by the occupant.

C2.6.8 Siting of parking and turning areas

Objective:	That the siting of vehicle parking and access facilities in an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone or Central Business Zone does not cause an unreasonable visual impact on streetscape character or loss of amenity to adjoining properties.	
Acceptable Solutions		Performance Criteria
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.		P1 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: <ul style="list-style-type: none"> (a) topographical or other site constraints; (b) availability of space behind the building line; (c) availability of space for vehicle access to the side or rear of the property; (d) the gradient between the front and the rear of existing or proposed buildings; (e) the length of access or shared access required to service the car parking; (f) the location of the access driveway at least 2.5m from a window of a habitable room of a dwelling; (g) the visual impact of the vehicle parking and access on the site; (h) the streetscape character and amenity;

	<ul style="list-style-type: none"> (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.
<p>Planners Response: Not applicable to application.</p> <p>Proposal is not within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone. Therefore, the standard is considered not applicable to the application.</p>	
<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. 	<p>P2</p> <p>Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must be designed to screen the views of cars from public places in the adjacent roads, without blank walls facing onto a road, having regard to:</p> <ul style="list-style-type: none"> (a) the streetscape; (b) any unreasonable loss of amenity of the occupants of adjoining properties; and (c) maintaining opportunities for active uses on a street frontage in a pedestrian priority street.
<p>Planners Response: Not applicable to application.</p> <p>Proposal is not within a Central Business Zone. Therefore, the standard is considered not applicable to the application.</p>	

C2.7 Parking Precinct Plan

C2.7.1 Parking precinct plan

Objective:	To minimise the amount of on-site car parking spaces within an area defined by a parking precinct plan, and that parking does not detract from the streetscape of the area.	
Acceptable Solutions		Performance Criteria
A1	<p>Within a parking precinct plan, on-site car parking must:</p> <ul style="list-style-type: none"> (a) not be provided; or 	<p>P1</p> <p>Within a parking precinct plan, on-site car parking must be necessary for the operation of the use and not detract from the</p>

<p>(b) not be increased above existing parking numbers.</p>	<p>streetscape, having regard to:</p> <ul style="list-style-type: none"> (a) the availability of off-street public parking spaces within reasonable walking distance; (b) the ability of multiple users to share spaces because of: <ul style="list-style-type: none"> (i) variations in parking demand over time; or (ii) efficiencies gained by consolidation of parking spaces; (c) the availability and frequency of public transport within reasonable walking distance of the site; (d) the availability and frequency of other transport alternatives; (e) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; (f) the streetscape; (g) the topography of the site; (h) the location of existing buildings on the site; (i) any constraints imposed by existing development; and <p>any assessment by a suitably qualified person of the actual parking demand, determined having regard to the scale and nature of the use and development, and not exceed the number specified in Table C2.1.</p>
<p>Planners Response: Not applicable to application.</p> <p>Proposal is not within a parking precinct plan outlined within the <i>Local Provision Schedule – West Tamar</i>. Therefore, the standard is considered not applicable to the application.</p>	

Conclusion

The proposal seeks approval for the construction of three multiple dwellings. The units have been carefully sited on the block to ensure compliance with the relevant provisions of the Tasmanian Planning Scheme. Each dwelling is a modern, low-impact design that provides two bedrooms, catering to the growing demand for smaller, higher-density housing options within the community.

The development has been purposefully designed to integrate with its surroundings, while providing a contemporary housing choice that responds to the changing needs of residents, including young professionals, small families, and downsizers. The scale and form of the buildings have been considered to minimise visual impact, ensure appropriate separation, and maintain residential amenity.

Adequate parking and manoeuvring areas are incorporated within the site layout, ensuring safe and convenient access. Landscaping and site treatments will further contribute to a high-quality residential environment.

This assessment concludes that the proposal is consistent with the objectives and intent of the Tasmanian Planning Scheme. On this basis, the development is considered suitable for approval by the planning authority.

