

ORDINARY COUNCIL - 25 JANUARY 2024 Attachments

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22 Stone Street, West Launceston - Subdivision - Subdivide one lot into two; Residential - Construction of a dwelling on proposed lot 2

FILE NO: DA0505/2023

AUTHOR: Catherine Mainsbridge, (Senior Town Planner)

ACTING GENERAL MANAGER: Michelle Ogulin, (General Manager, Community and Place Network)

ATTACHMENT ONE:

To consider and determine a development application pursuant to the *Land Use Planning and Approvals Act 1993*.

PLANNING APPLICATION INFORMATION:

Applicant:	Design To Live Pty Ltd
Property:	22 Stone Street, West Launceston
Zoning:	General Residential
Receipt Date:	27/10/2023
Validity Date:	13/11/2023
Further Information Request:	03/11/2023
Further Information Received:	15/11/2023
Deemed Approval (extension granted):	25/01/2024
Representations:	3

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

8.0 General Residential Zone

The purpose of the General Residential Zone is:

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

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

8.0.3 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.

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

Consistent

The proposed development would provide an alternate residential option upon a site close to the city centre which can be fully serviced.

8.4.2 Setbacks and building envelope for all dwellings

The siting and scale of dwellings:

- (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.

Consistent

The proposed dwelling for the proposed Lot 2 is relatively small, in great part due to the minimal size proposed for the new lot. It would have an elevated position within the streetscape which contrastingly is not in keeping with massing and scale within the streetscape.

A1 Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is:

- (a) if the frontage is a primary frontage, not less than 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site;
- (b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site;
- (c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or
- (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.

Relies on Performance Criteria

The primary frontage is considered to be the frontage with the shortest dimension and for this site is the frontage to the Stone Street Road reserve. The proposed setback of the dwelling to that frontage varies between 2.078m to 2.5m. While it is below the acceptable solution of 4.5m the proposed dwelling has a similar setback to the existing dwelling on the parent title and future Lot 1. The front setback of the existing dwelling varies from approximately 500mm to 2m, the dwelling not parallel with the front boundary and therefore the primary setback is considered to meet (c).

The proposed southern setback to Frederick Street, which is considered a frontage that is not the primary frontage, is less than the acceptable solution of 3m required at (b), and ranges from 2.117m nearer to Stone Street down to 2m at the western end, adjoining the garage. The frontage setback to Frederick Street must be assessed against the performance criteria.

P1 A dwelling must have a setback from a frontage that is compatible with the streetscape, having regard to any topographical constraints.

Does Not Comply

While setbacks may be justified based on topography the variation to setbacks for this development is primarily attributed to the sub-minimal lot size and insufficient

site area to allow for the setback to be met. As three of the four boundaries are to a 'frontage' the proposed dwelling is restricted in its location.

Streetscape means the visual quality of a street depicted by road width, street planting, characteristics and features, public utilities constructed within the road reserve, the setback of buildings and structures from the property boundaries, the quality, scale, bulk and design of buildings and structures fronting the road reserve. For the purposes of determining streetscape for a particular site, the above matters are relevant when viewed from either side of the same street within 100m of each side boundary of the site,

Frederick Street has a varied character. To the east the road reserve is contained within the park diagonally across from the site. The residential property at 26 Bourke Street, adjoining the park, is located downhill from the subject site, fronts Bourke Street and has an average setback of approximately 1m from the road reserve, it might be a road reserve. The variation is not evident because of landscaping along the common boundary. Number 120 Frederick St, the western neighbour of 22 Stone Street, is an internal lot and the next property addressed as 11a Reserve Street has only a carport approximately 7.6m from the unmade road reserve of Frederick St. Across the street three of the five properties feature residences with side setbacks within 1.5m of the road reserve. However, it is noteworthy that these dwellings utilise only half of their respective lot lengths. In contrast, the proposed dwelling stands out with a building length occupying approximately 82% of the boundary and presenting a notable deviation from the prevailing pattern of development.

While setbacks might be justifiable considering the topography, the variation from the Frederick Street setback for this development is primarily attributed to the sub-minimal lot size and inadequate area, particularly influenced by the limited depth of the site, which restricts compliance with the setback under the acceptable solution. The proposed lot's width ranges from 7.8m at its eastern end to 11m at its western end, imposing constraints that significantly limit the development potential. This variation, reducing the setback from 3m to 2m, takes on significance in light of the sub-minimal lot size and site width. Furthermore, the absence of comparable developments highlights that the proposed variation is not in harmony with the established character.

The proposal is not therefore not considered to meet the performance criteria.

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.

Complies

The garage is not located on the primary frontage but is located to the western (other) frontage with a minimum setback of 2.992m to the side/access setback.

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.

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 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
- (b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling:
 - (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or
 - (ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).

Relies on Performance Criteria

The proposed dwelling site is minimal in area and rises to the west and north. Building heights of each elevation therefore vary. In addition, the site has two frontages to a Council maintained road and one to an access strip. The vertical building envelope is parallel rather than angled relative to the wall height.

The status of the proposed setbacks is shown below:

Elevation	Max height	Required setback	Proposed setback	Complies?
Eastern - primary frontage	6.94m	4.5m but a minimum of 500mm given the setback of the existing dwelling	2.078m	Yes
Southern - other frontage	6.94m (east) 5.93m (west)	3m	2m	No
Western - other frontage	5.75m	3m	2.99m	No
Northern side	3.99m	1m	150m	No

The performance criteria must therefore be addressed.

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

Does Not Comply

The variations to the building envelope and the siting and scale of a dwelling are considered as to *whether (a) not cause an unreasonable loss of amenity to adjoining properties* is met having regard to:

(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;

The proposed dwelling would be sited to the south east of the dwelling on the parent property but the section of the elevation where the boundary encroachment occurs is west of the dwelling. The south eastern wall of the existing dwelling contains a lounge room window and has a finished floor level approximately 2m higher than the proposed dwelling. The sill height of the window is around 900mm. There would be minimal overshadowing to that window. Other boundaries are to a frontage.

(ii) overshadowing the private open space of a dwelling on an adjoining property;

The adjoining dwelling has a deck on its south eastern side but again the section of the elevation where the boundary encroachment occurs is west of the dwelling. Further open space of the existing steps up the site with the terrain and provides various options for use of private open space.

(iii) overshadowing of an adjoining vacant property; and

There is no vacant adjoining property to the proposed dwelling.

(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;

The proposed dwelling will be elevated on its site due to its siting on the side of the hill side rising from Margaret Street, and further from Stone Street, the terrain of the site itself and because the proposed lot would be a corner site. With a building footprint of 136.68m² the dwelling is not excessive in size but the elongated form of the lot and resulting footprint of the dwelling upon the small lot, combined with the relatively extended frontage to Frederick Street results in the proposal having a visual impact within the streetscape and when viewed from adjoining properties. If the dwelling was constructed on an infill site it would have a reduced impact.

The ground level at the intersection of Stone and Reserve Streets is around 39m AHD results in the proposed finished floor level of the dwelling at 46.46m AHD

creating an imposing element on the street and dwellings on the southern side of Frederick Street due to its elevation. This is emphasised further by the metre encroachment into the building envelope along the boundary. The dwellings opposite the site have a natural ground level ranging from 39m AHD to around 40m AHD. This maximum of where

Along the northern elevation the proposed dwelling should not impact on the future neighbour/existing dwelling at 22 Stone Street as its height is stepped down from west to east to reflect the slope of the site. A minor extent of excavation is also needed to result in the finished floor level. This contrasts with the southern elevation as the site also falls north to south and results in the finished floor level being up to 4m above natural ground. The pole supports of the dwelling accentuate its elevation and increase its prominence in the street.

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

The proposed setback along the new northern boundary is consistent with setbacks of other dwellings in the area, dwellings close to the boundary and garages on the side boundary.

Other properties in the area do although have a larger area at their rear which can be used for outdoor recreation and landscaping. The proposed dwelling has no useable open space and is not consistent with setbacks of other dwellings in the area.

(c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:

- (i) an adjoining property; or*
- (ii) another dwelling on the same site.*

There are no solar installations that would be overshadowed in the vicinity.

The proposal is therefore not considered consistent with (a) (iv) and (b).

8.4.3 Site coverage and private open space for all dwellings

That dwellings are compatible with the amenity and character of the area and provide:

- (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 sunlight.

Not Consistent

The proposed minimal lot size will result in the proposed dwelling not being compatible with the amenity and character of the area, limiting areas for landscaping and private open space.

A1 Dwellings must have:

- (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).

Relies on Performance Criteria

The new lot will have an area of 268.85m² with a narrow elongated shape. The proposed roof cover is 146.68m² and the dwelling would cover 54.56% of the site. The performance criteria must be addressed.

P1 Dwellings must have:

- (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:
 - (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
 - (iii) reasonable space for the planting of gardens and landscaping.

Does Not Comply

The proposal is not considered to be consistent with the character of the area. Regard is given to whether the dwelling has the following:

(a) site coverage consistent with that existing on established properties in the area;
The site cover is just above the acceptable solution but the area not developed is not able to be used for any specific purpose other than landscaping.

The following table states the approximate site area, site cover and frontage of lots in the area relevant to the subject site:

Street address	Site area	Site cover	Frontage width
36 Stone Street	377m ²	34.2%	13.40m to Stone Street
34 Stone Street	375m ²	41.18%	13.85 to Stone Street
32 Stone Street	448m ²	24.59%	15.31m to Stone Street
30 Stone Street	400m ²	24.37%	13.76m to Stone Street
28 Stone Street	486m ²	35.69%	16.64m to Stone Street
26 Stone Street	367m ²	37.11%	13.48m to Stone Street
24 Stone Street	367m ²	32.24%	12.65m to Stone Street
20 Stone Street	430m ²	35.27%	13.13m to Stone Street
18 Stone Street	582m ²	32.75%	16.30m to Stone Street
16 Stone Street	690m ²	22.9%	17.13m to Stone Street
14 Stone Street	889m ²	29.83%	16.69m to Stone Street
12a Stone Street	288m ²	39.73%	14.62m to Stone Street
83 Frederick Street	568m ²	33.85%	15.05m to Frederick St
85 Frederick Street	597m ²	25.46%	17.03m to Frederick St
120 Frederick Street	885m ²	14.5%	21.33m to Frederick St
28 Bourke Street	1254m ²	18.85%	38.38m to Frederick St
11A Reserve Street	617m ²	2.9%	37.62m to Frederick St
13 Reserve Street	617m ²	23.07%	34.15m to Frederick St



The maximum site cover for any lot in the vicinity is 41.18%. The proposal is 13% more than the maximum and is out of character within 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:

(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;

The site will not have any area for outdoor recreation. As the table above illustrates other properties have an outdoor door area of at least 50% of their site for outdoor living and recreation. The proposed 4m wide x 2.5m deep (10m²) deck at the front of the dwelling can provide for outdoor dining but has no space for any other activity. The site's 26% slope does not provide any area for other uses including play space for children.

and (ii) operational needs, such as clothes drying and storage; and

There is limited space for such use although internal options are available.

(c) reasonable space for the planting of gardens and landscaping.

There is some space for landscaping but this is limited to the steep frontages of the site. Other properties in area have level areas suitable for vegetable and established garden space.

The proposal is not considered to be compatible with other properties in the area which all have area of gardens and private open space, therefore the proposal does not comply with the performance criteria.

A2 A dwelling must have private open space that:

- (a) is in one location and is not less than:
 - (i) 24m²; or
 - (ii) 12m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);
- (b) has a minimum horizontal dimension of not less than:
 - (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.

Relies on Performance Criteria

Open space is limited to the deck at the front of the dwelling with an area of 10m² (a width of 3.89m to 4m and depth of 2.5) and a 2m strip along the southern and eastern frontages.

The proposal therefore does not meet the necessary (a) (i) and (b) (i). Other than not meeting the criteria the deck in the primary frontage has an appropriate orientation and gradient.

The performance criteria must be considered.

P2 A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is:

- (a) conveniently located in relation to a living area of the dwelling; and
- (b) orientated to take advantage of sunlight.

Does Not Comply

The deck will provide a small area for outdoor relaxation and dining with solar access as an extension of the living area but this is minimal and is not considered to meet the purpose of the clause as the dwelling will not *be compatible with the amenity and character of the area*. Once a table is placed on the deck there is little space for any other activity.

The proposed dwelling on Lot 2 lacks the capacity to offer any ground-level space for recreational activities, particularly for children's play, entertainment, and relaxation. This limitation arises from the steep topography and the significant allocation of space on the site for the dwelling and driveways.

The proposal therefore does not meet the performance criteria.

8.4.5 Width of openings for garages and carports for all dwellings

To reduce the potential for garage or carport openings to dominate the primary frontage.

Not Applicable

The proposed garage will not front the primary frontage.

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).
Not Applicable
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.
Not Applicable

8.4.6 Privacy for all dwellings

To provide a reasonable opportunity for privacy for dwellings.
Consistent The proposal should not impact on the privacy of other dwellings in the area.
A1 A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above existing ground level must have a permanently fixed screen to a height of not less than 1.7m above the finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a: <ul style="list-style-type: none"> (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 3m from the side boundary; (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m: <ul style="list-style-type: none"> (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space of the other dwelling on the same site.
Relies on Performance Criteria The proposed deck has a finished floor level greater than 1m. It adjoins the primary and other frontage with the clause not relevant, but is setback only 1.63m off the northern side boundary and must be considered against the performance criteria.
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.
Complies The proposed deck will be approximately 2m below the finished floor level of the adjoining dwelling and would have a minimal impact on the level of privacy of the front bay window and front yard of that dwelling.
A2 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): <ul style="list-style-type: none"> (a) the window or glazed door: <ul style="list-style-type: none"> (i) is to have a setback of not less than 3m from a side boundary; (ii) is to have a setback of not less than 4m from a rear boundary;

<ul style="list-style-type: none"> (iii) if the dwelling is a multiple dwelling, is to be not less than 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be not less than 6m from the private open space of another dwelling on the same site. <p>(b) the window or glazed door:</p> <ul style="list-style-type: none"> (i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; (ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of not less than 1.7m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%.
<p>Complies</p> <p>The northern elevation contains two windows where one window is 1m above ground level. The sill height of the windows is 2m therefore the acceptable solution is met.</p>
<p>P2 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>Not Applicable</p>

8.4.7 Frontage fences for all dwellings

<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.
<p>Not Applicable</p> <p>A front fence is not proposed.</p>
<p>A1 No Acceptable Solution</p>
<p>Not Applicable</p>
<p>P1 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>Not Applicable</p>

8.6.1 Lot design

<p>That each lot:</p> <ul style="list-style-type: none"> (a) has an area and dimensions appropriate for use and development in the zone; (b) is provided with appropriate access to a road;

<p>(c) contains areas which are suitable for development appropriate to the zone purpose, located to avoid natural hazards; and</p> <p>(d) is orientated to provide solar access for future dwellings.</p>
<p>Not Consistent</p> <p>The proposed size of proposed Lot 2 is not considered appropriate for the zone nor for the proposed development.</p>
<p>A1 Each lot, or a lot proposed in a plan of subdivision, must:</p> <p>(a) have an area of not less than 450m² and:</p> <p>(i) be able to contain a minimum area of 10m x 15m with a gradient not steeper than 1 in 5, clear of:</p> <p>a. all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and</p> <p>b. easements or other title restrictions that limit or restrict development; and</p> <p>(ii) existing buildings are consistent with the setback required by clause 8.4.2</p> <p>A1, A2 and A3, and 8.5.1 A1 and A2;</p> <p>(b) be required for public use by the Crown, a council or a State authority;</p> <p>(c) be required for the provision of Utilities; or</p> <p>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</p>
<p>Relies on Performance Criteria</p> <p>The existing lot has an area of 884m². It consists of an original title with an area of 629.53m² which contains a substantial federation style weatherboard clad dwelling and will form Lot 1. Proposed Lot 2 has area of 268.85m². It was previously part of the road reserve but was added to the title, effective in May 2021.</p> <p>Lot 2 does not meet the acceptable solutions and must be considered against the performance criteria.</p>
<p>P1 Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:</p> <p>(a) the relevant requirements for development of buildings on the lots;</p> <p>(b) the intended location of buildings on the lots;</p> <p>(c) the topography of the site;</p> <p>(d) the presence of any natural hazards;</p> <p>(e) adequate provision of private open space; and</p> <p>(f) the pattern of development existing on established properties in the area.</p>
<p>Does Not Comply</p> <p>The proposed size of Lot 2 is not considered to have sufficient useable area and dimensions for a residential use, regard given to the following:</p> <p><i>(a) the relevant requirements for development of buildings on the lots;</i></p> <p>The lot and dwelling proposed as part of the application seeks variations to most of the necessary development requirements for the dwelling which is resultant of the sub-minimal lot size. The site rises to the north and south on a diagonal from the south east to the north western corner with a slope of approximately 26%. The effective width at the eastern frontage is approximately 7.7m to a maximum of 11.3m, 3m in from the western boundary over a length of 28m. These characteristics severely restricts where a dwelling may be positioned to meet the necessary development requirements of the zone requiring reliance on the</p>

performance criteria. The assessment of the criteria under Clause 8.4 demonstrate compliance is not possible.

(b) the intended location of buildings on the lots;

Given the location of Lot 2 adjacent to the road frontage, and the elongated shape of the lot, limits where a building may be placed. In addition, the elevated position of the site impacts on the ability of the site to sustain a multi-storied dwelling.

(c) the topography of the site;

The site rises approximately 26% on a diagonally to the west and north. It is elevated above the junction of Stone and Frederick Streets by at least 2m with the proposed dwelling having a proposed floor level 7m above the intersection.