Annexure 1 - Certificate of Title Plan and Folio Text

Annexure 2 - Multiple Dwelling Plans



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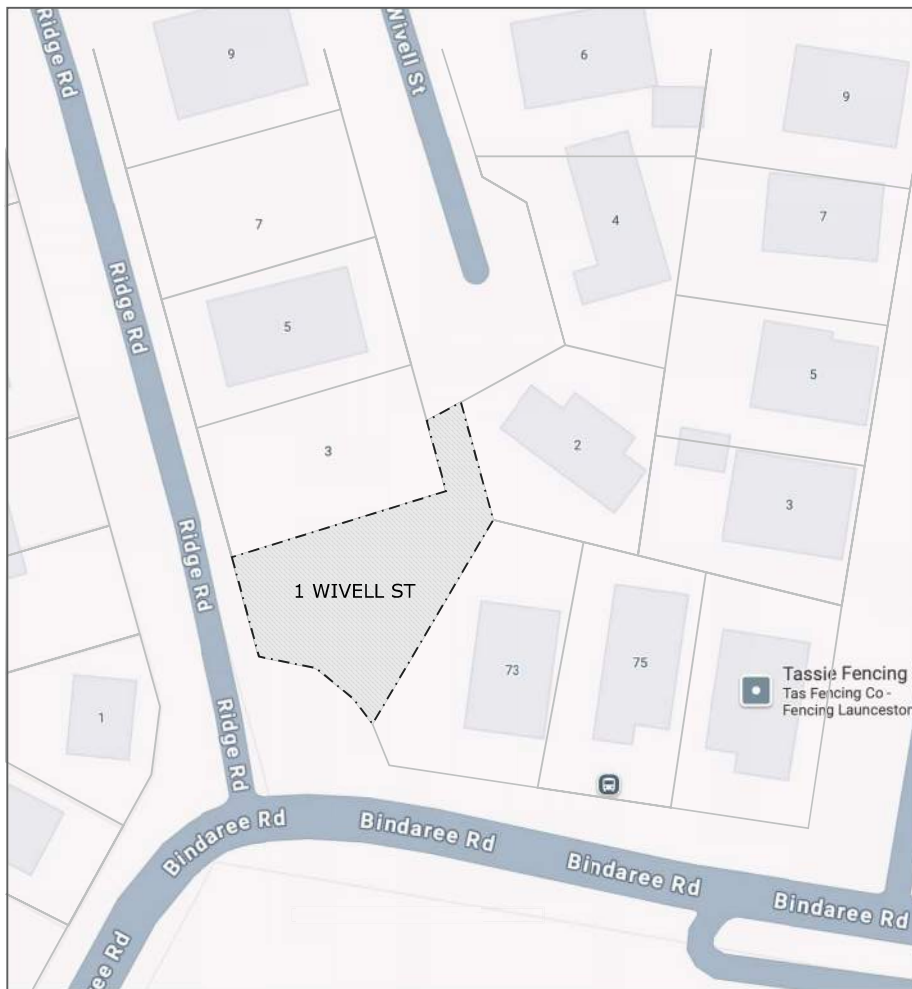
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<div>BUILDING DESIGN AND DOCUMENTATION</div> <div>OFFSET AUSTRALIA TONY WALSH DESIGNER GRAD DIP ARCH HIA 802926 CC1263P hello@telos.com.au</div>		<div></div> <div>01 PERSPECTIVE VIEW</div>		<div>LAND TITLE: SP 180377 VOLUME: 180377 FOLIO: 77</div> <div>MULTIPLE CLASS 1A DWELLINGS</div> <div>FLOOR AREA: 72.42m²</div> <div>STAR RATING: —</div> <div>WIND CLASSIFICATION: TBA</div> <div>SOIL CLASSIFICATION: H1</div> <div>NCC CLIMATE ZONE: ZONE 7</div> <div>BUSHFIRE BAL RATING N/A</div> <div>ALPINE AREA: N/A</div> <div>LOCAL GOVT AUTHORITY: WEST TAMAR COUNCIL</div>												
<div>STRUCTURAL DESIGN</div> <div>JMG ENGINEERS & PLANNERS</div>																
<div>BUILDING SURVEYOR</div> <div>BRADDON BUILDING SURVEYING ANDREW WALKER (03) 6424 1299 admin@bradbuild.com.au</div>																
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<div>OFFSET AUSTRALIA PTY LTD PH: 0418 991 229 E: hello@telos.com.au ABN: 53 667 055 281 ACC: CC1263P</div>		<div>CLIENT TELOS HOMES AUSTRALIA</div> <div>ADDRESS 1 WIVELL ST, LEGANA, TAS 7277</div>		<div>DRAWING COVER PAGE</div>		<div>COPYRIGHT: This is the sole property of Offset Australia PTY LTD, and may not be used in whole, or in part without written or formal consent from Offset Australia PTY LTD. Legal action will be taken against any person/s infringing the copyright</div>		<div>DRAWING STAGE: DA</div>		REV	DATE	DESCRIPTION	DESIGNER	A.G.W.	JOB NUMBER	7
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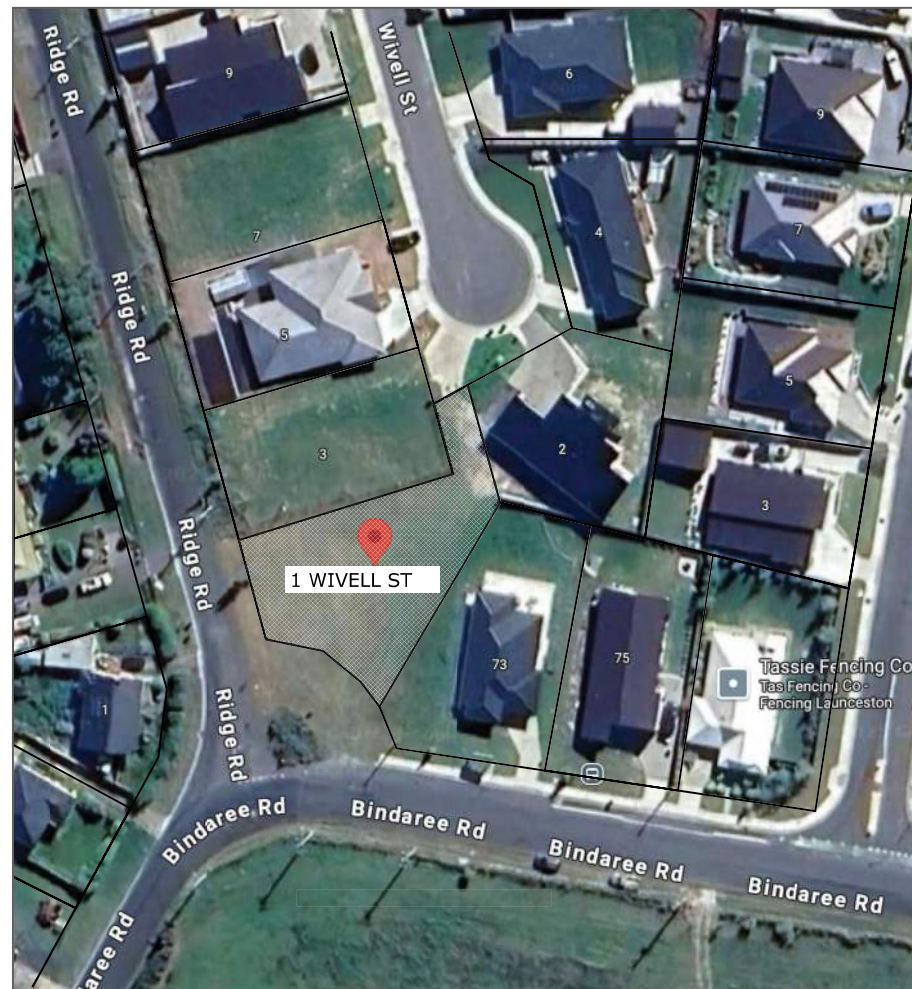
By Walsh

Anthony Gordon Walsh CC1263P,
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22/8/25



01

MAP VIEW



01

SATELLITE VIEW



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ABN: 53 667 055 281
ACC: CC1263P

CLIENT
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ADDRESS
1 WIVELL ST, LEGANA, TAS 7277

DRAWING
LOCALITY PLAN

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DRAWING STAGE:

DA

REV	DATE	DESCRIPTION	DESIGNER	A.G.W.	JOB NUMBER	7
			DRAWN	L.L.F.	DRAWING	2
			CHECKED	A.G.W.	SCALE (A3)	NTS

Anthony Gordon Walsh CC1263P,
Offset Australia Pty Ltd,
22/8/25



FOLIO PLAN

RECORDER OF TITLES
Issued Pursuant to the Land Titles Act 1980



RESULT OF SEARCH

RECORDER OF TITLES
Issued Pursuant to the Land Titles Act 1980



SEARCH DATE : 26-Jun-2025
SEARCH TIME : 11.23 AM

DESCRIPTION OF LAND

Town of LEGANA
Lot 77 on Sealed Plan 180377
Derivation : Part of 2500 Acres Gtd. to John Griffiths.
Prior CT 179399/1

SCHEDULE 1

N120141 TRANSFER to DONNA MAREE RILEY Registered
25-May-2023 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
SP180377 FENCING COVENANT in Schedule of Easements
SP174704 FENCING PROVISION in Schedule of Easements
SP 18801 FENCING COVENANT in Schedule of Easements

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

SEARCH OF TORRENS TITLE

VOLUME 180377	FOLIO 77
EDITION 4	DATE OF ISSUE 18-Feb-2025



SCHEDULE OF EASEMENTS

RECORDER OF TITLES
Issued Pursuant to the Land Titles Act 1980



SCHEDULE OF EASEMENTS	Registered Number
NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.	SP 180377

PAGE 1 OF 3 PAGE/S

EASEMENTS AND PROFITS

Each lot on the plan is together with:-
(1) such rights of drainage over the drainage easements shown on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot, and
(2) any easements or profits a prentie described hereunder.
Each lot on the plan is subject to:-
(1) such rights of drainage over the drainage easements shown on the plan (if any) as passing through such lot of as may be necessary to drain the stormwater and other surplus water from any other lot on the plan, and
(2) any easements or profits a prentie described hereunder.
The direction of the flow of water through the drainage easements shown on the plan is indicated by arrows.

Lots 50, 51, 53, 14 and 55 on the Plan are each subject to a Right of Drainage in favour of the West Tamar Council over the land marked "PIPELINE & SERVICES & DRAINAGE EASEMENT 4.00 WIDE 'A'" shown on the Plan.

Lots 50, 51, 53, 14 and 55 on the Plan are each subject to a Pipeline and Services Easement in gross in favour of TasWater over the land marked "PIPELINE & SERVICES & DRAINAGE EASEMENT 4.00 WIDE 'A'" shown on the Plan ("the Easement Land").

Lots 66, 67, 68, 69 and 70 on the Plan are each subject to a Right of Drainage in favour of the West Tamar Council over the land marked "PIPELINE & SERVICES & DRAINAGE EASEMENT 4.00 WIDE 'B'" shown on the Plan.

Lots 66, 67, 68, 69 and 70 on the Plan are each subject to a Pipeline and Services Easement in gross in favour of TasWater over the land marked "PIPELINE & SERVICES & DRAINAGE EASEMENT 4.00 WIDE 'B'" shown on the Plan ("the Easement Land").


Lot 72 on the Plan is subject to a Right of Drainage in favour of the West Tamar Council over the land marked "DRAINAGE EASEMENT 3.00 WIDE 'A'" shown passing through Lot 72 on the Plan.

Lot 76 on the Plan is subject to a Right of Drainage in favour of the West Tamar Council over the land marked "DRAINAGE EASEMENT 3.00 WIDE 'B'" shown passing through Lot 76 on the Plan.

Lots 89, 90 and 91 on the Plan are each subject to a Right of Drainage in favour of the West Tamar Council over the land marked "PIPELINE & SERVICES & DRAINAGE EASEMENT 4.00 WIDE 'C'" shown on the Plan.

Lots 89, 90 and 91 on the Plan are each subject to a Pipeline and Services Easement in gross in favour of TasWater over the area marked "PIPELINE & SERVICES & DRAINAGE EASEMENT 4.00 WIDE 'C'" shown on the Plan.
Lot 90 on the Plan is subject to a right of drainage in favour of the West Tamar Council over the land marked Drainage Easement 3.00 wide 'C' shown passing through Lot 90 on the Plan.

FENCING COVENANT

The Owner of each lot on the Plan covenants with the Vendor (Vos Enterprises Pty Ltd) that the Vendor shall not be required to fence.

Adrian Donald Butt


Barry David Sproul

(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER: Vos Enterprises Pty Ltd	PLAN SEALED BY: West Tamar Council
FOLIO REF: Certificate of Title Volume 179399 Folio 1	DATE: 24/12/2020
SOLICITOR & REFERENCE: Sproul & Associates - Barry Sproul	PA 2020/2472
	REF NO. Council Delegate

NOTE: The Council Delegate must sign the Certificate for the purposes of identification.

01 FOLIO PLAN

02 FOLIO TEXT

03 SCHEDULE OF EASEMENTS



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DRAWING

FOLIO DOCUMENTS

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			DRAWN	L.L.F.	DRAWING	3
			CHECKED	A.G.W.	SCALE (A3)	NTS

Anthony Gordon Walsh CC1263P,
Offset Australia Pty Ltd,
22/8/25

RIDGE ROAD

01 SITE PLAN

SHED

3 WIVELL ST

2 WIVELL ST

PASSING BAY

SITE SPARE PARK

U1 VISITOR PARK

BITUMEN/CONCRETE DRIVEWAY

ENTIRE BOUNDARY PERIMETER 1.8m
COLOURBOND STEEL FENCE

PASSING BAY

73 WIVELL ST

PASSING BAY

U3 VISITOR PARK

BINDAREE RD

SP 180377

P.O.S.
24m²

U3 Total P.O.S.
92m²

P.O.S.
24m²

U2 Total P.O.S.
94m²

UNIT 2
72.5m²

UNIT 3
72.5m²

UNIT 1
72.5m²

U1 Total P.O.S.
73m²

P.O.S.
24m²

7000
61° 04' 6.30
4000
3440 330° 19.76
5m x 2.5m
164° 30' 12.24

254° 11' 00" 36.63

3350

4507

3426

2140° 35' 100" 38.38

5m x 2m

5m x 2m

5m x 2m

236° 41' 20.13

309° 06' 7.00

281° 37' 9.53

6000

4000

LEGEND

- BOUNDARY
- CONTOURS
- PARKING
- SETBACKS
- INTERNAL FNC
- REFUSE BINS (1.8 x 0.6m²)
- EXIS. BUILDING
- GARDEN BED AREA
- BITUMEN/CONCRETE
- 24m² P.O.S. (PAVED)
- PRIVATE OPEN SPACE



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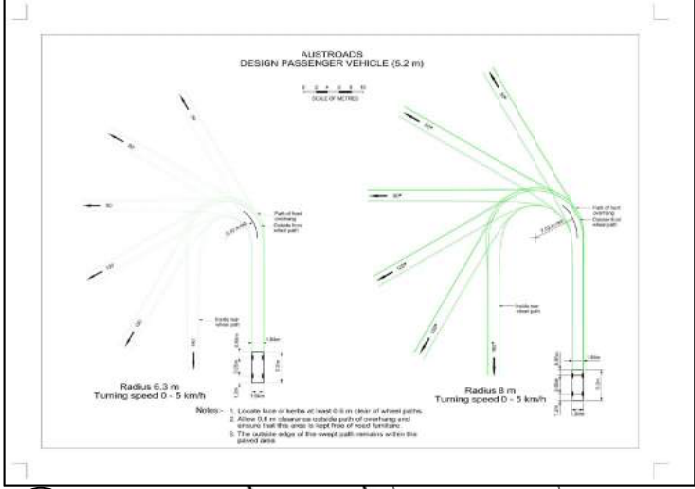
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SITE PLAN