(d) the presence of any natural hazards;

The site is covered by the low and medium landslide risk.

(e) adequate provision of private open space; and

The topography of the land limits the ability to provide suitable open space, the site rising 7.5m diagonally from the south east to the north west with a slope of around 26.6%. The most level area is utilised for the necessary provision of parking and to access the dwelling.

(f) the pattern of development existing on established properties in the area.

Most properties in the vicinity consist of either a single or part two storey cottage constructed relatively close to the street front with the approximately half of the site open space and garden.

Street address	Site area	Site cover
36 Stone Street	377m ²	34.2%
34 Stone Street	375m ²	41.18%
32 Stone Street	448m ²	24.59%
30 Stone Street	400m ²	24.37%
28 Stone Street	486m ²	35.69%
26 Stone Street	367m ²	37.11%
24 Stone Street	367m ²	32.24%
20 Stone Street	430m ²	35.27%
18 Stone Street	582m ²	32.75%
16 Stone Street	690m ²	22.9%
14 Stone Street	889m ²	29.83%
12a Stone Street	288m ²	39.73%
83 Frederick Street	568m ²	33.85%
85 Frederick Street	597m ²	25.46%
120 Frederick Street	885m ²	14.5%
28 Bourke Street	1254m ²	18.85%
11A Reserve Street	617m ²	2.9%
13 Reserve Street	617m ²	23.07%

Proposed Lot 2 is at most a third smaller and would not be able to provide a similar pattern of development as other properties in the area. The 26% slope, elongated shape of the site with its longer elevation to Frederick St and the position on the street corner limit the ability of the site to meet the necessary criteria.

While development does not have to be 'the same' to be compatible it should at least be similar in scale and density. The lot does not retain sufficient area and dimensions to sustain a compatible residential use.

The performance criteria are not able to be met.

P1 Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:

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

Complies

Lot 1 has a 25.79m frontage to Stone Street.

The primary frontage for Lot 2, to Stone Street, is angled and has a combined length of 8.37m. The western boundary fronts the access strip to proposed lot 1 and has a length of 10.33m. The 'other' frontage to Frederick Street is 24.87m long which meets the dimensional requirements.

P2 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:

- (a) the width of frontage proposed, if any;
- (b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;
- (c) the topography of the site;
- (d) the functionality and useability of the frontage;
- (e) the ability to manoeuvre vehicles on the site; and
- (f) the pattern of development existing on established properties in the area, and is not less than 3.6m wide.

Not Applicable

A3 Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.

Complies

Both lots are shown to have access from Frederick St over a sealed drive over the road reserve along the western boundary of Lot 2, this the existing access to Lot 1.

P3 Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:

- (a) the topography of the site;
- (b) the distance between the lot or building area and the carriageway;

(c) the nature of the road and the traffic; (d) the anticipated nature of vehicles likely to access the site; and (e) the ability for emergency services to access the site.
Not Applicable

8.6.3 Services

That the subdivision of land provides services for the future use and development of the land.
Consistent Both lots are able to be serviced.
A1 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a full water supply service.
Complies A SPAN has been issued approving water connection to both lots.
P1 A lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a limited water supply service, having regard to: (a) flow rates; (b) the quality of potable water; (c) any existing or proposed infrastructure to provide the water service and its location; (d) the topography of the site; and (e) any advice from a regulated entity.
Not Applicable
A2 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.
Complies A SPAN has been issued approving sewer connection to both lots.
P2 No Performance Criterion.
Not Applicable
A3 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.
Complies Application referred to TasWater and conditional consent provided by Submission to Planning Authority Notice TWDA 2023/01537-LCC. It contains advice that the existing combined system does not have the capacity for additional flows of stormwater and the Drainage Authority should refuse the application or condition the development to ensure the current service standard of the combined system is not compromised. A condition for onsite detention has been recommended for inclusion if a permit is issued.
P3 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land, having regard to: (a) the size of the lot; (b) topography of the site;

- (c) soil conditions;
- (d) any existing buildings on the site;
- (e) any area of the site covered by impervious surfaces; and
- (f) any watercourse on the land.

Not Applicable

C2.0 Parking and Sustainable Transport Code

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.

Consistent

Both lots are close to all transport options the city offers and would be capable of providing car parking for their intended use.

C2.5.1 Car parking numbers

That an appropriate level of car parking spaces are provided to meet the needs of the use.

Consistent

Appropriate car parking can be provided for dwellings on both lots.

A1 The number of on-site car parking spaces must be no less than the number specified in Table C2.1, less the number of car parking spaces that cannot be provided due to the site including container refund scheme space, excluding if:

- (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:
 - (i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or
 - (ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:
 - $N = A + (C - B)$
 - N = Number of on-site car parking spaces required
 - A = Number of existing on site car parking spaces
 - B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1

C= Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.
Complies Table 2.1 requires a single dwelling to have two cars spaces for a dwelling with two or more bedrooms.

C2.6.1 Construction of parking areas

That parking areas are constructed to an appropriate standard.
Consistent The parking areas for the proposed dwelling would be appropriately constructed.
A1 All parking, access ways, manoeuvring and circulation spaces must: (a) be constructed with a durable all weather pavement; (b) be drained to the public stormwater system, or contain stormwater on the site; and (c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.
Complies Car parking would be provided within the proposed garage which will have a concrete surface and be drained to the reticulated stormwater system via a detention basin on site.
P1 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) the nature of the use; (b) the topography of the land; (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.
Not Applicable

C2.6.2 Design and layout of parking areas

That parking areas are designed and laid out to provide convenient, safe and efficient parking.
Consistent The parking spaces will be safe and convenient.
A1.1 Parking, access ways, manoeuvring and circulation spaces must either: (a) comply with the following: (i) have a gradient in accordance with <i>Australian Standard AS 2890 - Parking facilities, Parts 1-6</i> ; (ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces; (iii) have an access width not less than the requirements in Table C2.2; (iv) have car parking space dimensions which satisfy the requirements in Table C2.3;

<ul style="list-style-type: none"> (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>Complies The access to the site is approximately 1:4 and the dimensions of the garage comply with Table C2.3.</p>
<p>A1.2 Parking spaces provided for use by persons with a disability must satisfy the following:</p> <ul style="list-style-type: none"> (a) be located as close as practicable to the main entry point to the building; (b) be incorporated into the overall car park design; and (c) be designed and constructed in accordance with <i>Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities</i>.
<p>Not Applicable</p>
<p>P1 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>.
<p>Not Applicable</p>

C2.6.3 Number of accesses for vehicles

<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.
<p>Consistent The number of access points are appropriate.</p>
<p>A1 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>Complies Each lot will have one access point.</p>

P1 The number of accesses for each frontage must be minimised, having regard to:

- (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.

Not Applicable



PROPOSED SUBDIVISION & DWELLING
22 STONE STREET,
WEST LAUNCESTON, 7250.

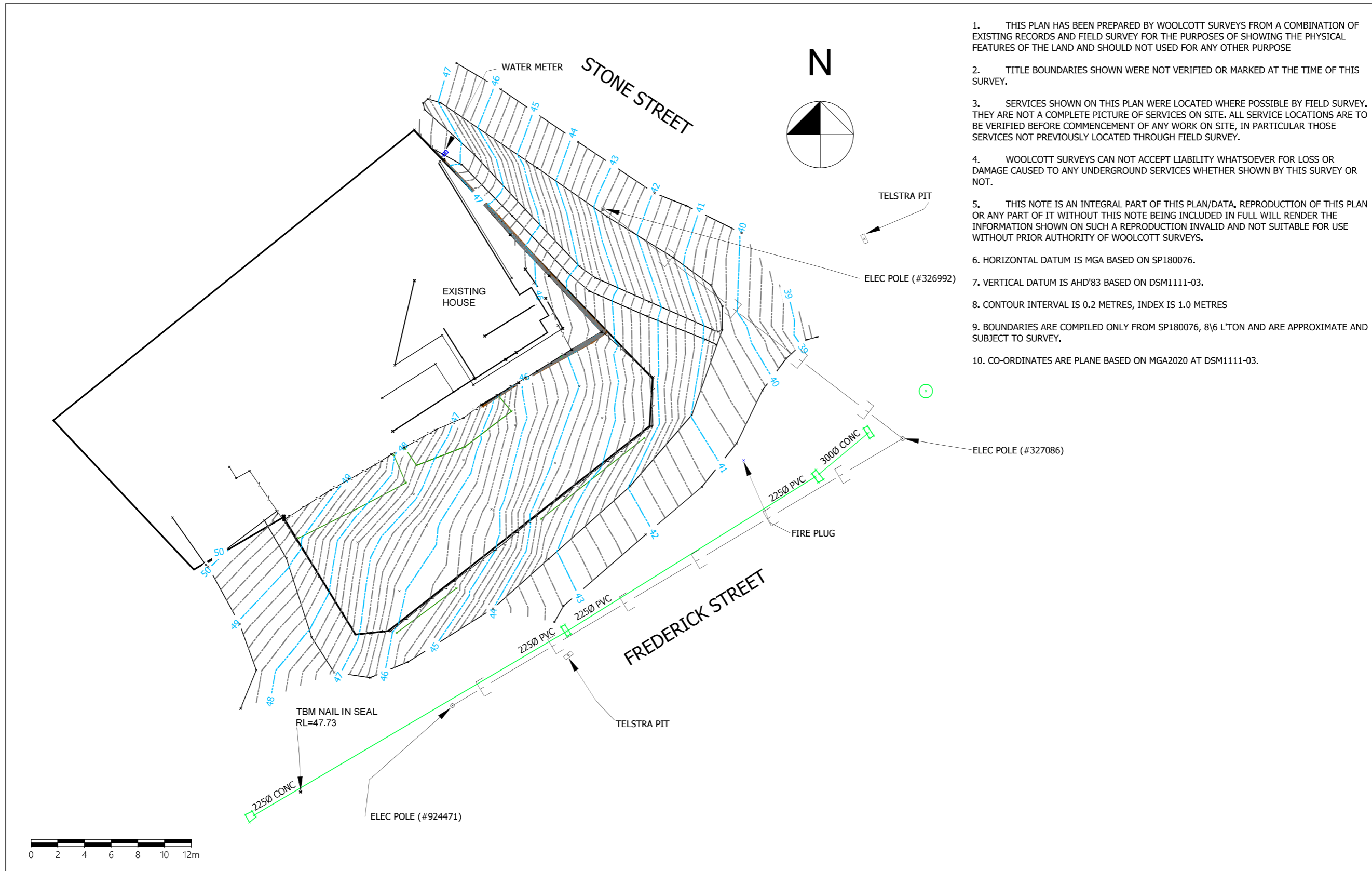


DRAWING #	DRAWING
STNS20 -1	COVER PAGE
STNS20 -2	SITE SURVEY PLAN
STNS20 -3	SUBDIVISION PLAN
STNS20 -4	SITE PLAN
STNS20 -5	UPPER FLOOR PLAN
STNS20 -6	LOWER FLOOR PLAN
STNS20 -7	EXTERNAL SERVICES
STNS20 -8	ELEVATIONS NW/SE
STNS20 -9	ELEVATIONS NE/SW
STNS20 -10	BUILDING ENVELOPE DIAGRAMS
STNS20 -11	BUILDING ENVELOPE DIAGRAMS
STNS20 -12	PERSPECTIVES


AREAS	(m ²)	COUNCIL	ZONE
ALFRESCO	11.04	LAUNCESTON	GENERAL RESIDENTIAL
DWELLING	135.64	LAND TITLE REFERENCE	TBC
		PROPERTY ID	TBC
		LOT SIZE (M ²)	TBC
		BAL RATING	N/A
		DESIGN WIND CLASS	TBC
		SOIL CLASSIFICATION	TBC
		PLANNING OVERLAY	AIRPORT OBSTACLE LIMITATION AREA
		ENERGY STAR RATING	TBC
		CLIMATE ZONE	7
		ALPINE AREA	N/A
		CORROSION ENV'	N/A
		SITE HAZARDS	LOW/MEDIUM LANDSLIP HAZARD AREA

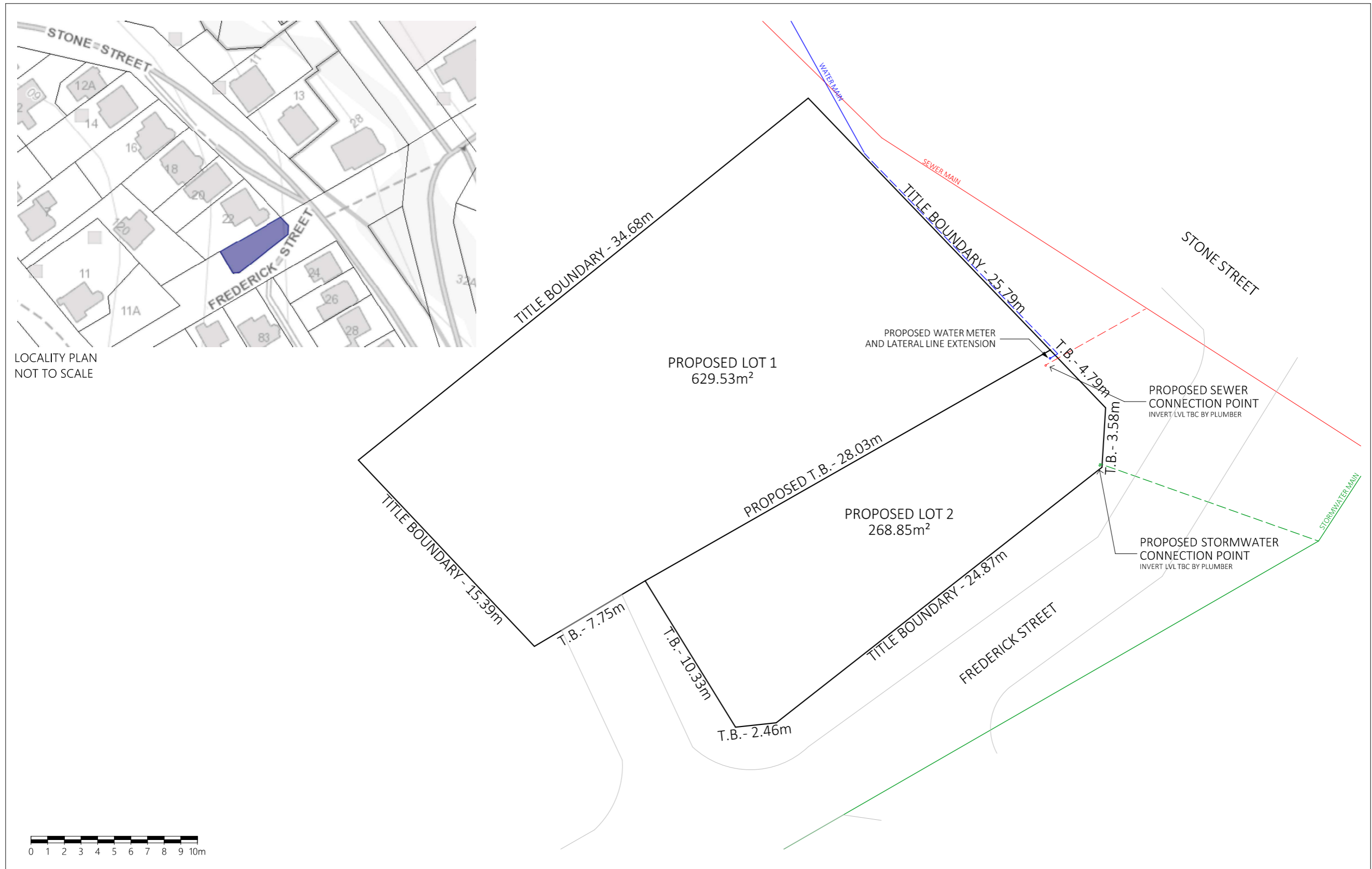
ATTACHMENTS


<p>ACC # 371799313 ABN. 71 615 812 747 PH. 6344 7319 E. info@designtolive.com.au W. designtolive.com.au</p>	CLIENT/S: JONATHON HARMY	DRAWING COVER PAGE	I/WE APPROVE THESE DRAWING TO BE CORRECT PER CONTRACT. SIGNATURE: DATE: SIGNATURE: DATE:	COPYRIGHT: This is the sole property of Design To Live, and may not be used in whole, or in part without written or formal consent from Design To Live. Legal action will be taken against any person/s infringing the copyright.	REV.	DATE	DESCRIPTION	DESIGNER	M.L.	JOB NUMBER	STNS22
					R1	10/10/2023	FOR REVIEW	DRAWN	D.M.	DRAWING	1/12
					R2	26/10/2023	FOR DA	CHECKED	M.L.	SCALE (@A3)	NTS