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REV	DATE	DESCRIPTION	DESIGNER	A.G.W.	JOB NUMBER	7
			DRAWN	L.L.F.	DRAWING	4
			CHECKED	A.G.W.	SCALE (A3)	1:200

DRAWING IN ACCORDANCE WITH 'AUSROADS DESIGN PASSENGER VEHICLE (5.2m')



02 AUSROADS DIAGRAM NTS

Sy Walsh
Anthony Gordon Walsh CC1263P,
Offset Australia Pty Ltd,
22/8/25

01 SWEEP PATH



	OFFSET AUSTRALIA PTY LTD PH: 0418 991 229 E: hello@telos.com.au ABN: 53 667 055 281 ACC: CC1263P	CLIENT TELOS HOMES AUSTRALIA ADDRESS 1 WIVELL ST, LEGANA, TAS 7277	DRAWING VEHICLE SWEEP DIAGRAM PLAN	COPYRIGHT: This is the sole property of Offset Australia PTY LTD, and may not be used in whole, or in part without written or formal consent from Offset Australia PTY LTD. Legal action will be taken against any person/s infringing the copyright	DRAWING STAGE: DA	REV	DATE	DESCRIPTION	DESIGNER	A.G.W.	JOB NUMBER	7
									DRAWN	L.L.F.	DRAWING	5
									CHECKED	A.G.W.	SCALE (A3)	1:200

TASWATER NOTES:
- INSTALLATION OF DN32mm (ID25)
PN16 WATER CONNECTION FROM MAIN
TO PROPERTIES
- INSTALLATION OF 3 x 20mm METERS
ON A MANIFOLD

Sy Walsh
Anthony Gordon Walsh CC1263P,
Offset Australia Pty Ltd,
22/8/25



01 SITE SERVICES PLAN



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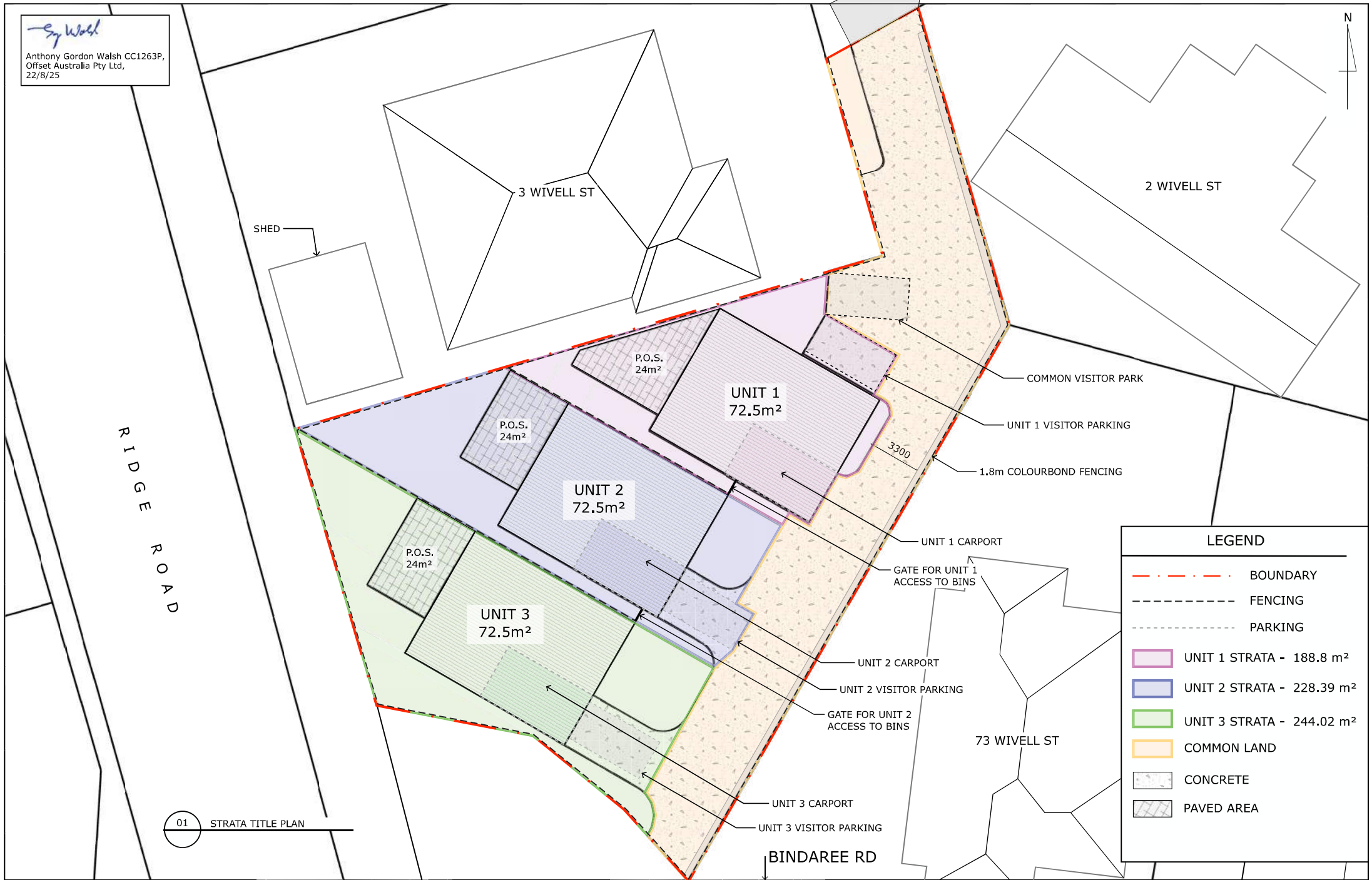
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ONSITE SERVICES,
CONNECTIONS
& DRAINAGE

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			DRAWN	L.L.F.	DRAWING	6
			CHECKED	A.G.W.	SCALE (A3)	1:200