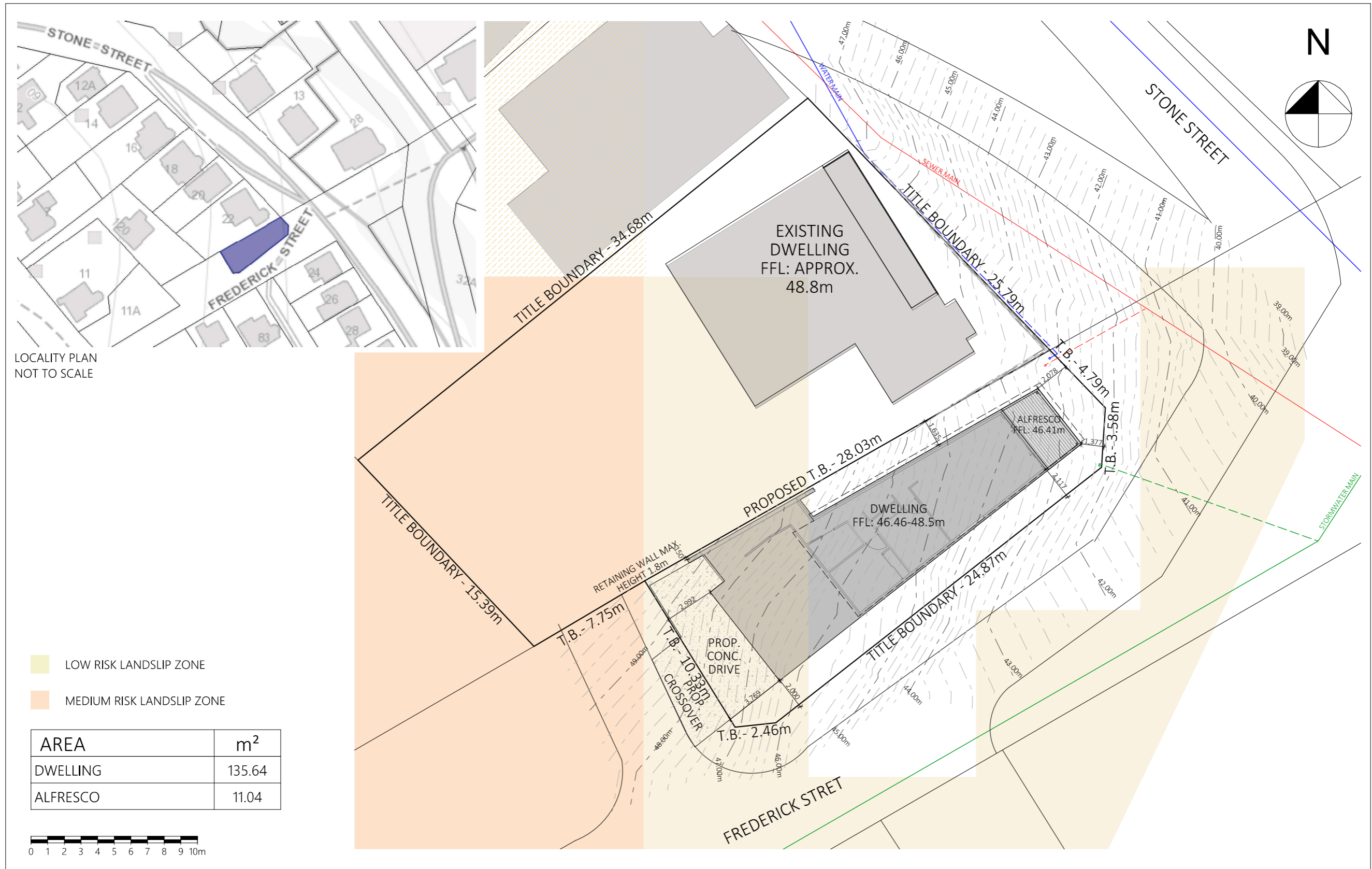


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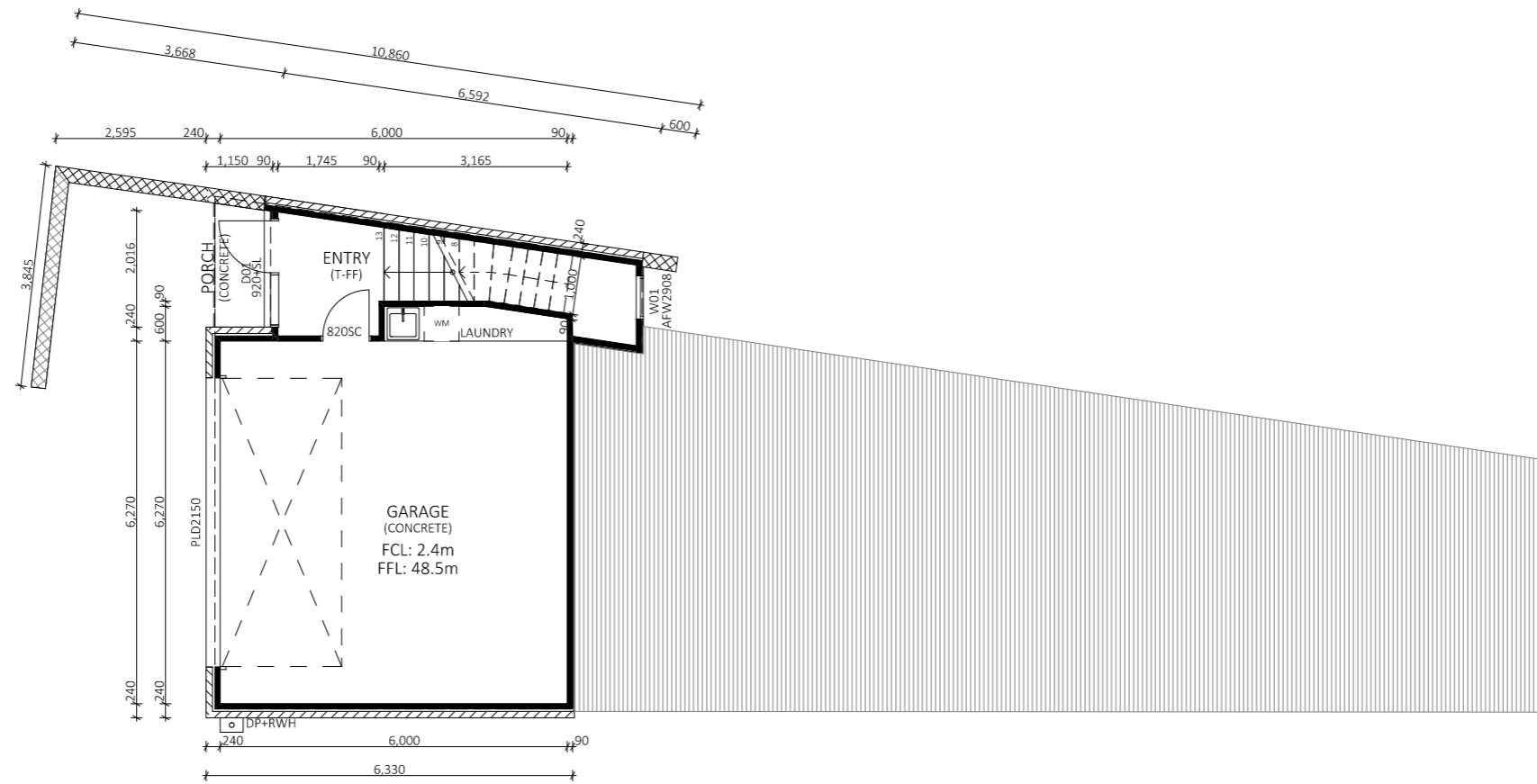
LOCALITY PLAN
NOT TO SCALE

- LOW RISK LANDSLIP ZONE
- MEDIUM RISK LANDSLIP ZONE

AREA	m ²
DWELLING	135.64
ALFRESCO	11.04



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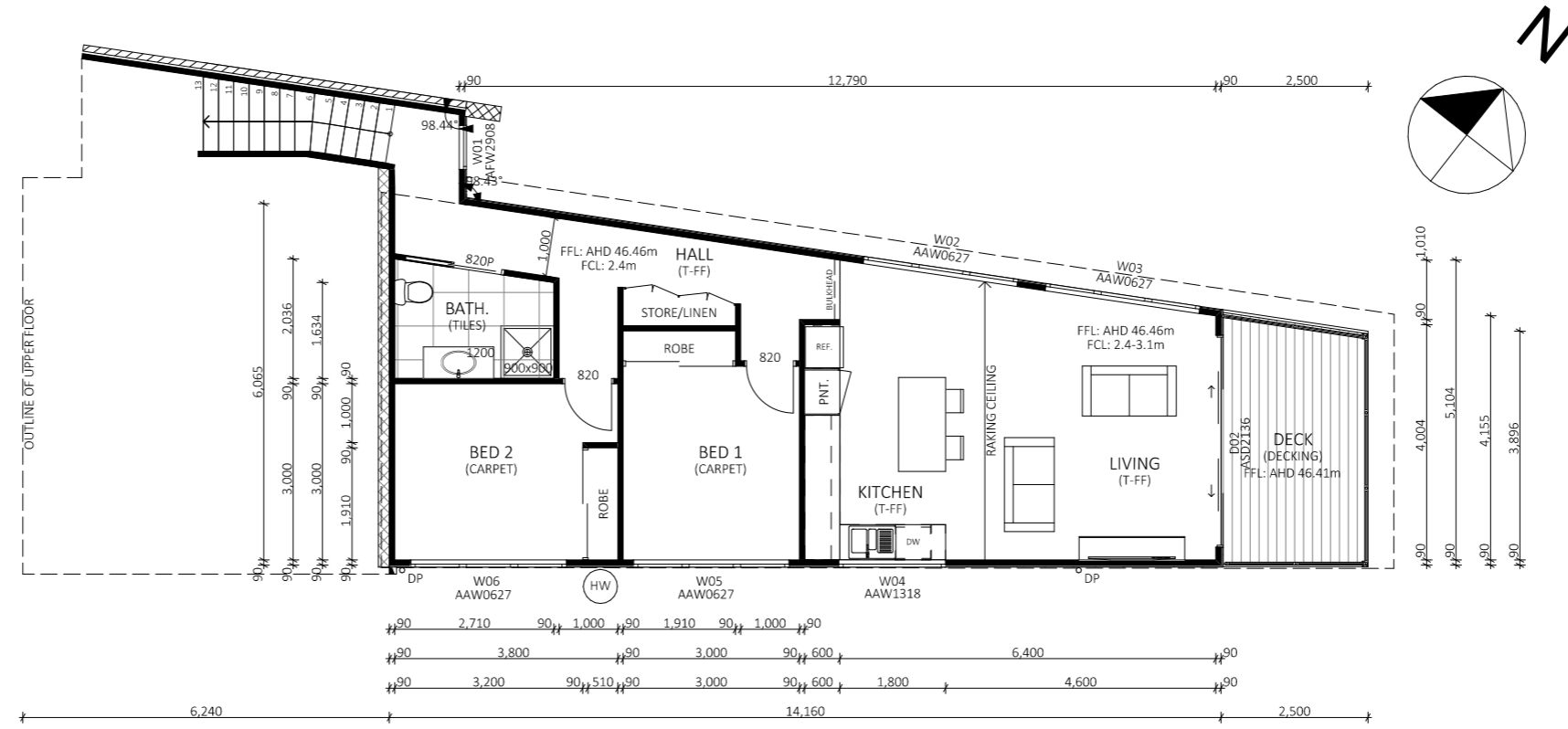
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DRAWING
LOWER FLOOR
PLAN





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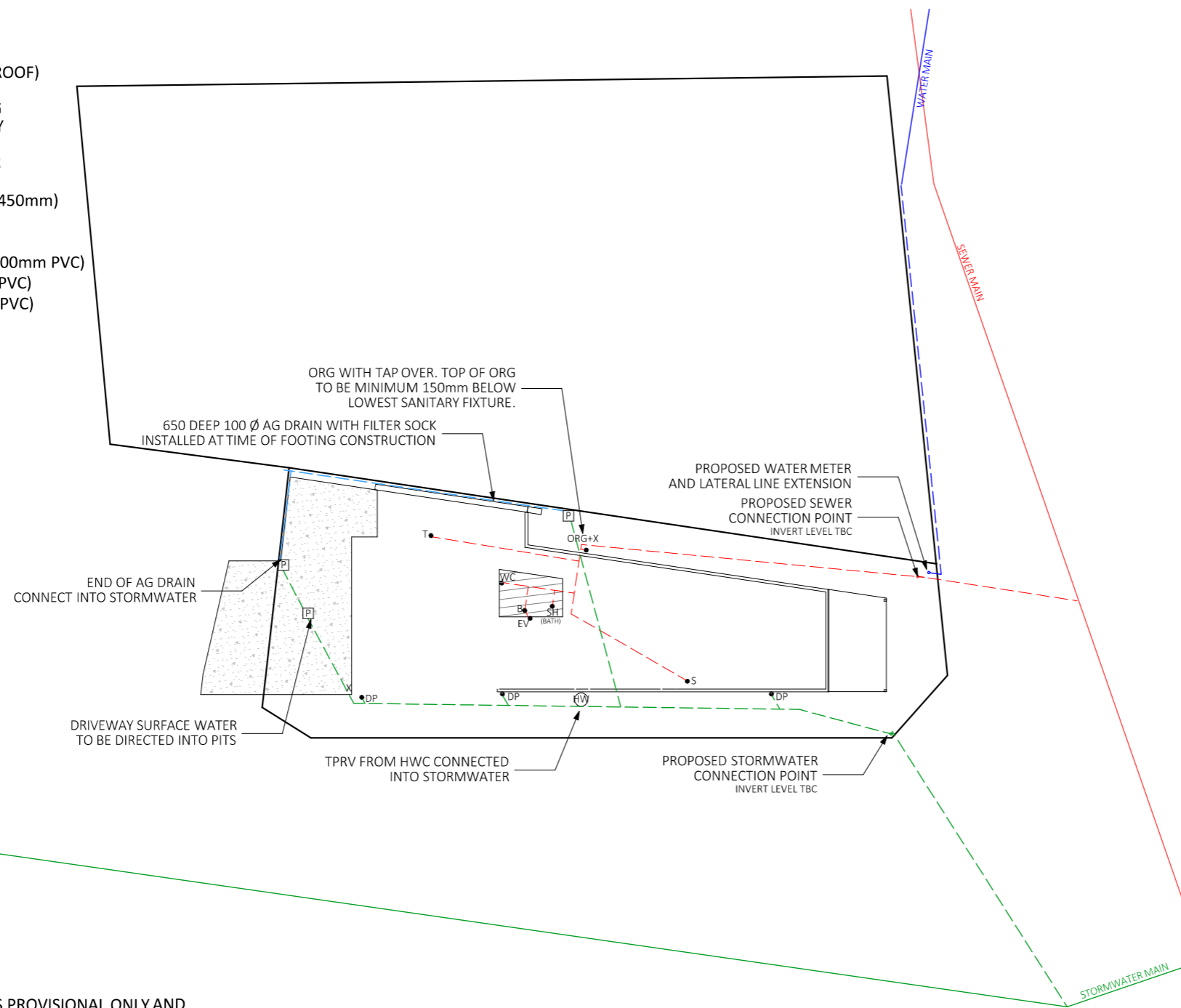
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LEGEND

- B - BASIN
- Ba - BATH
- S - SINK (65Ø)
- T - LAUNDRY TUB (65Ø)
- SH - SHOWER
- WC - WATER CLOSET
- FW - FLOOR WASTE
- EV - VENT (THROUGH TO ROOF)
- FWG - FLOOR WASTE GULLY
- IO - INSPECTION OPENING
- ORG - O/FLOW RELIEF GULLY
- RE - RODDING EYE
- HW - HOT WATER CYLINDER
- X - EXTERNAL TAP
- P - DRAINAGE PIT (450 x 450mm)
- DP - DOWNPIPE (90 Ø)
-  - WET AREAS
-  - STORMWATER LINE (100mm PVC)
-  - SEWER LINE (100mm PVC)
-  - WATER LINE (100mm PVC)



INSTALL INSPECTION OPENINGS AT MAJOR BENDS FOR STORMWATER AND ALL LOW POINTS OF DOWNPIPES.

PROVIDE SURFACE DRAIN TO BACK OF BULK EXCAVATION TO DRAIN LEVELLED PAD PRIOR TO COMMENCING FOOTING EXCAVATION.

SERVICES

THE HEATED WATER SYSTEM MUST BE DESIGNED AND INSTALLED WITH PART B2 OF THE NCC VOLUME THREE- PLUMBING CODE OF AUSTRALIA.

THERMAL INSULATION FOR HEATED WATER PIPING MUST:
A) BE PROTECTED AGAINST THE EFFECTS OF WEATHER AND SUNLIGHT; AND
B) BE ABLE TO WITHSTAND THE TEMPERATURES WITHIN THE PIPING ; AND
C) USE THERMAL INSULATION IN ACCORDANCE WITH AS/NZS 4859.1

HEATED WATER PIPING THAT IS NOT WITHIN A CONDITIONED SPACE MUST BE THERMALLY INSULATED AS FOLLOWS:

1. INTERNAL PIPING

- a) ALL FLOW AND RETURN INTERNAL PIPING THAT IS-
i) WITHIN AN UNVENTILATED WALL SPACE
ii) WITHIN AN INTERNAL FLOOR BETWEEN STOREYS; OR
iii) BETWEEN CEILING INSULATION AND A CEILING
MUST HAVE A MINIMUM R-VALUE OF 0.2

2. PIPING LOCATED WITHIN A VENTILATED WALL SPACE, AN ENCLOSED BUILDING SUBFLOOR OR A ROOF SPACE

- a) ALL FLOW AND RETURN PIPING
b) COLD WATER SUPPLY PIPING AND RELIEF VALVE PIPING WITHIN 500mm OF THE CONNECTION TO CENTRAL WATER HEATING SYSTEM,
MUST HAVE A MINIMUM R-VALUE OF 0.45

3. PIPING LOCATED OUTSIDE THE BUILDING OR IN AN UNENCLOSED BUILDING SUB FLOOR OR ROOF SPACE

- a) ALL FLOW AND RETURN PIPING
b) COLD WATER SUPPLY PIPING AND RELIEF VALVE PIPING WITHIN 500mm OF THE CONNECTION TO CENTRAL WATER HEATING SYSTEM
MUST HAVE A MINIMUM R-VALUE OF 0.6

PIPING WITHIN AN INSULATED TIMBER FRAMED WALL, SUCH AS THAT PASSING THROUGH A WALL STUD, IS CONSIDERED TO COMPLY WITH THE ABOVE INSULATION REQUIREMENTS.