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STRATA TITLE PLAN

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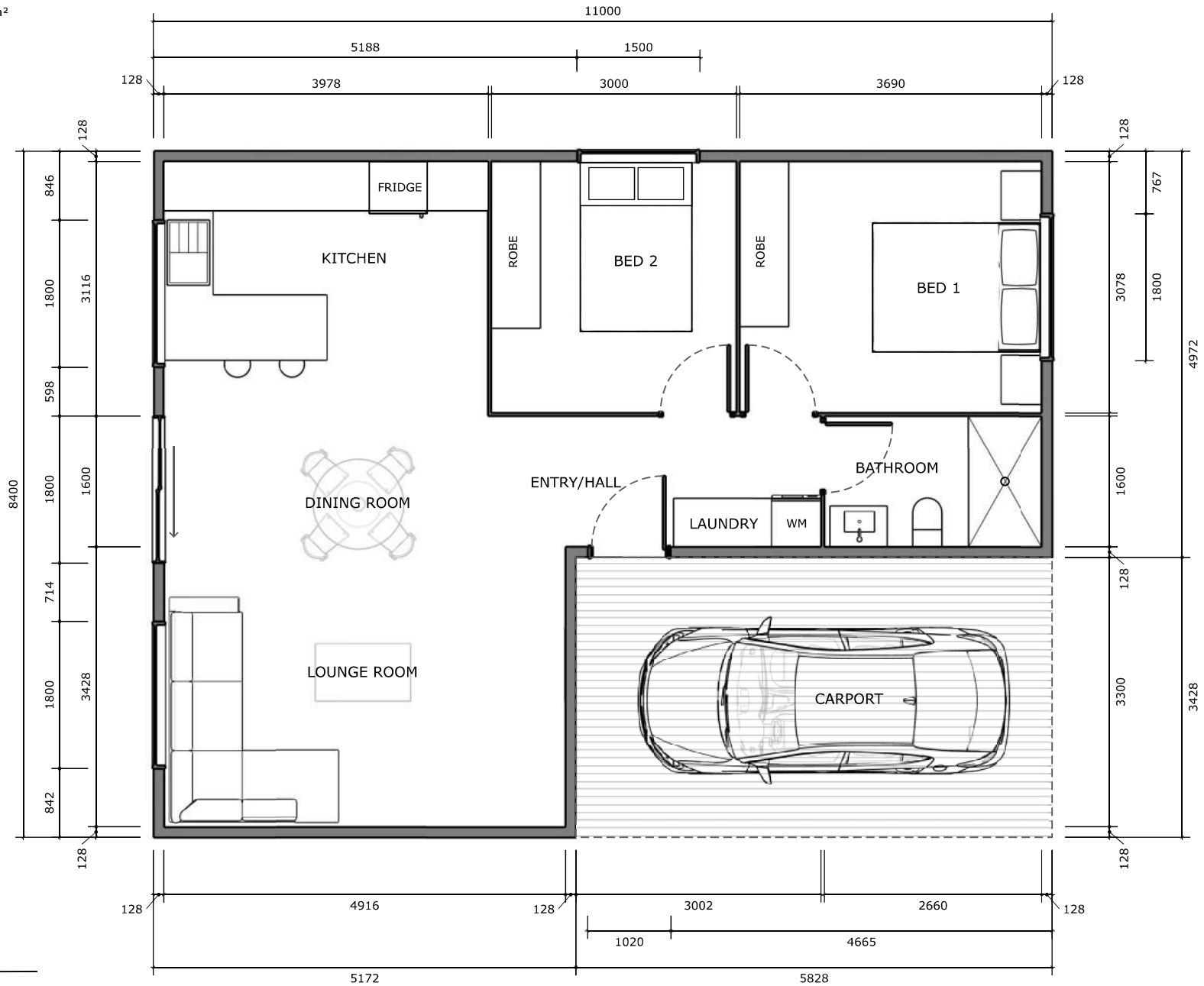
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REV	DATE	DESCRIPTION	DESIGNER	A.G.W.	JOB NUMBER	7
			DRAWN	L.L.F.	DRAWING	7
			CHECKED	A.G.W.	SCALE (A3)	1:200

FINISHED FLOOR AREA: 72.42 m²
CARPORT AREA: 20m²

Anthony Gordon Walsh
Anthony Gordon Walsh CC1263P,
Offset Australia Pty Ltd,
22/8/25



01 FLOOR PLAN



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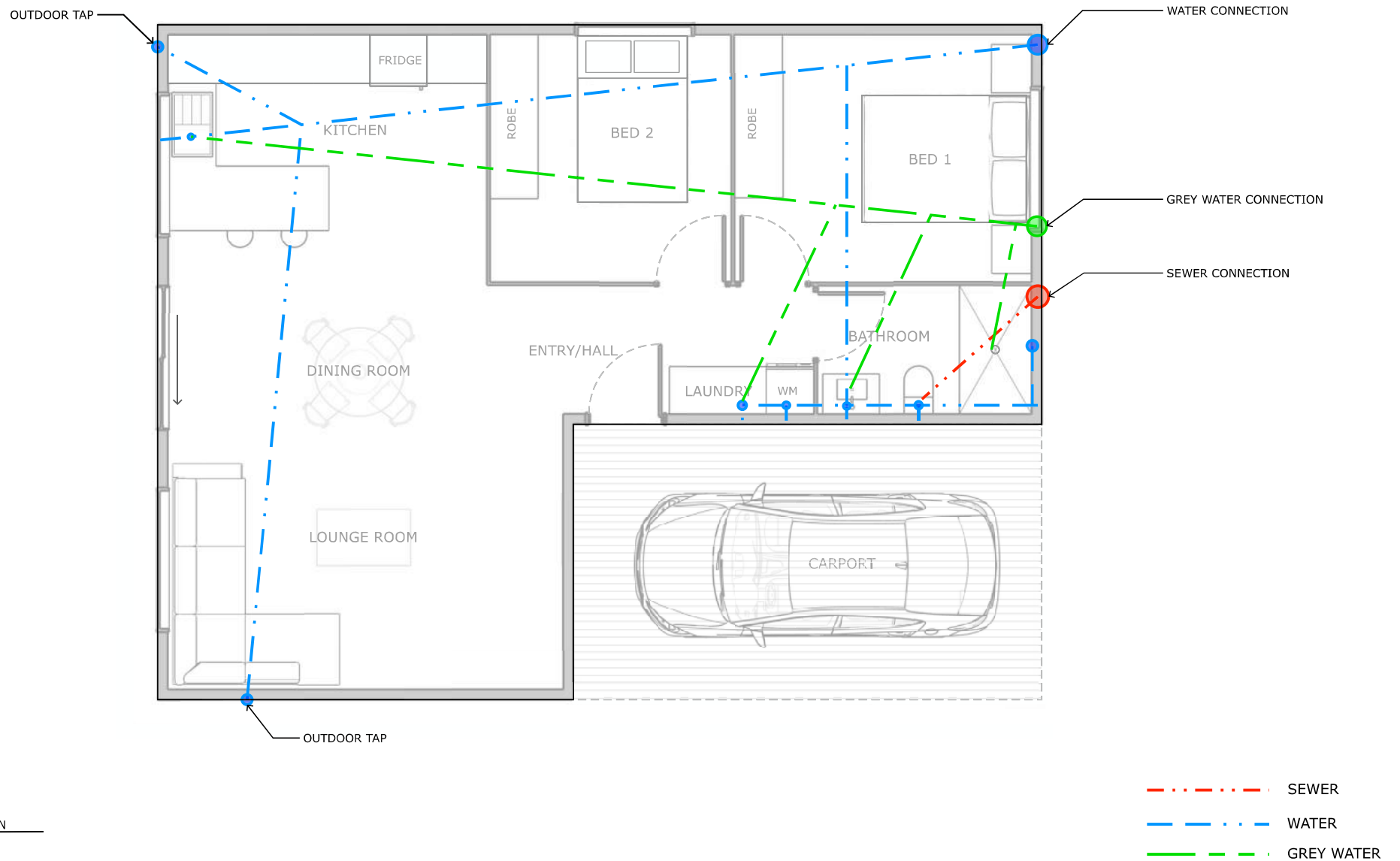
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FLOORPLAN