ALL WORKS ARE TO BE IN ACCORDANCE WITH THE WATER SUPPLY CODE OF AUSTRALIA MELBOURNE RETAIL WATER AGENCIES INTERGRATED CODE (WSA 03-2011-3.1 VERSION 3.1 MRWA VERSION 2.0) AND THE SEWERAGE CODE OF AUSTRALIA MELBOURNE RETAIL WATER AGENCIES INTERGRATED CODE (WSA 02-2014-3.1 MRWA VERSION 2.0) AND TASWATER'S SUPPLEMENTS TO THESE CODES.

ALL DRAINAGE WORK SHOWN IS PROVISIONAL ONLY AND IS SUBJECT TO AMENDMENT TO COMPLY WITH LOCAL AUTHORITIES. ALL WORK IS TO COMPLY WITH AS-3500 AND LOCAL PLUMBING CODE AND SHOULD BE CARRIED OUT BY A LICENSED PLUMBER.



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PH. 6344 7319
E. info@designtolive.com.au
W. designtolive.com.au

CLIENT/S:
JONATHON HARMY

SITE ADDRESS:
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DRAWING
EXTERNAL
SERVICES

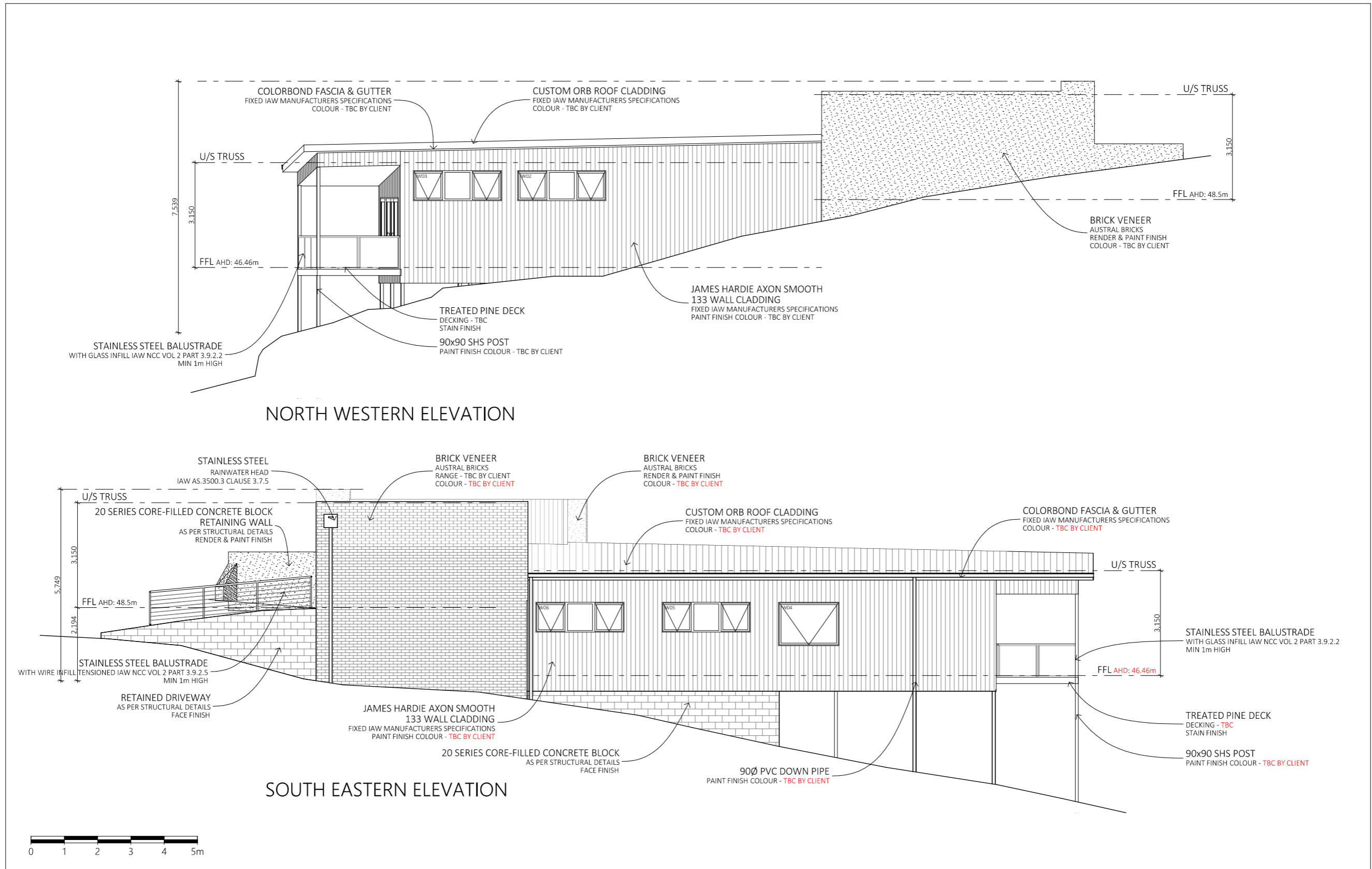
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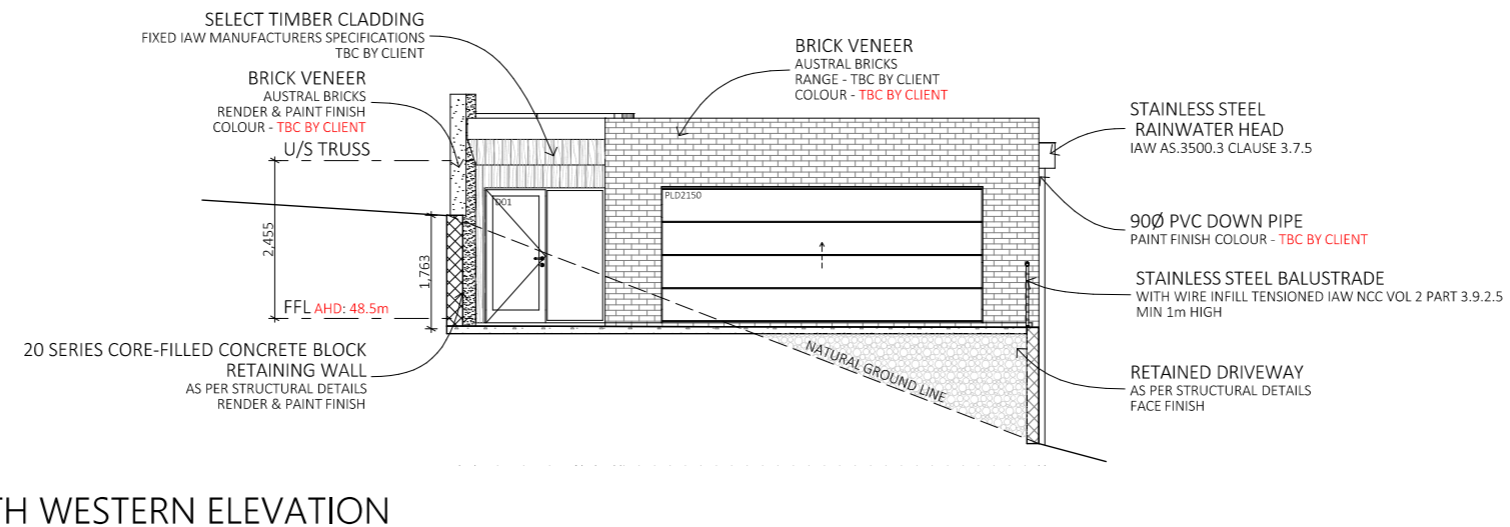
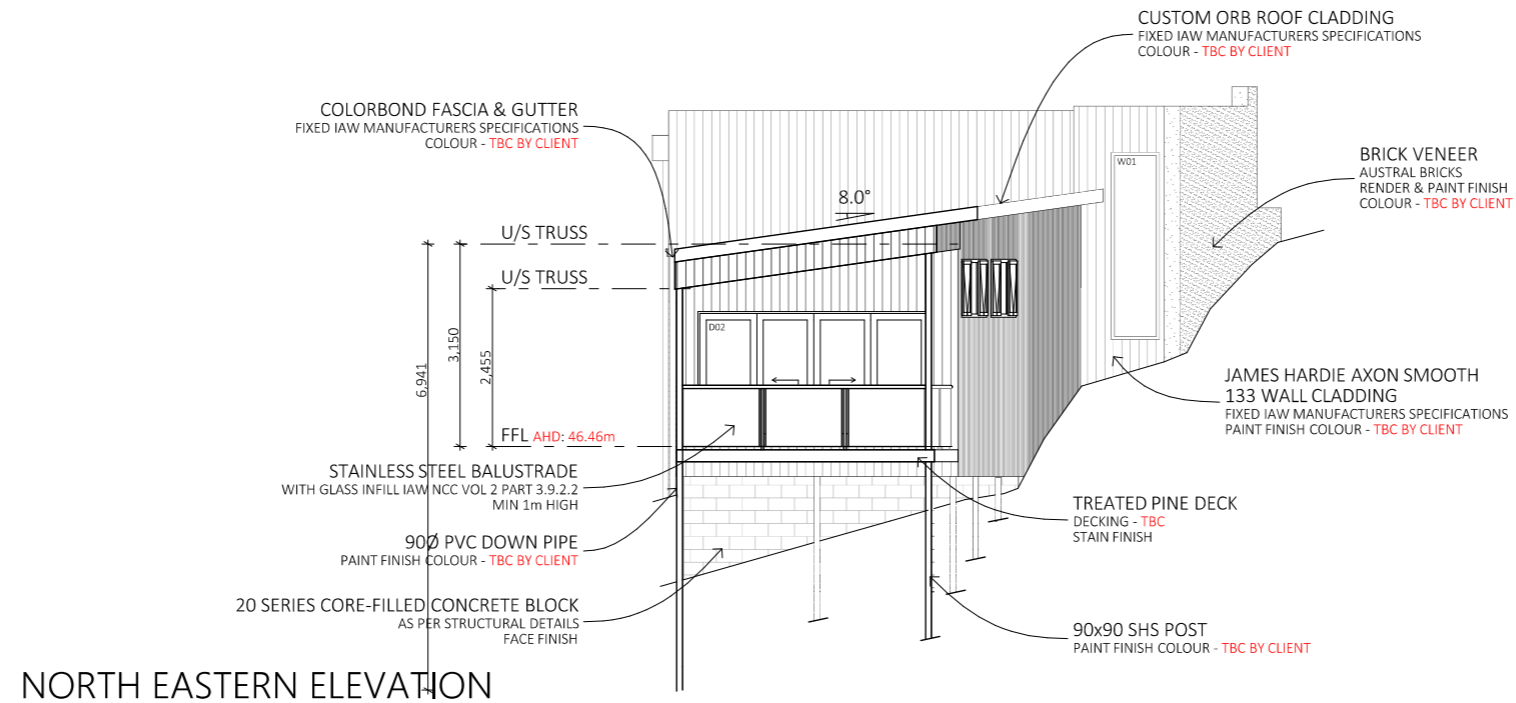
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REV.	DATE	DESCRIPTION	DESIGNER	M.L.	JOB NUMBER	STNS22
R1	10/10/2023	FOR REVIEW				
R2	26/10/2023	FOR DA	DRAWN	D.M.	DRAWING	7/12
			CHECKED	M.L.	SCALE (@A3)	1:200



 ACC # 371799313 ABN. 71 615 812 747 PH. 6344 7319 E. info@designtolive.com.au W. designtolive.com.au Document Set ID: 4987471 Version: 2, Version Date: 16/11/2023	CLIENT/S: JONATHON HARMY	DRAWING ELEVATIONS NW/SE	I/WE APPROVE THESE DRAWING TO BE CORRECT PER CONTRACT.		COPYRIGHT: This is the sole property of Design To Live, and may not be used in whole, or in part without written or formal consent from Design To Live. Legal action will be taken against any person/s infringing the copyright.	REV.	DATE	DESCRIPTION	DESIGNER	M.L.	JOB NUMBER	STNS22
	SITE ADDRESS: 22 STONE STREET, WEST LAUNCESTON, 7250.		SIGNATURE:	DATE:		R1	10/10/2023	FOR REVIEW	DRAWN	D.M.	DRAWING	8/12
	SIGNATURE:	DATE:		R2	26/10/2023	FOR DA	CHECKED	M.L.	SCALE (@A3)	1:100		



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SITE ADDRESS:
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DRAWING
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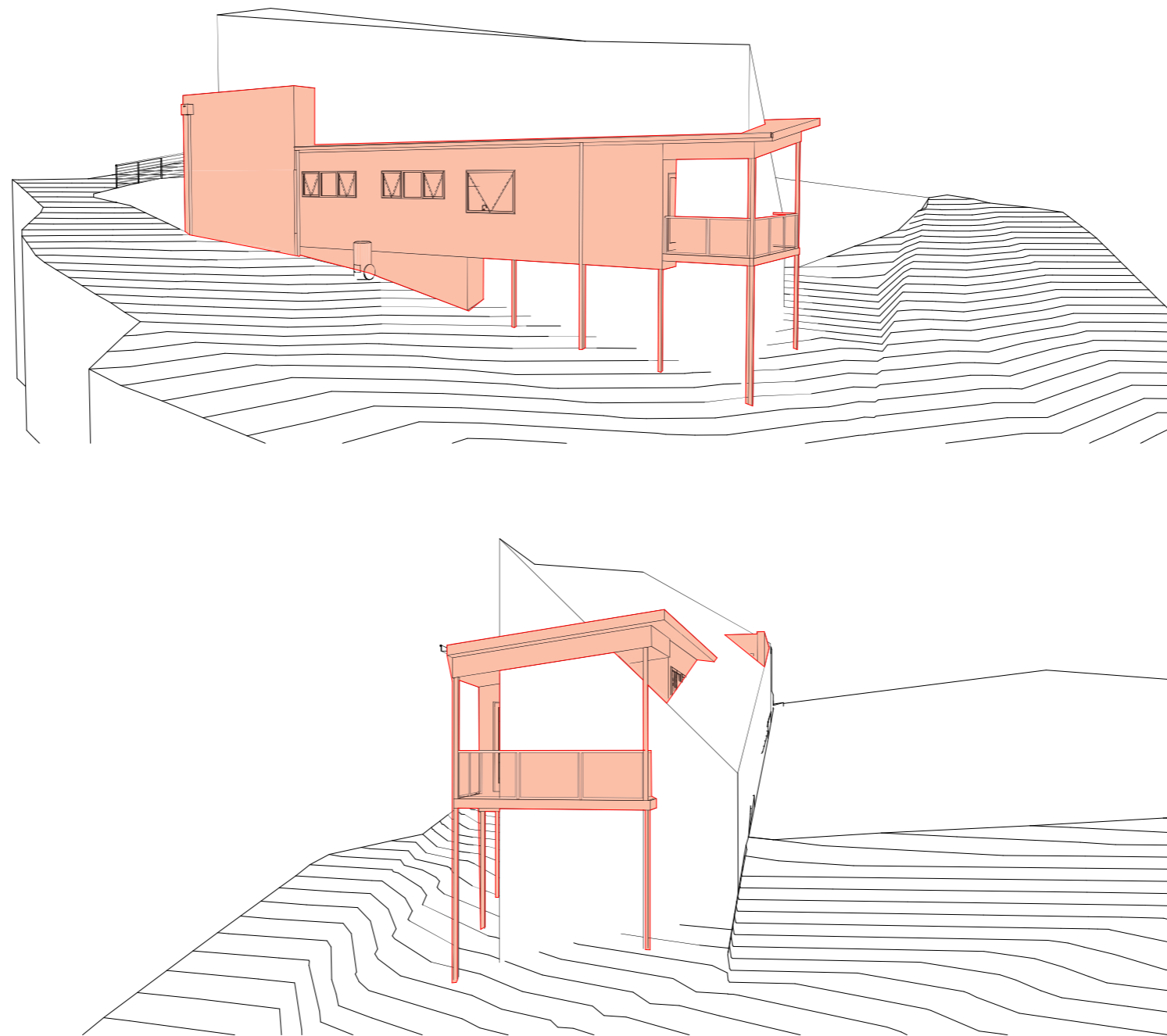
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R1	10/10/2023	FOR REVIEW	DRAWN	D.M.	DRAWING	9/12
R2	26/10/2023	FOR DA	CHECKED	M.L.	SCALE (@A3)	1:100

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**AREAS OUTSIDE TASMANIAN PLANNING SCHEME
BUILDING ENVELOPE (CLAUSE 8.4.2 - FIGURE 8.2)**



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DRAWING
 BUILDING
 ENVELOPE
 DIAGRAMS