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			DRAWN	L.L.F.	DRAWING	8
			CHECKED	A.G.W.	SCALE (A3)	1:50

AG Walsh
Anthony Gordon Walsh CC1263P,
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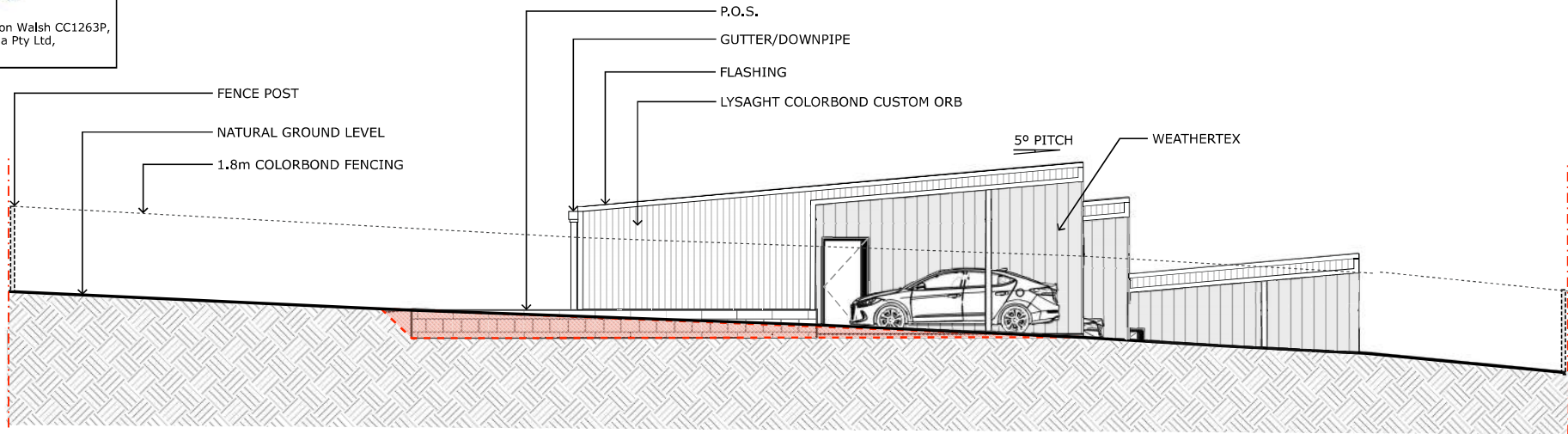
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PLUMBING PLAN

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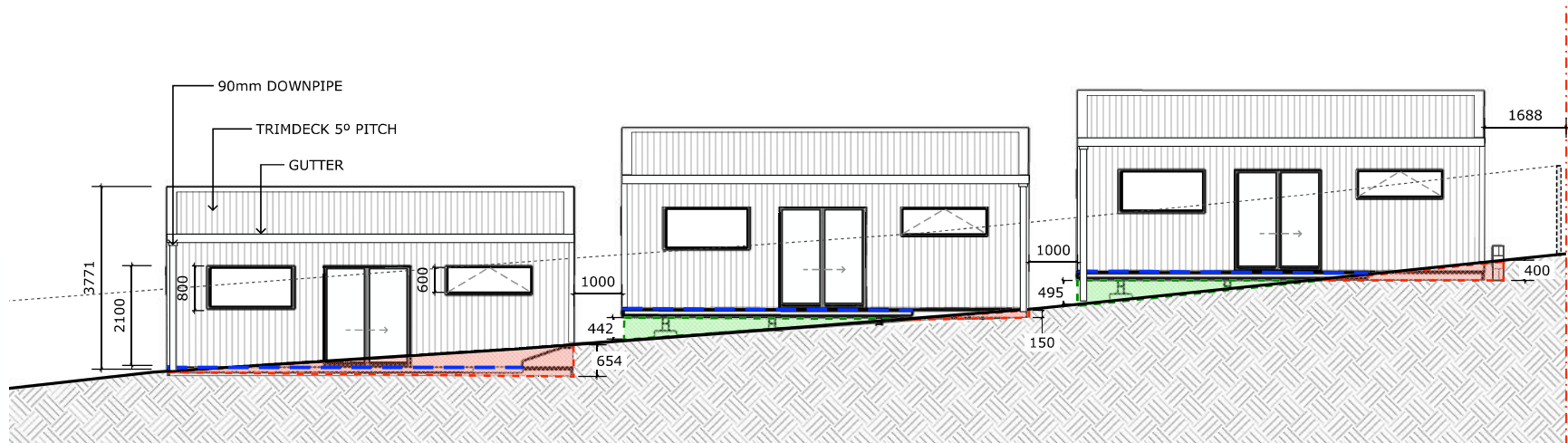
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REV	DATE	DESCRIPTION	DESIGNER	A.G.W.	JOB NUMBER	7
			DRAWN	L.L.F.	DRAWING	9
			CHECKED	A.G.W.	SCALE (A3)	1:50

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22/8/25



E01 NORTH ELEVATION



E02 EAST ELEVATION

- CONCRETE BLOCK RETAINING WALL
- FILL
- CUT
- NATURAL GROUND LEVEL
- BOUNDARY
- 1.8m COLORBOND FENCING
- P.O.S. LOCATION