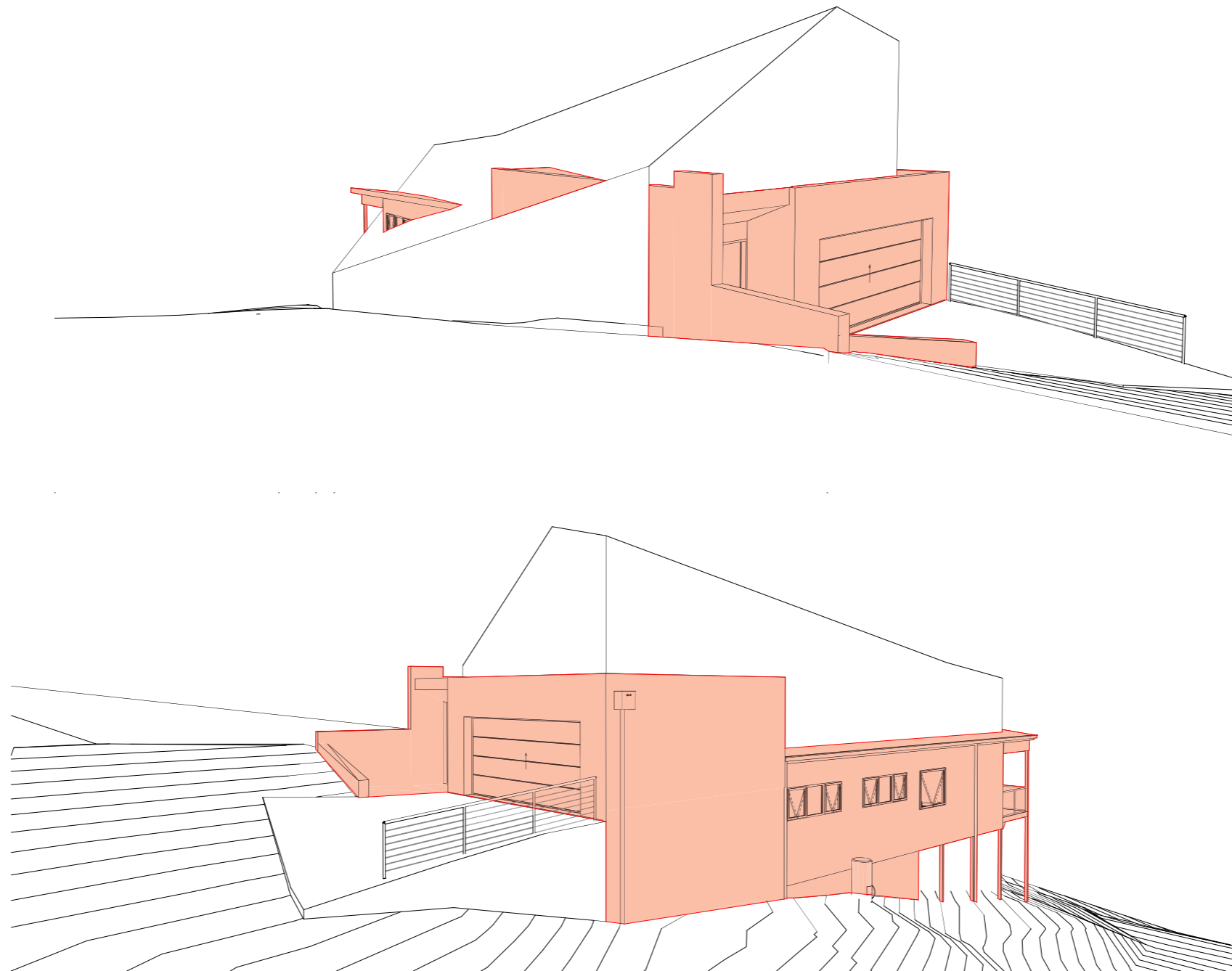
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R2	26/10/2023	FOR DA	DRAWN	D.M.	DRAWING	10/12
			CHECKED	M.L.	SCALE (@A3)	1:200

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**AREAS OUTSIDE TASMANIAN PLANNING SCHEME
BUILDING ENVELOPE (CLAUSE 8.4.2 - FIGURE 8.2)**



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R1	10/10/2023	FOR REVIEW				
R2	26/10/2023	FOR DA	DRAWN	D.M.	DRAWING	11/12
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Version: 2, Version Date: 16/11/2023



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CLIENT/S:
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DRAWING
PERSPECTIVES

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R2	26/10/2023	FOR DA				
			DRAWN	D.M.	DRAWING	12/12
			CHECKED	M.L.	SCALE (@A3)	NTS

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Version: 2, Version Date: 16/11/2023



Mail: 202 Wellington Street, South Launceston 7249

7 November 2023

A.B.N: 71 615 812 747

Phone: 6344 7319

Email: info@designtolive.com.au

Planning Application Cover Letter

Development: Proposed Dwelling & Subdivision

Owner: Jonathan Harmey

Address: 22 Stone Street, West Launceston

Council: Launceston City

Zone: General Residential

Please find below further information for the proposed Development at the above address.

8.4.2 – Setbacks and building envelope for all dwellings

A1

Relies on performance criteria P1. The proposed dwelling has a setback that is compatible with the existing streetscape. Due to the steep topography of the area, many of the dwellings are located within 4.5m of the frontage boundary, with many existing dwellings in the area having a setback of less than 1m.

A2

Relies on performance criteria P2. The proposed garage setback is compatible with the streetscape. Due to steep topography a number of properties on Stone Street have carports or parking areas at the front boundary.

A3

Relies on performance criteria P3. The proposed dwelling will not cause any unreasonable loss of amenity to adjoining properties having regard to reduction in sunlight, overshadowing or visual impacts. The proposed dwelling is located on a corner block that has public/access roads adjoining on all but one title boundary, and the only adjoining property with an existing dwelling is located to the north of the proposed dwelling at a higher finished floor level.

The separation between dwellings remains consistent with the existing properties in the area, with many dwellings constructed to the side boundaries including 18 and 20 Stone Street. There will be no reduction in sunlight to any adjoining properties in regard to solar energy installations.

8.4.3 – Site coverage and private open space for all dwellings

A1

Relies on performance criteria P1. Site coverage totals 146m² and total site area is approx. 269m², equalling a site coverage of 54%. This is reasonably consistent with the area when considering the site

of the property. 12a Stone Street is of a similar lot size (approx. 287m²) and has a site coverage of approximately 55%. The proposed dwelling still has ample room on the site to accommodate any and all operational needs as well as reasonable space for planting of gardens and landscaping. It is also worth noting that the majority of the dwelling is above the natural ground level and space underneath the proposed dwelling could also be utilised. There is 11m² of deck accessed off the living area that is included in the total private open space for the dwelling.

A2

Relies on performance criteria P2. The proposed dwelling includes a deck accessed from the living area that is capable of serving as an extension of the dwelling that can be used for outdoor relaxation, dining, entertaining and children's play. The area is orientated to take advantage of sunlight with a north easterly facing aspect.

8.4.5 – Width of openings for garages and carports for all dwellings

A1

Relies on performance criteria P1. The proposed garage is located to the south of the property as is accessed via a shared driveway off Stone and Frederick Street. The proposed garage will not be visible from the Stone Street frontage.

8.4.6 Privacy for all dwellings

A1

Relies on performance criteria P1. The proposed dwelling has an alfresco located less than 3m from the side boundary. Although no privacy screen has been proposed, the deck will not have any impact on the neighbouring property to the north with regard to overlooking as the finished floor level is approximately 2m below the neighbouring dwelling and the existing dwelling at 22 Stone Street only has one window along the façade facing the proposal.

This window is set further back on the site than the alfresco of the proposed dwelling so there will be no direct line of site into this window. The alfresco area and private open space of the neighbouring dwelling is also located on the opposite side of the property and will therefore not be impacted.

A2

Meets acceptable solution. Windows located on the northwestern façade have a sill height of 2m from the finished floor level.

A3 – N/A

8.4.7 – Frontage fences for all dwellings

A1

Relies on performance criteria P1. The proposed retaining wall is compatible with the typography of the site and will still allow for passive surveillance of the road. It will not have any impact on traffic volumes of the area.

8.6.1 Lot Design

A1

Relies on performance criteria P1. Refer Subdivision plan. The proposed lot has sufficient area for the proposed dwelling and is compatible with smaller lots located on Stone Street.

A2

Relies on performance criteria P2. Refer Subdivision plan. Proposed lot has a frontage of 4.79m. Due to the steep topography of the site, the frontage is not useable for carriageway, vehicular access is provided to the site via a non-frontage boundary which is not uncommon for the area.

A3

Meets acceptable solution. Refer Subdivision plan. Proposed lot is provided with vehicular access.

A4

N/A. No new roads proposed.

Regards,
Denika McDonald-Hodges
(BEnvDes, MArch)



Submission to Planning Authority Notice

Council Planning Permit No.	DA0505/2023	Council notice date	7/11/2023
TasWater details			
TasWater Reference No.	TWDA 2023/01537-LCC	Date of response	14/11/2023
TasWater Contact	Robert Stapleton	Phone No.	0417279866
Response issued to			
Council name	CITY OF LAUNCESTON		
Contact details	Planning.Admin@launceston.tas.gov.au		
Development details			
Address	22 STONE STREET, WEST LAUNCESTON	Property ID (PID)	9280619
Description of development	Subdivision (1 lot into 2 lots) and New Dwelling		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Design to Live	"Subdivision Plan" / Job: STNS22 – Dwg: 3/12	R2	26/10/2023
Design to Live	"Site Plan" / Job: STNS22 – Dwg: 4/12	R2	26/10/2023
Design to Live	"External Services" / Job: STNS22 – Dwg: 7/12	R2	26/10/2023
Conditions			
SUBMISSION TO PLANNING AUTHORITY NOTICE OF PLANNING APPLICATION REFERRAL			
Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56P(1) TasWater imposes the following conditions on the permit for this application:			
CONNECTIONS, METERING & BACKFLOW			
1. A suitably sized water supply with metered connections and sewerage system and connections to each lot of the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit.			
2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost.			
3. Prior to commencing construction of the subdivision/use of the development, any water connection utilised for construction/the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater.			
FINAL PLANS, EASEMENTS & ENDORSEMENTS			
4. Prior to the Sealing of the Final Plan of Survey, a Consent to Register a Legal Document must be obtained from TasWater as evidence of compliance with these conditions when application for sealing is made. <i>Advice: Council will refer the Final Plan of Survey to TasWater requesting Consent to Register a Legal Document be issued directly to them on behalf of the applicant.</i>			
DEVELOPER CHARGES			
5. Prior to TasWater issuing a Consent to Register a Legal Document/Certificate(s) for Certifiable Work (Building) and/or (Plumbing), the applicant or landowner as the case may be, must pay a developer			



charge totalling \$3,514.00 to TasWater for water and sewerage infrastructure for 1.0 additional Equivalent Tenement, indexed by the Consumer Price Index All groups (Hobart) from the date of this Submission to Planning Authority Notice until the date it is paid to TasWater.

DEVELOPMENT ASSESSMENT FEES

- 6. The applicant or landowner, as the case may be, must pay a development assessment fee of \$234.64, and a Consent to Register a Legal Document fee of \$248.30 to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date paid to TasWater.

The payment is required within 30 days of the issue of an invoice by TasWater.

Advice

General

For information on TasWater development standards, please visit <https://www.taswater.com.au/building-and-development/technical-standards>

For application forms please visit <https://www.taswater.com.au/building-and-development/development-application-form>

Developer Charges

For information on Developer Charges please visit the following webpage - <https://www.taswater.com.au/building-and-development/developer-charges>

Service Locations

Please note that the developer is responsible for arranging to locate the existing TasWater infrastructure and clearly showing it on the drawings. Existing TasWater infrastructure may be located by a surveyor and/or a private contractor engaged at the developers cost to locate the infrastructure.

- (a) A permit is required to work within TasWater’s easements or in the vicinity of its infrastructure. Further information can be obtained from TasWater.
- (b) TasWater has listed a number of service providers who can provide asset detection and location services should you require it. Visit <https://www.taswater.com.au/building-and-development/service-locations> for a list of companies.
- (c) Sewer drainage plans or Inspection Openings (IO) for residential properties are available from your local council.

Advice to the Drainage Authority

The combined system is at capacity in this area. TasWater cannot accept additional flows of stormwater into this area within the combined system over those currently discharged.

The Drainage Authority will be required to either refuse or condition the development to ensure the current service standard of the combined system is not compromised.

Declaration

The drawings/documents and conditions stated above constitute TasWater’s Submission to Planning Authority Notice.

TasWater Contact Details

Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au

TITLE: DA0479/2023 - 12 Queen Street, Invermay - Residential - Demolition of Two Outbuildings and Construction of a Secondary Residence

FILE NO: DA0479/2023

AUTHOR: Rachael Huby (Town Planner)

ACTING GENERAL MANAGER: Michelle Ogulin (General Manager Community and Place Network)

ATTACHMENT ONE:

To consider and determine a development application pursuant to the Land Use Planning and Approvals Act 1993.

PLANNING APPLICATION INFORMATION:

Applicant:	Alsocan Architects
Property:	12 Queen Street, Invermay
Zoning:	General Residential
Receipt Date:	17/10/2023
Validity Date:	19/10/2023
Further Information Request:	22/11/2023
Further Information Received:	06/12/2023
Deemed Approval:	25/01/2024
Representations:	3

3. PLANNING SCHEME REQUIREMENTS

3.1 Zone Purpose

8.0 General Residential Zone

The purpose of the General Residential Zone is:

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

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

8.0.3 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.

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

Consistent

The proposal to construct a secondary dwelling and carport on the subject site accords with the zone purpose to provide for a range of dwelling types.

8.4.2 Setbacks and building envelope for all dwellings

The siting and scale of dwellings:

- (a) provides reasonably consistent separation between dwellings and their frontage within a street;

<p>(b) provides consistency in the apparent scale, bulk, massing and proportion of dwellings;</p> <p>(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</p> <p>(d) provides reasonable access to sunlight for existing solar energy installations.</p>
<p>Consistent</p> <p>The proposed development is consistent with the streetscape and the existing built form of the immediate area and existing setback distances for outbuildings. The proposal does not reduce the sunlight provision to habitable rooms on adjoining properties and also does not unreasonably affect the available daylight within private open spaces. The proposal does not constrain existing solar installations.</p>
<p>A1 Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is:</p> <p>(a) if the frontage is a primary frontage, not less than 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site;</p> <p>(b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site;</p> <p>(c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or</p> <p>(d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level.</p>
<p>Relies on Performance Criteria</p> <p>The proposed secondary residence and carport will be constructed directly onto the Graham Street frontage which is the secondary frontage for the property where the acceptable solution is 3m. The primary frontage is to Queen Street.</p> <p>This does not meet the acceptable solutions and therefore must address the performance criteria.</p>
<p>P1 A dwelling must have a setback from a frontage that is compatible with the streetscape, having regard to any topographical constraints.</p>
<p>Complies</p> <p>The zero frontage to Graham Street for the proposed secondary residence with a carport on the ground floor is consistent with the siting of the existing garage on the site and therefore is compatible with the existing streetscape.</p> <p>There are a number of properties along the western side of Queen Street that also have dual frontage with Graham Street i.e. 16 & 18 Queen Street. They also have garages located in the rear of their properties within the 3m permitted setback fronting Graham Street. A few nearby properties within Invermay i.e. Holbrook Street & Frank Street, Grant Street also have the same characteristics.</p> <p>There are also number of large trees that are present along the Graham Street frontage that screen the majority of the buildings from the streetscape including those that are situated within the subject site. It is understood that these will be retained.</p> <p>The area is level and does not exhibit constraints to development (other than flooding).</p> <p>It therefore is considered that the proposal satisfies the performance criteria</p>

<p>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:</p> <p>(a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by:</p> <ul style="list-style-type: none"> (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and <p>(b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling:</p> <ul style="list-style-type: none"> (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or (ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).
<p>Relies on Performance Criteria</p> <p>The outbuilding has a 5.1m high fire rated wall along the boundary with an overall length of 8.24m and an overall height of 6.2m (to the ridgeline of the roof). The building is outside the building envelope in respect to the wall height and must be considered against the performance criteria.</p>
<p>P3 The siting and scale of a dwelling must:</p> <p>(a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <ul style="list-style-type: none"> (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property; (ii) overshadowing the private open space of a dwelling on an adjoining property; (iii) overshadowing of an adjoining vacant property; and (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property; <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> <ul style="list-style-type: none"> (i) an adjoining property; or (ii) another dwelling on the same site.
<p>Complies</p> <p>The proposed development is consistent with the clause objective. It is noted that the proposal is being erected in the location of an existing outbuilding where little or no impact has previously arisen. The visual amenity when viewed from the adjacent road or other properties will not be significantly altered due to the established presence of built form on the site and on neighbouring sites within the immediate area.</p> <p>In response to the performance criteria:</p> <p><i>(a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:</i></p> <p><i>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;</i></p> <p>Due to the north - south orientation of the site any overshadowing that results from the proposed development will largely be absorbed within the subject site. The applicant prepared shadow diagrams that demonstrated that the overshadowing will not result in a reduction of sunlight to habitable rooms on adjoining properties. The resultant overshadowing from the proposal will predominately affect a portion of the driveway area of 1 Graham Street which is not a habitable space.</p> <p>It is noted that there is significant existing vegetation in the form of large trees and hedges located on the subject site and adjoining properties that also causes overshadowing within</p>

these sites. The applicant has also prepared overshadowing diagrams that demonstrated this level of overshadowing. This is an existing loss of sunlight to adjoining properties, however the proposal will not increase the loss of sunlight to these areas.

(ii) overshadowing the private open space of a dwelling on an adjoining property;

The applicant has demonstrated that the proposal will only result in overshadowing of private open space confined to the adjacent driveway area of the adjoining property at 1 Graham Street and predominately during the latter part of afternoon in winter. It could be argued that the residents of the adjoining property would be utilising the other less shaded private open space adjacent to the dwelling living area on the eastern side of the dwelling at this time.

(iii) overshadowing of an adjoining vacant property;

This is not applicable.

(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;

It is noted that the existing dwellings located at 12 Queen Street, 1 Graham Street and 10 Queen Street are all 2 storey dwellings with building heights of approximately 5m.