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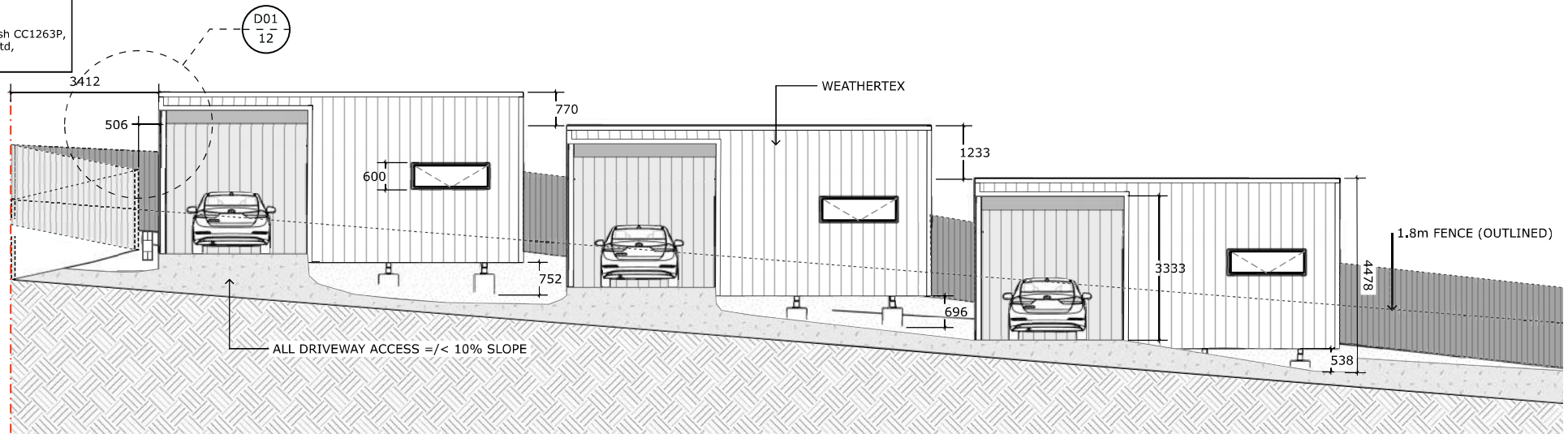
DRAWING
ELEVATIONS # 1

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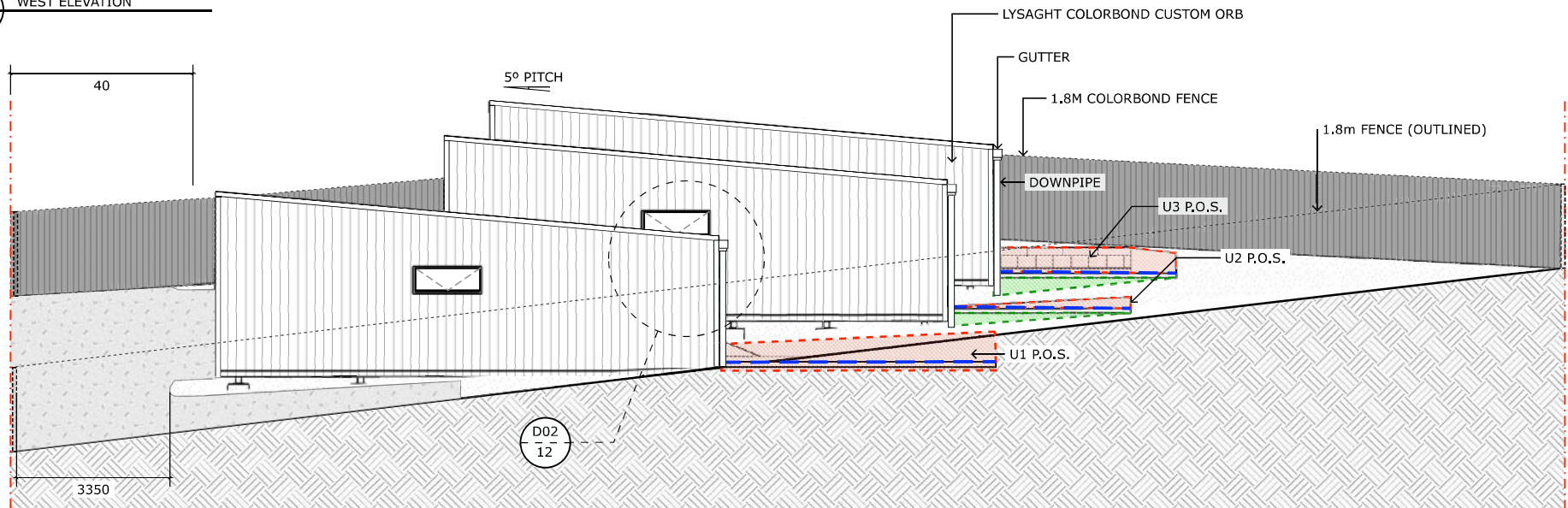
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REV	DATE	DESCRIPTION	DESIGNER	A.G.W.	JOB NUMBER	7
			DRAWN	L.L.F.	DRAWING	10
			CHECKED	A.G.W.	SCALE (A3)	1:100

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22/8/25



E03 WEST ELEVATION



E04 SOUTH ELEVATION

- CONCRETE BLOCK RETAINING WALL
- FILL
- CONCRETE
- NATURAL GROUND LEVEL
- BOUNDARY
- 1.8m COLORBOND FENCING
- P.O.S. LOCATION



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DRAWING
ELEVATIONS #2

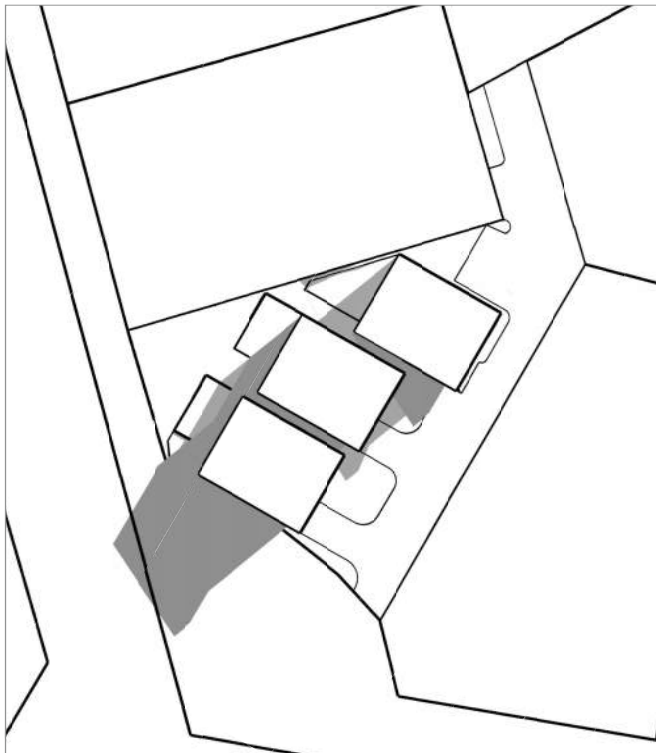
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			CHECKED	A.G.W.	SCALE (A3)	1:100

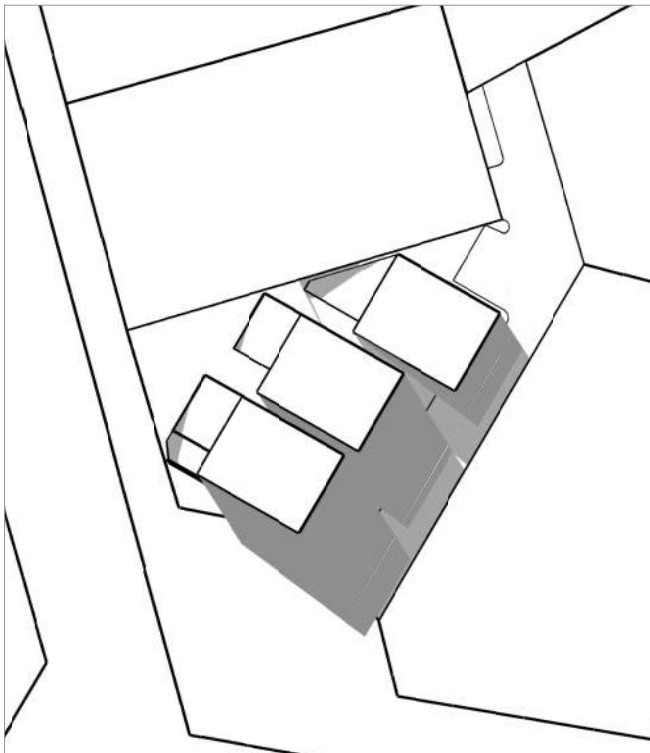
Ag Walsh

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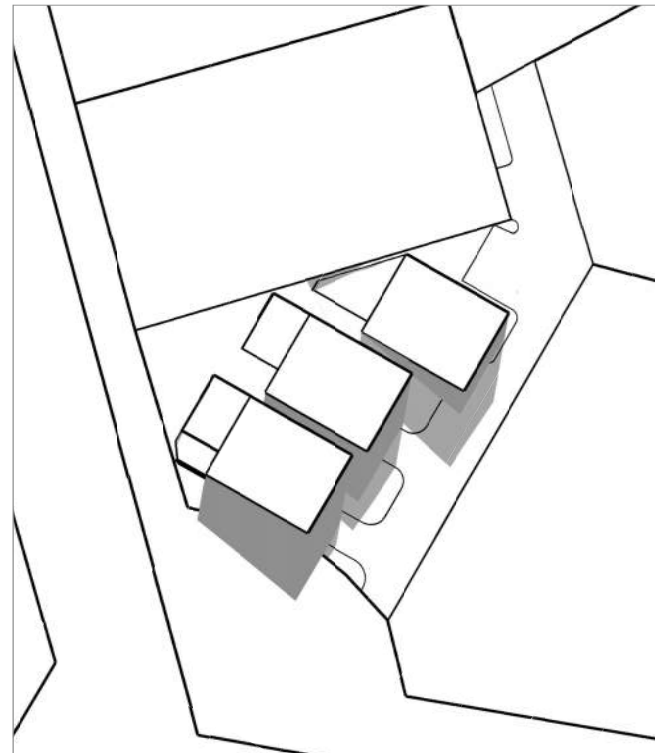
01

9am 21st June



02

12pm 21st June



03

3pm 21st June



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SHADOW STUDY

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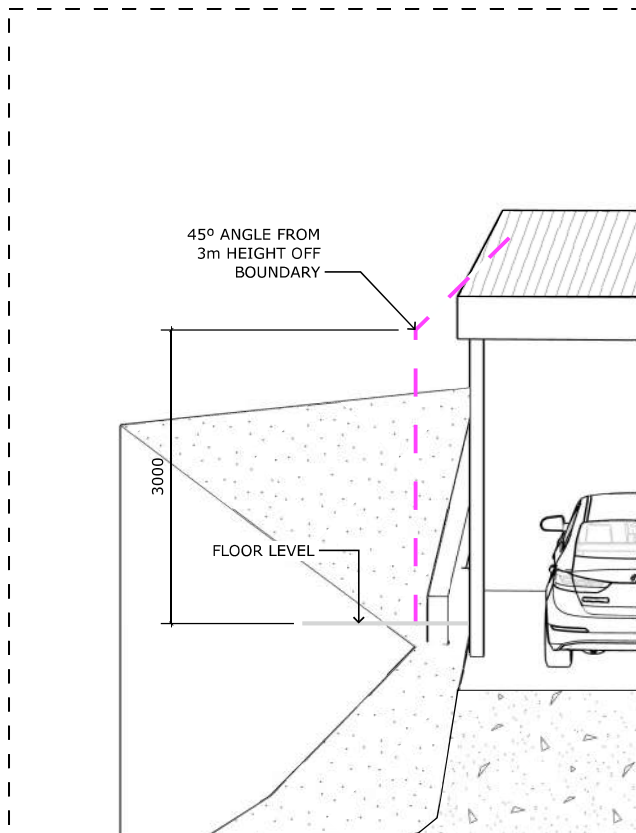
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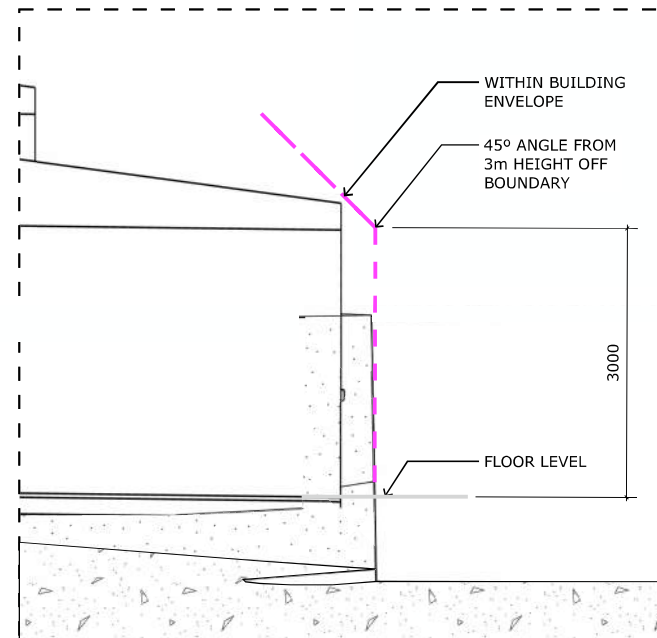
REV	DATE	DESCRIPTION	DESIGNER	A.G.W.	JOB NUMBER	7
			DRAWN	L.L.F.	DRAWING	12
			CHECKED	A.G.W.	SCALE (A3)	1:500

Ag Walsh

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22/8/25



D01 DETAIL #1



D02 DETAIL #2



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DRAWING
BUILDING ENVELOPE
DETAILS

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			CHECKED	A.G.W.	SCALE (A3)	1:100