In addition to the existing built form there is a large hedge situated on the adjoining property at 1 Graham Street along the side boundary of 12 Queen Street and rear boundary of 10 Queen Street which is to a height of approximately 4m and width of up to 1m. This hedge is an existing large cultivated living form and has established visual prominence in terms of the height and bulk present along the boundaries as viewed from within the property.

It is also contended that this hedge could aid to soften the proposal in conjunction with non-reflective treatment on any additional walls and surfaces, and that the existing vegetation is relatively comparative in size and height.

It is argued that the proposed bulk and scale is consistent with this neighbouring development and that the scale of the proposal is relative to that existing built form.

It is noted that an approval for a similar type of development in the same location within the subject site had been granted approval previously per D270/97.

Within the immediate area there are other examples where there are large structures situated in close proximity to the boundary.

Similarly, the existing garage situated in this location is currently painted in a light colour which results in strong reflected light into the adjoining property's private open space and without any previous mitigation imposed.

With regard to the visual impact of the 5.1m fire-rated wall that is intended to be constructed on the eastern side boundary, it is proposed that a condition is applied that requires that the fire-rated wall is either painted or clad in materials that are non-reflective and are of dark dull muted tones (grey, charcoal, dark green) that effectively lessen the visual impact of the wall on the neighbouring side (1 Graham).

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

Within the immediate area there are other examples where there are large structures situated in close proximity to site and frontage boundaries. In particular 10 Queen Street has a 2 storey dwelling (which is approximately 5.5m height) located close (1.5m) of the north

boundary to 1 Graham Street. At 18 Queen Street / 9 Graham Street there is a tall commercial building (approximately 6m in height) which is situated within close proximity to the Graham Street frontage boundary, is imposing on the streetscape and is adjacent to a residential single storey dwelling.

As described in the 'location and character' section of this report, the proposal is situated amongst mixed land use with single and multiple dwellings (single storey and double storey) and associated outbuildings interspersed with light industrial and commercial buildings and structures. The site is also adjoined by a public reserve to the west.

It is contented that the proposed bulk and scale is consistent with this neighbouring development and that the scale of the proposal is relative to that existing built form.

(c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:

(i) an adjoining property; or

(ii) another dwelling on the same site

There is no solar installation at the subject site and the solar installation situated at 1 Graham Street is located on the north eastern side of the dwelling and is sufficiently separated by the private open space and driveway and dwelling.

It therefore is considered that, with the inclusion of the conditions that the proposal complies with the performance criteria.

8.4.3 Site coverage and private open space for all dwellings

That dwellings are compatible with the amenity and character of the area and provide:

- (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 sunlight.

Consistent

A1 Dwellings must have:

- (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).

Complies

The proposed development will result in approximately 28% site coverage with the removal of 1 existing outbuilding and the extension to the other outbuilding footprint.

It therefore is considered that the proposal meets the acceptable solutions.

A2 A dwelling must have private open space that:

- (a) is in one location and is not less than:
 - (i) 24m²; or
 - (ii) 12m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);
- (b) has a minimum horizontal dimension of not less than:
 - (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.

Complies

The development proposal retains significant private open space for use by residents. The overall private open space area is approximately 275m² and the dimensions within the rear portion of the lot exceed the minimum 24m² area.

It therefore is considered that the proposal meets the acceptable solutions.

8.4.5 Width of openings for garages and carports for all dwellings

To reduce the potential for garage or carport openings to dominate the primary frontage.

Consistent

A1 A garage or carport for a dwelling within 12m of a primary frontage, whether the garage or carport is free-standing or part of the dwelling, must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).

Complies

The proposal is not changing the primary frontage.

The proposed carport at the secondary frontage to Graham Street will include the reinstatement of a garage door. This door is not greater than 6m wide and is not greater than half the secondary frontage length.

It therefore is considered that the proposal meets the acceptable solutions.

8.4.6 Privacy for all dwellings

To provide a reasonable opportunity for privacy for dwellings.

Consistent

A2 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):

(a) the window or glazed door:

- (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.

(b) the window or glazed door:

- (i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling;
- (ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of not less than 1.7m above the floor level; or
- (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%.

Complies

The proposal has a floor level 1m above existing ground level and does not have a setback of 3m to the side boundary or 4 from the rear boundary.

The proposal has windows in the secondary residence that face Graham Street and to Queen Street along the north-south axis. There are also windows on the western side of the building. There are no windows on the eastern facing wall.

The proposed bedroom window to the south is intended to have fixed obscure glazing to a height of 1.7m to meet acceptable solutions (however this does not need to have obscure glass as it is not parallel to the side boundary). It is noted that this window will predominately

overlook the private open space within the subject site toward the existing dwelling. Similarly the adjacent private open space of the adjoining property on the eastern side is a driveway which also has large hedges planted along the boundary to an approximate height of 4m. The secondary residence position is offset to the south west of the neighbouring dwelling at 1 Graham Street and the front private garden space has sufficient separation from the location of this window.

The living room window to the north overlooks directly into Graham Street above the garage entry point and any overlooking is separated by the street and buffered by the large tree and vegetation situated in the front of the adjoining property.

It therefore is considered that the proposal meets the acceptable solutions.

C2.0 Parking and Sustainable Transport Code

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.

Consistent

C2.5.1 Car parking numbers

That an appropriate level of car parking spaces are provided to meet the needs of the use

Consistent

A1 The number of on-site car parking spaces must be no less than the number specified in Table C2.1, less the number of car parking spaces that cannot be provided due to the site including container refund scheme space, excluding if:

- (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:

- (i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or

- (ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:

$$N = A + (C - B)$$

N = Number of on-site car parking spaces required

A = Number of existing on site car parking spaces

B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1

C= Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.
<p>Complies</p> <p>The proposed use at the site is classified as Residential single dwelling and per Table C2.1 Parking Space Requirements the development requires two (2) parking spaces. There are two (2) existing car parking spaces present at the site associated with the existing dwelling. The proposed secondary residence does not alter demand for car parking nor reduce supply on site.</p> <p>It therefore is considered that the proposal meets the acceptable solutions.</p>

C2.6.1 Construction of parking areas

That parking areas are constructed to an appropriate standard.
<p>Consistent</p> <p>A1 All parking, access ways, manoeuvring and circulation spaces must:</p> <ul style="list-style-type: none"> (a) be constructed with a durable all weather pavement; (b) be drained to the public stormwater system, or contain stormwater on the site; and (c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, besurfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.
<p>Complies</p> <p>There are two (2) existing car parking spaces present at the site associated with the existing dwelling.</p> <p>The proposed secondary residence does not alter demand for car parking nor reduce supply on site.</p> <p>All parking spaces, access ways, manoeuvring and circulation spaces:</p> <ul style="list-style-type: none"> • Have a gradient of 10% or less; • Are formed and paved with an impervious all weather seal; and • Drain to a reticulated stormwater system <p>It therefore is considered that the proposal meets the acceptable solutions.</p>

C2.6.2 Design and layout of parking areas

That parking areas are designed and laid out to provide convenient, safe and efficient parking.
<p>Consistent</p> <p>A1.1 Parking, access ways, manoeuvring and circulation spaces must either:</p> <ul style="list-style-type: none"> (a) comply with the following: <ul style="list-style-type: none"> (i) have a gradient in accordance with <i>Australian Standard AS 2890 - Parking facilities, Parts 1-6</i>; (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

(b) comply with <i>Australian Standard AS 2890-Parking facilities, Parts 1-6.</i>
Complies The proposal will comply with Australian Standards. The development has been assessed by Councils Infrastructure Team as being compliant.
It therefore is considered that the proposal meets the acceptable solutions

C2.6.3 Number of accesses for vehicles

That: (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.
Consistent
A1 The number of accesses provided for each frontage must: (a) be no more than 1; or (b) no more than the existing number of accesses, whichever is the greater.
Complies The subject site has two frontages - Queen Street (primary) & Graham Street. The development will utilise the existing single access from Graham Street with a carport door to be re-instated. The site access from Queen Street will also be maintained. There are no changes proposed to the on-site car parking and access arrangements will remain the same. It therefore is considered that the proposal meets the acceptable solutions.

C16.0 Safeguarding of Airports Code

The purpose of the Safeguarding of Airports Code is: C16.1.1 To safeguard the operation of airports from incompatible use or development. C16.1.2 To provide for use and development that is compatible with the operation of airports in accordance with the appropriate future airport noise exposure patterns and with safe air navigation for aircraft approaching and departing an airport.
Consistent

C16.5.1 Sensitive use within an airport noise exposure area

That: (a) sensitive uses are appropriately located or designed to minimise exposure to excessive aircraft noise; and (b) the operation of airports are not compromised by the amenity expectations of sensitive uses.
Consistent The existing dwelling is situated among an established area of residential use. The compatibility with the operation of the airport has also been demonstrated to date and the impact of the airport operation upon the new proposal will unlikely be any greater than what has currently be experienced at the site.

C16.6.1 Buildings and works within an airport obstacle limitation area

That buildings and works do not interfere with safe aircraft operations in the vicinity of an airport and on land within an airport obstacle limitation area.

Consistent

The proposed development building height is approximately 8.5m AHD and therefore complies with the 316m AHD limit as per the code

LAU-S10.0 Invermay/Inveresk Flood Inundation Specific Area Plan

The purpose of the Invermay/Inveresk Flood Inundation Specific Area Plan is:

LAU-S10.1.1 To reduce risks and hazards from flooding in the Invermay/Inveresk flood inundation area.

LAU-S10.1.2 To require that new development is sited and designed to minimise the impact of flooding.

LAU-S10.1.3 To require the consideration of the siting, design and emergency response capability of new development on land subject to flood inundation.

Consistent

LAU-S10.6 Use Standards

To prevent unacceptable uses from establishing in areas subject to, or isolated by, flood inundation.

Consistent

A1 Use, must not be for: (a) Education and Occasional Care, excluding in the Inveresk Cultural Precinct; (b) Emergency Services; or (c) Hospital Services.

Complies

The proposal is for Residential use only in the Invermay Residential Precinct.

A2 Use must not be for Residential use, excluding:

(a) a single dwelling in the Invermay Residential or Inveresk Residential precincts;

(b) a multiple dwelling in the Invermay Residential Precinct; or

(c) associated with and supporting the educational activities within the Inveresk Cultural Precinct.

Complies

The proposal is for a secondary residence within the Invermay Residential Precinct only.

A3 Use must not be for Community Meeting and Entertainment in the Riveredge Industrial or Inveresk Residential precincts, excluding a museum in the Riveredge Industrial Precinct; and located in the Light Industrial Zone or Commercial Zone.

Complies

The proposal is for Residential use only.

LAU-S10.7 Development Standards for Buildings and Works

LAU-S10.7.1 Intensification of Residential development

To limit the intensification of residential development in areas subject to, or isolated by, flood inundation.

Consistent

A1 New residential development or extensions of existing residential buildings, excluding within the Invermay Residential Precinct, must:

(a) not increase the gross floor area of individual dwellings or total gross floor area by 10% more than that existing or approved on the 1st January 2008;

(b) not result in more than 200m² of gross floor area on a single title; or

(c) be for residential uses associated with the educational activities within the Inveresk Cultural Precinct.

Complies

The proposal will be situated in the existing footprint area of the current garage. The footprint area will change as demonstrated below:

Outbuilding	Dimensions	Area	% change
Existing	4.2m x 8.24m	34.6m ²	
Proposed	5.8m x 7.0m	40.6m ²	+ 28%

The outbuilding will comprise two storeys. The first floor comprises of a carport and laundry and an external stairwell to the upper floor. The second storey will comprise a bedroom, bathroom, kitchenette and living/dining area.

Assessment of the acceptable solutions is as follows:

(a) *not increase the gross floor area of individual dwellings or total gross floor area by 10% more than that existing or approved on the 1st January 2008;*

&

(b) *not result in more than 200m² of gross floor area on a single title;*

The proposed development has a dwelling with gross floor area of 156m² (ground floor 118m² + first floor 38m²). The existing outbuilding will be demolished and has floor area of 8m². The proposed secondary residence will have a floor area of 36m².

The gross floor area therefore equates to 192m².

The carport is considered not to be included in the gross floor area being that it has two or more open sides (not walled). Revised drawings (TP12 & TP17) were provided by the applicant and clarity sought from within the building code to the definition of such a space.

(c) *be for residential uses associated with the educational activities within the Inveresk Cultural Precinct.*

The subject site is not within the Inveresk Cultural Precinct.

It therefore is considered that the proposal meets the acceptable solutions.

LAU-S10.7.2 Flood impact

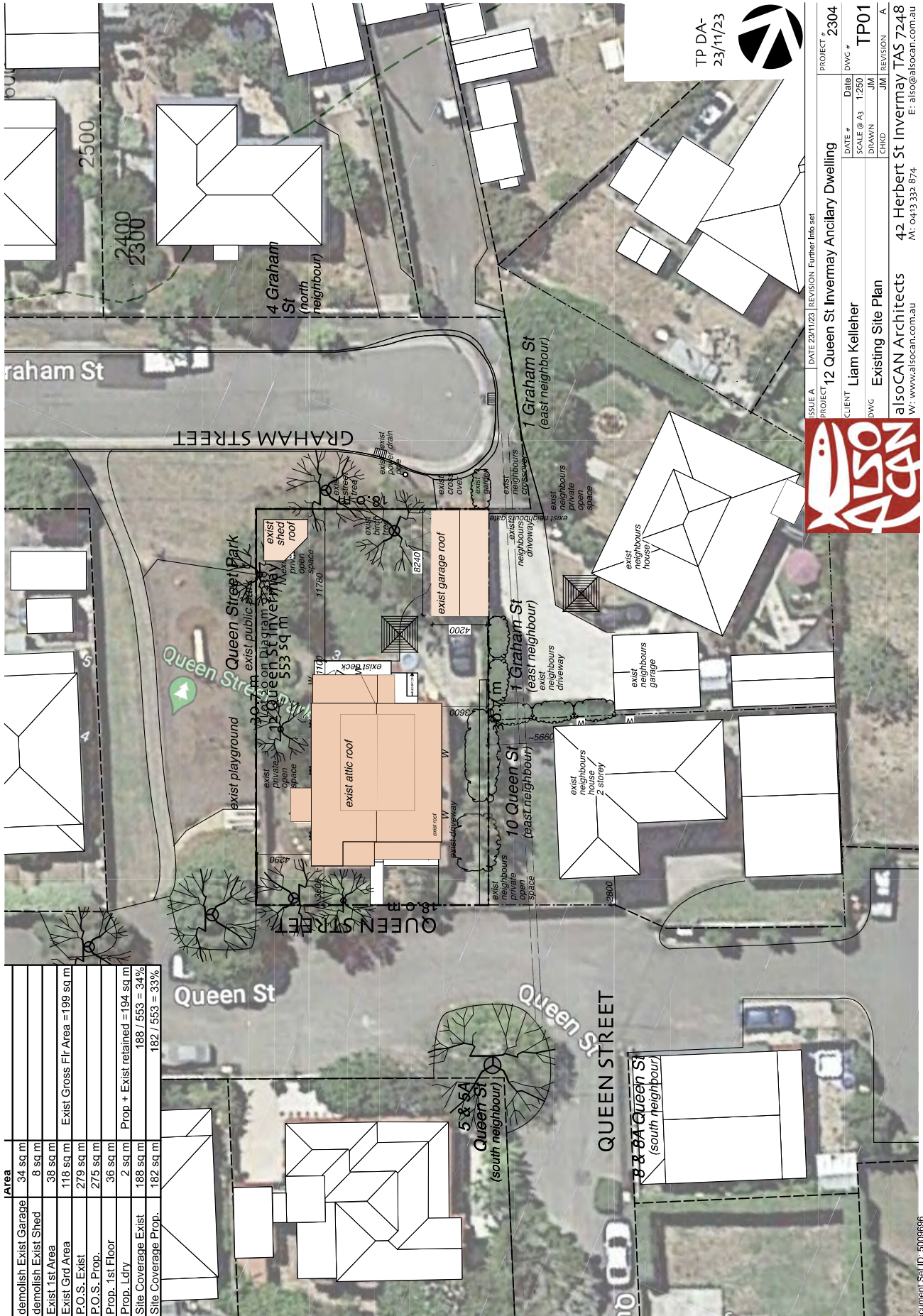
P1 No Performance Criterion.

Consistent

Complies

The proposal includes a secondary residence above the carport. The finished floor level of the carport is 1.7m and the secondary residence 2.65m above this level. This equates to 4.35m AHD. This is denoted on plan TP09.

It therefore is considered that the proposal meets the acceptable solutions.

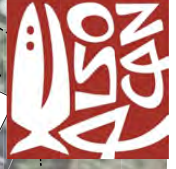


Area	
demolish Exist Garage	34 sq m
demolish Exist Shed	8 sq m
Exist 1st Area	36 sq m
Exist Grd Area	118 sq m
P.O.S. Exist	279 sq m
P.O.S. Prop.	275 sq m
Prop. 1st Floor	36 sq m
Prop. Ldry	2 sq m
Site Coverage Exist	188 / 553 = 34%
Site Coverage Prop.	182 / 553 = 33%
Prop + Exist retained	= 194 sq m
	188 / 553 = 34%
	182 / 553 = 33%

TP DA-
23/11/23

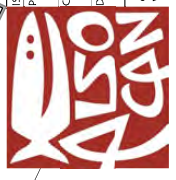
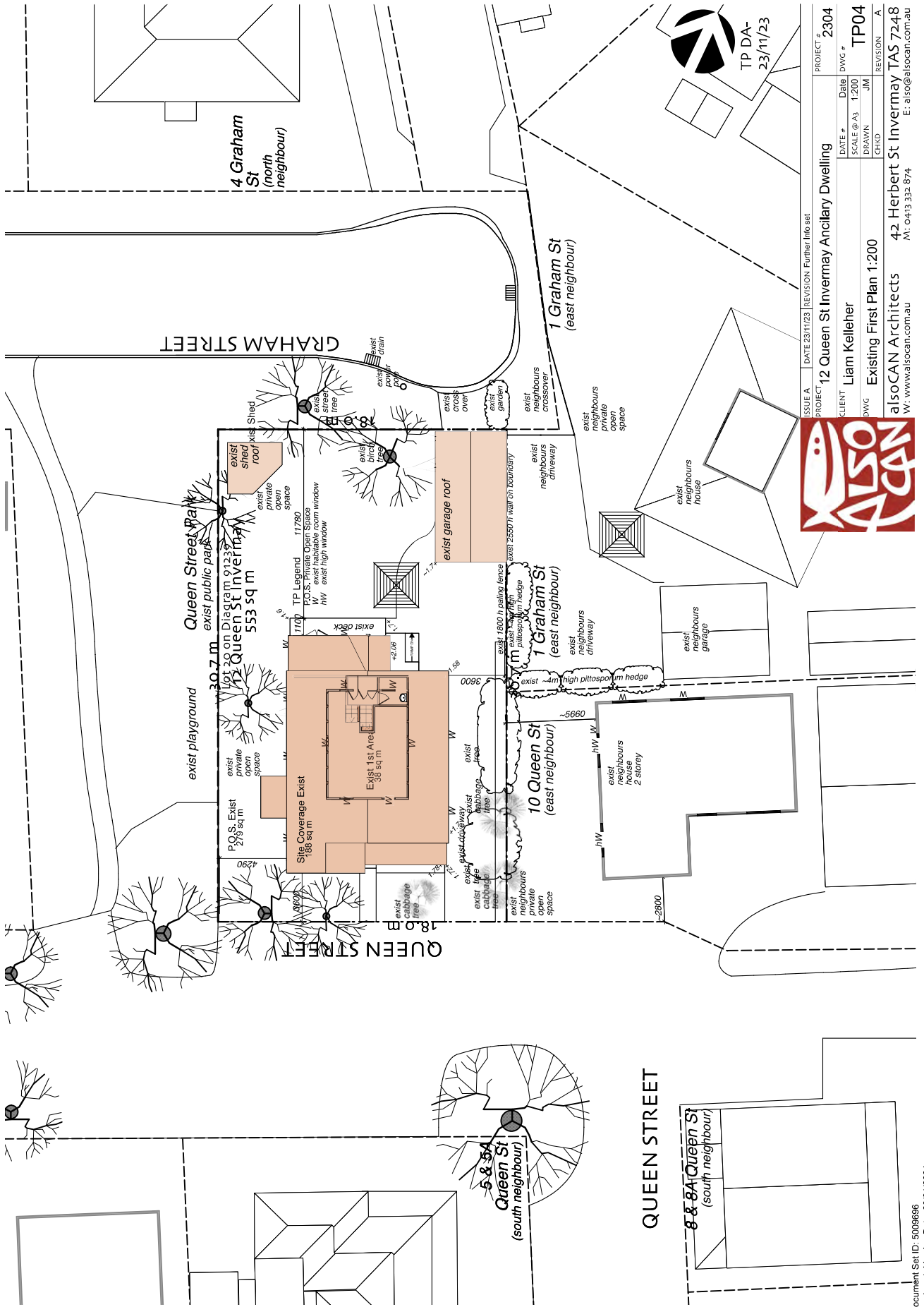


PROJECT #	2304
DATE	23/11/23
REVISION	Further info set
CLIENT	12 Queen St Invermay Ancillary Dwelling
DWG	Liam Kelleher
EXISTING SITE PLAN	Existing Site Plan
ARCHITECT	alsoCAN Architects
ADDRESS	42 Herbert St Invermay TAS 7248
PHONE	M: 0413 332 874
EMAIL	E: also@alsocan.com.au
WEBSITE	W: www.alsocan.com.au
DATE	23/11/23
SCALE	A3 1:250
DRAWN	JJM
CHECKED	JJM
REVISION	A
DWG #	TP01



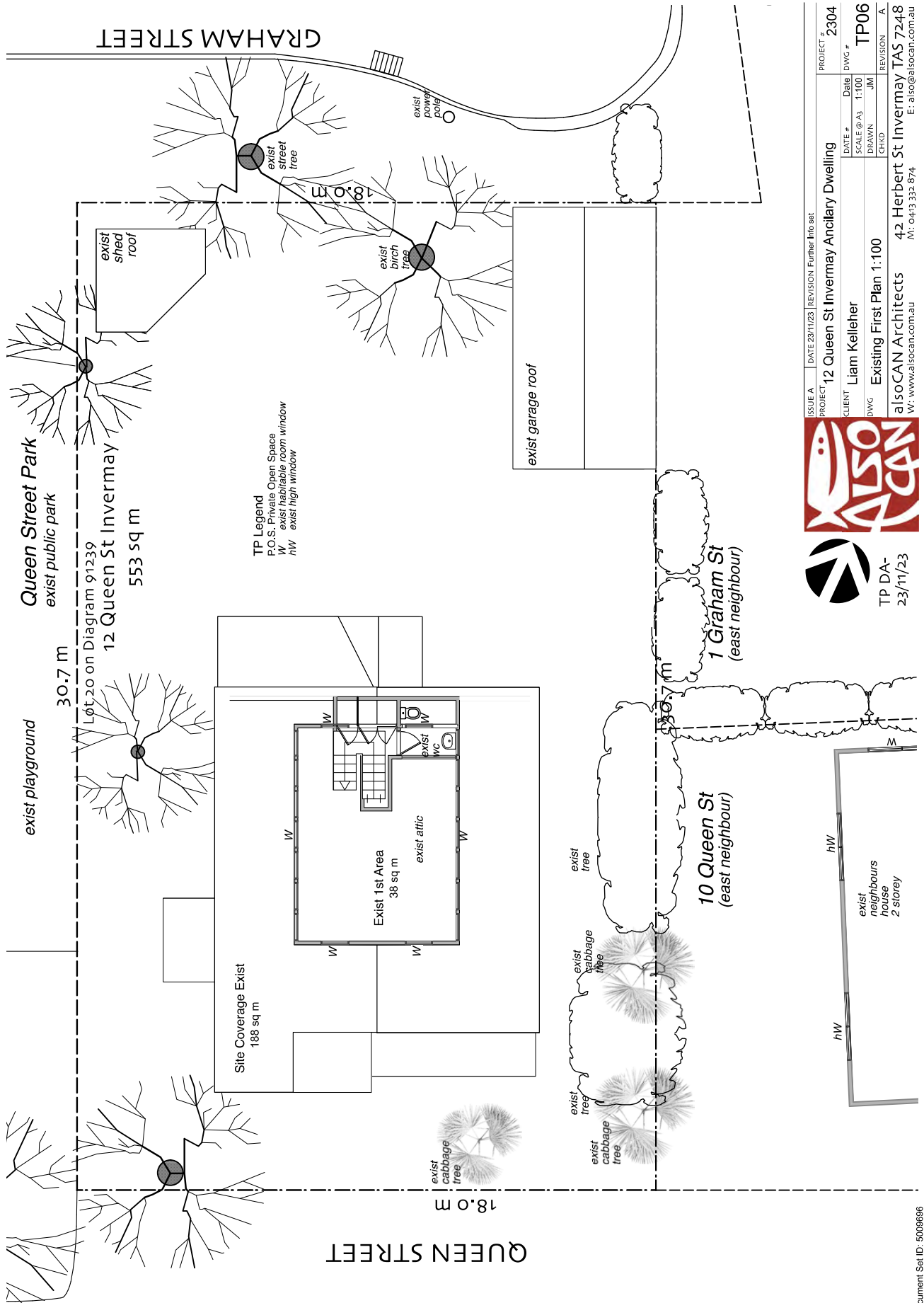
Document Set ID: 5009696
Version: 1, Version Date: 09/01/2024



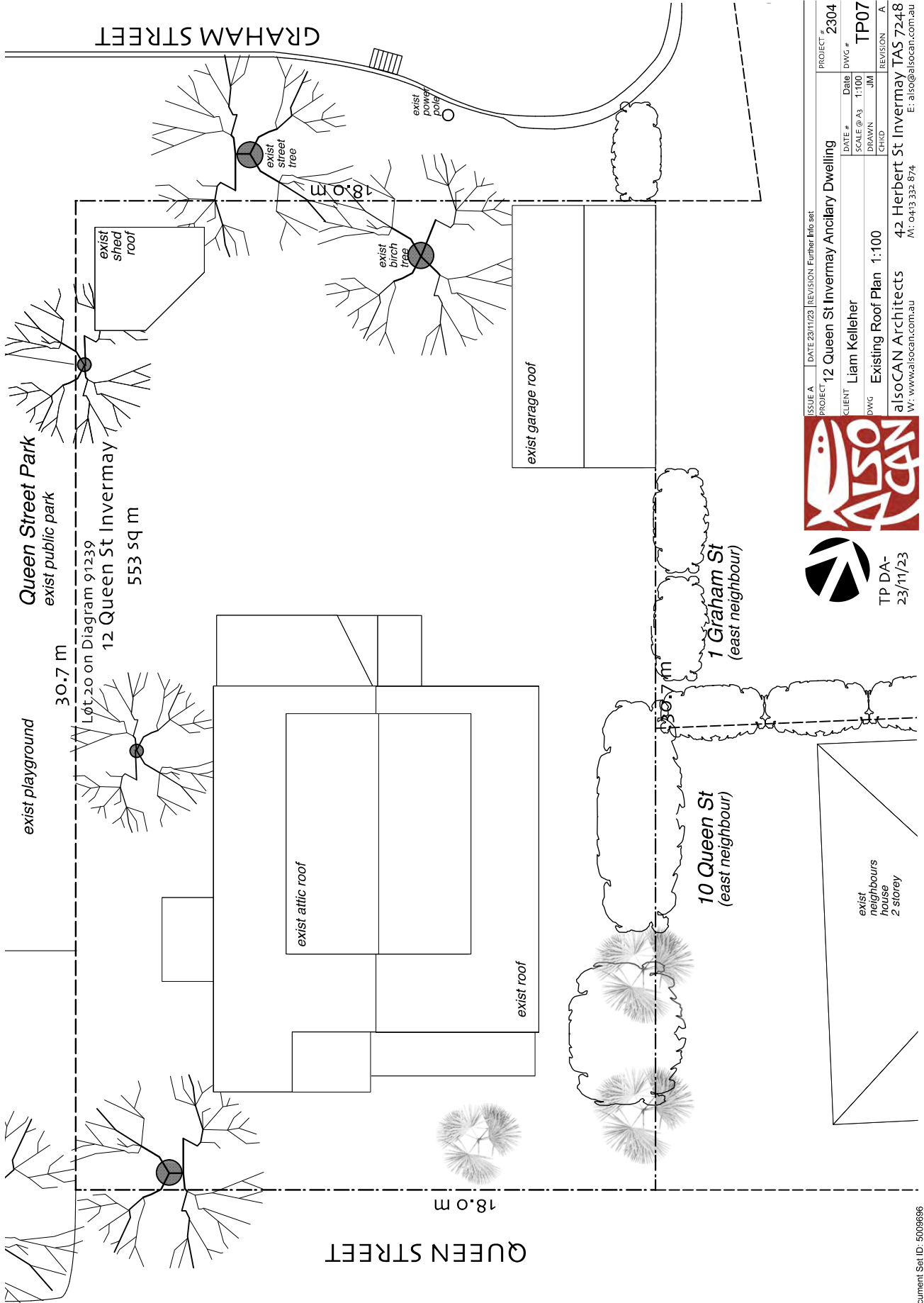


ISSUE A	DATE: 23/11/23	REVISION: Further info set
PROJECT #	2304	
CLIENT	12 Queen St Invermay Ancillary Dwelling	
DWG	DATE #	DATE
TP04	SCALE @ A3	1:200
REVISION A	DRAWN	JM
	CHKD	
Existing First Plan 1:200		
alsoCAN Architects		
42 Herbert St Invermay TAS 7248		
M: 0413 332 874 E: also@alsoCAN.com.au		

Document Set ID: 5009696
Version: 1, Version Date: 09/01/2024



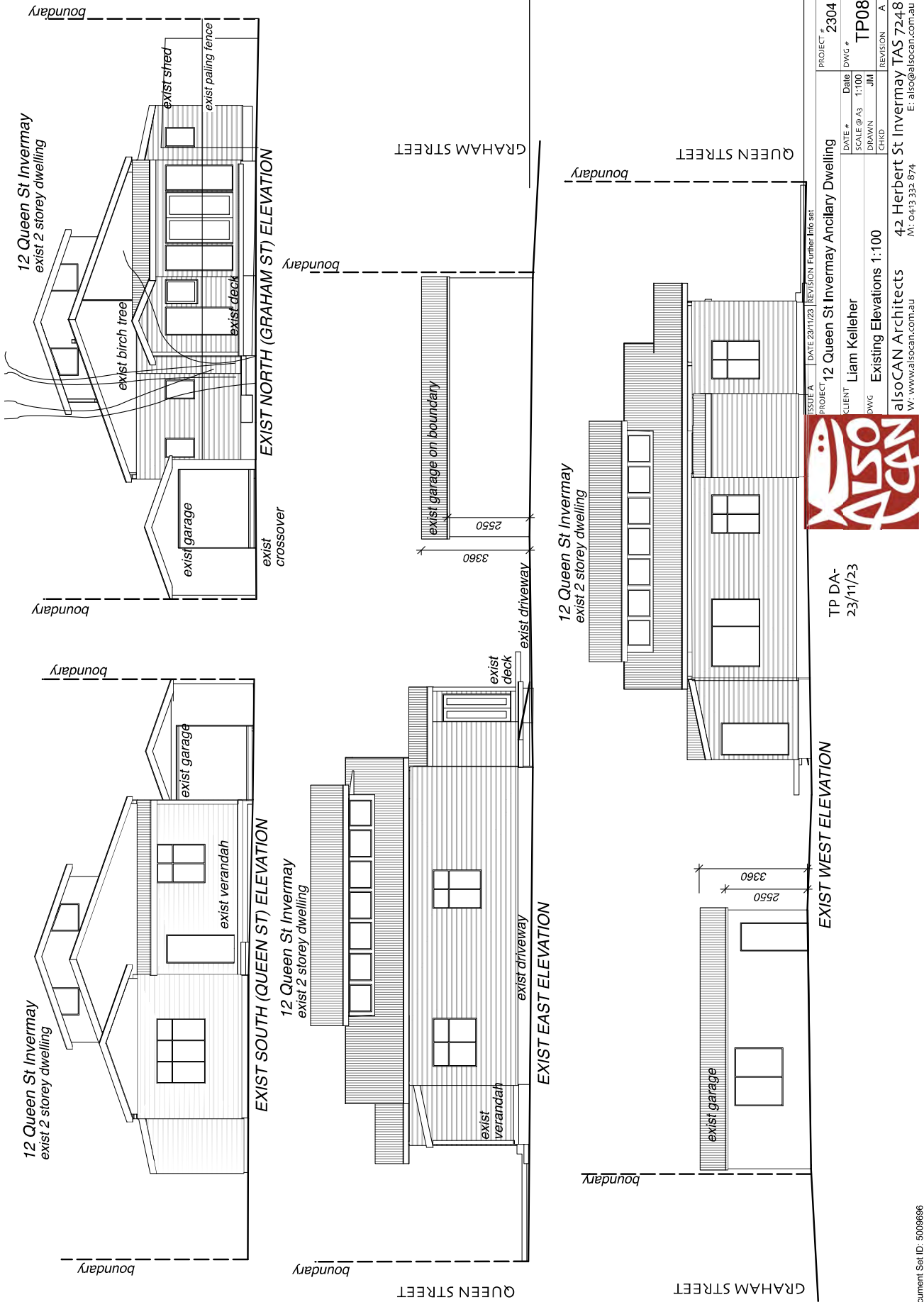
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PROJECT #	12 Queen St Invermay Ancillary Dwelling	PROJECT #	2304
CLIENT	Liam Kelleher	DATE #	
DWG	Existing First Plan 1:100	SCALE @ A3	1:100
		DRAWN	JM
		CHECKED	
		REVISION	A
		ALSO CAN Architects	42 Herbert St Invermay TAS 7248
		W: www.alsoacan.com.au	M: 0413 332 874
			E: alsoo@alsoacan.com.au



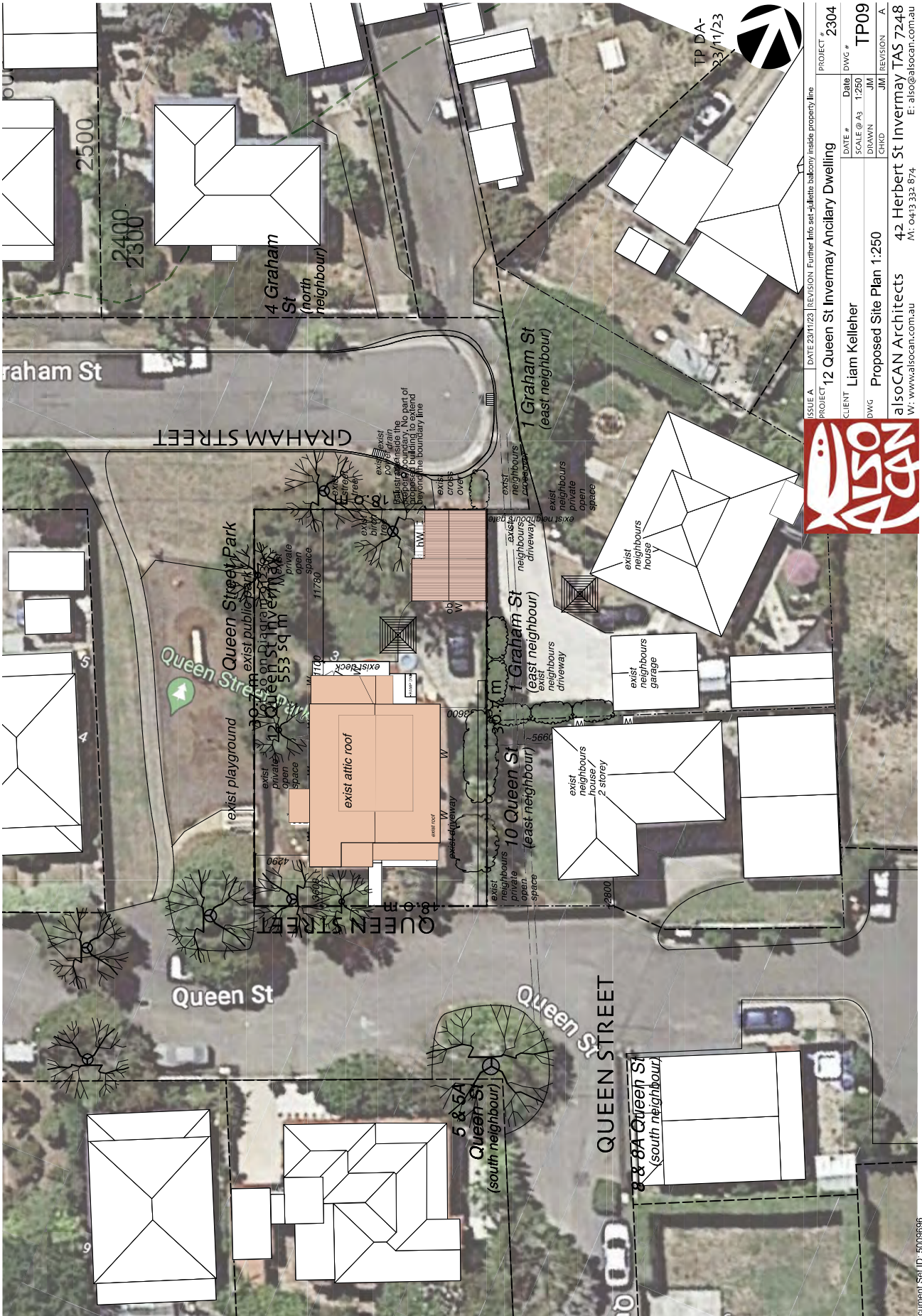
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PROJECT: 12 Queen St Invermay Ancillary Dwelling			DATE #	
CLIENT	Liam Kelleher	SCALE @ A3	1:100	DWG #
DWG	Existing Roof Plan	1:100	TP07	
	alsocan Architects		REVISION	A
	42 Herbert St Invermay TAS 7248			
	M: 0413 332 874			
	E: alsocan@alsocan.com.au			

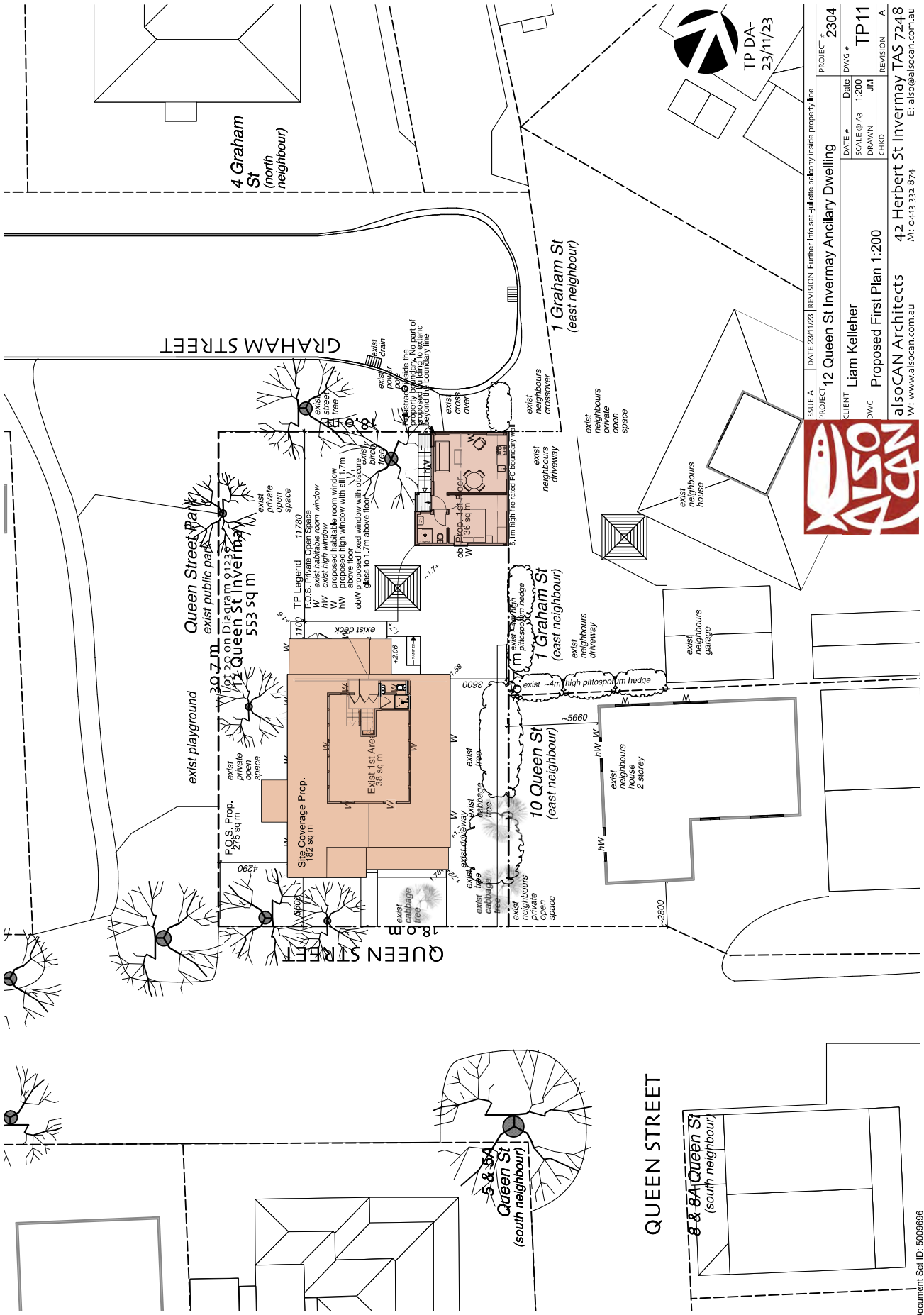
TP DA-
23/11/23

Document Set ID: 5009696
Version: 1, Version Date: 09/01/2024



Document Set ID: 5009696
Version: 1, Version Date: 09/01/2024



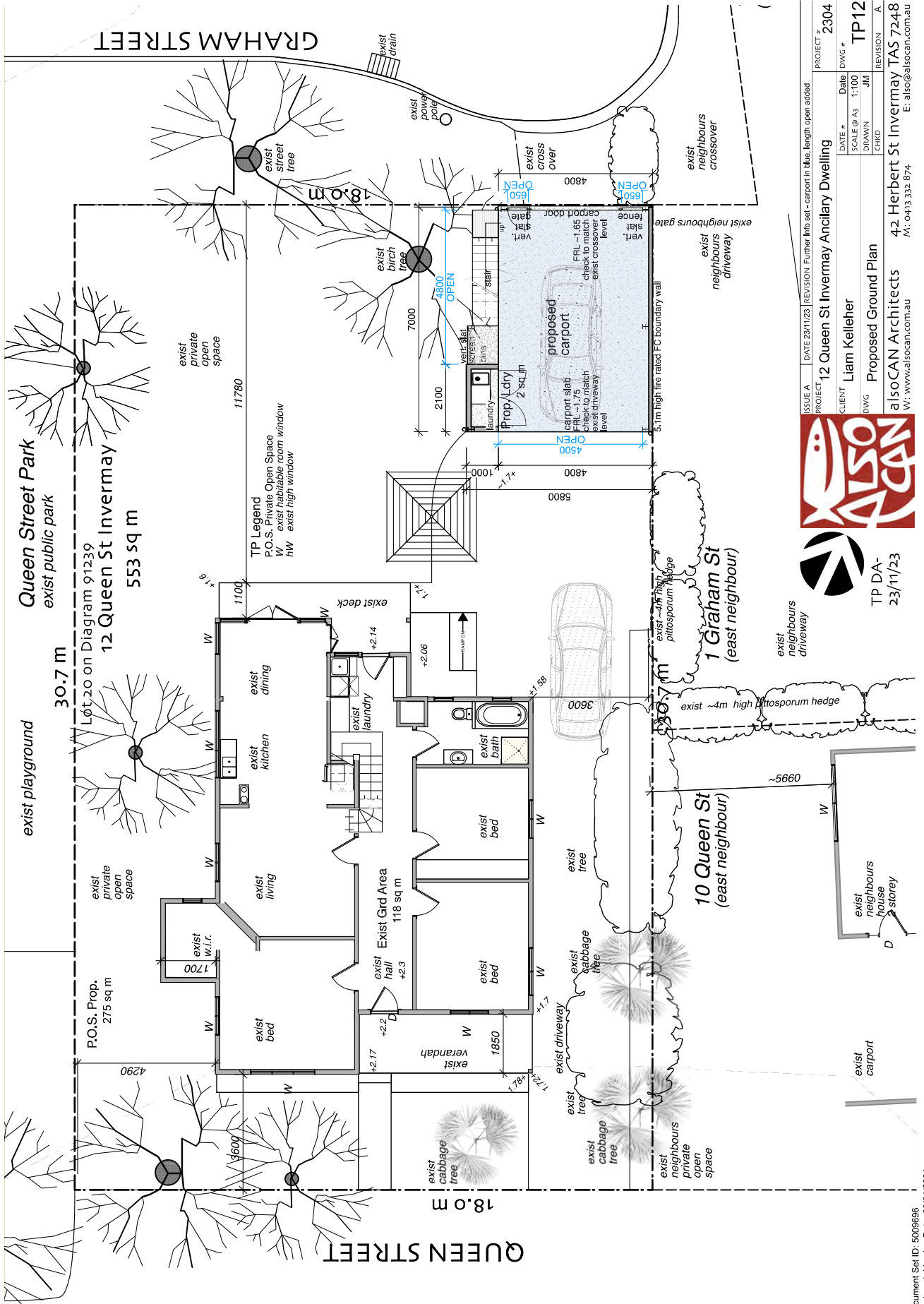


TP DA-
23/11/23

ISSUE A	DATE: 23/11/23	REVISION: Further info set - Juliette balcony inside property line
PROJECT #	2304	
CLIENT	12 Queen St Invermay Ancillary Dwelling	
DWG	DATE #	DATE
	TP11	1:200
	DRAWN	JM
	CHKD	
	REVISION	A
Proposed First Plan 1:200 alsoCAN Architects 42 Herbert St Invermay TAS 7248 W: www.alsoCAN.com.au E: alsoCAN@alsoCAN.com.au M: 0413 332 874		



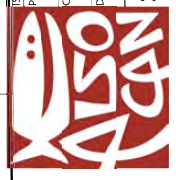
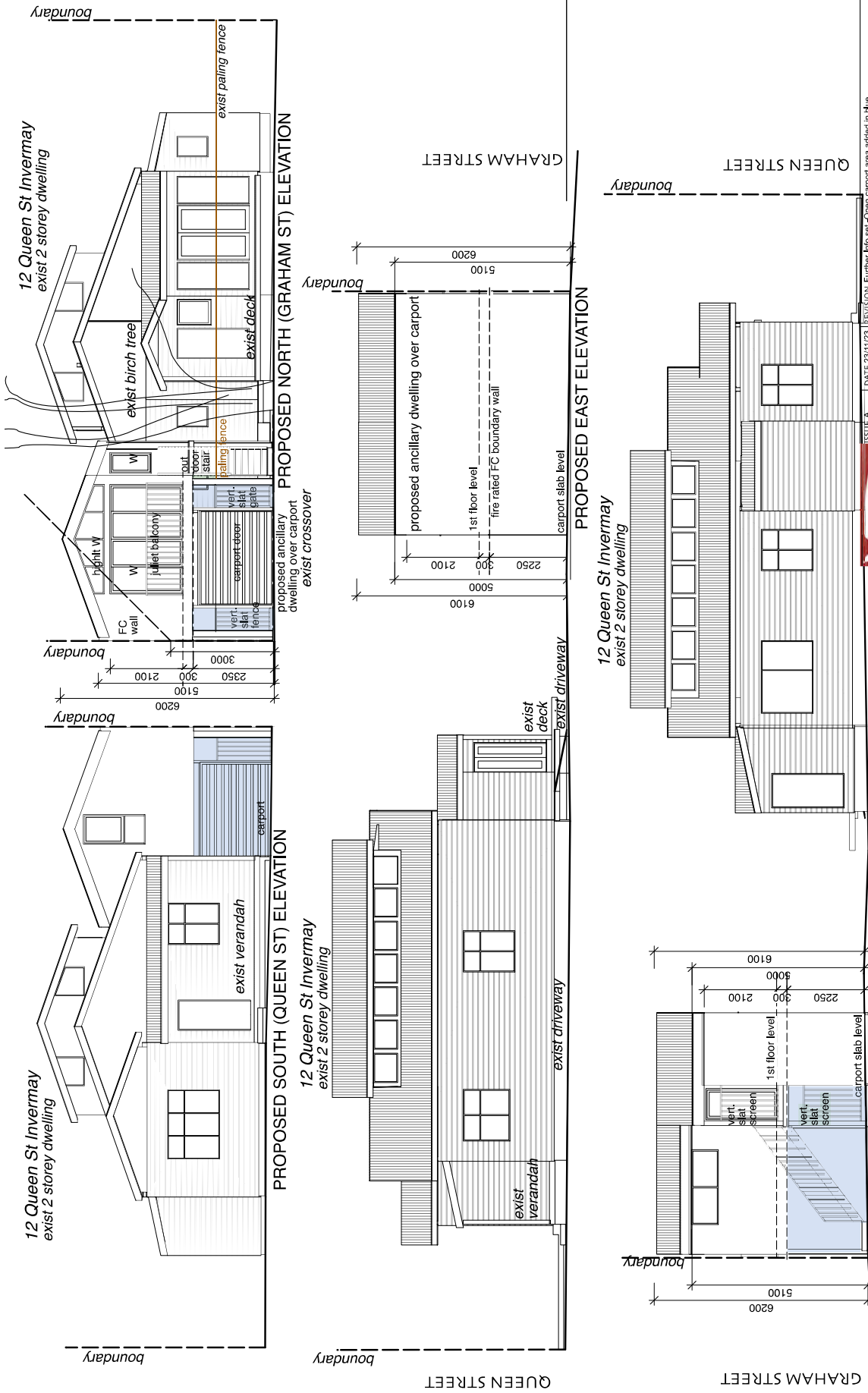
Document Set ID: 5009696
Version: 1, Version Date: 09/01/2024



ISSUE #	DATE	REVISION	Further info set - carport in blue, length open added
PROJECT #	2304		
CLIENT	12 Queen St Invermay Ancillary Dwelling		
DWG	Liam Kelleher	DATE #	
	Proposed Ground Plan	SCALE @ A3	1:100
	alsoCAN Architects	DRAWN	JM
	42 Herbert St Invermay TAS 7248	CHKD	
	W: www.alsocan.com.au	REVISION	A
	E: also@alsocan.com.au		



Document Set ID: 5009696
Version: 1, Version Date: 09/01/2024



ISSUE A DATE: 23/11/23 REVISION: Further info set - Open carport area added in blue

PROJECT # 2304

PROJECT: 12 Queen St Invermay Ancillary Dwelling

CLIENT: Liam Kelleher

DWG: Proposed Elevations

DATE # DATE DWG #

SCALE @ A3 1:100 TP15

DRAWN: JIM

CHECKED: A

REVISION: A

42 Herbert St Invermay TAS 7248

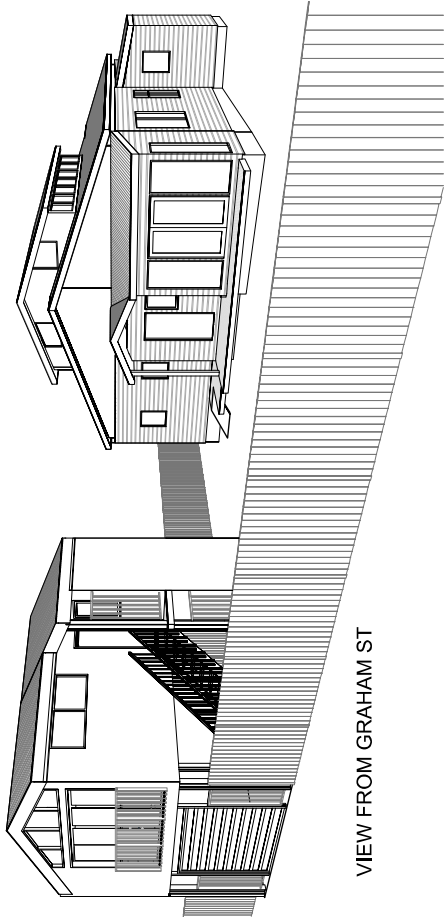
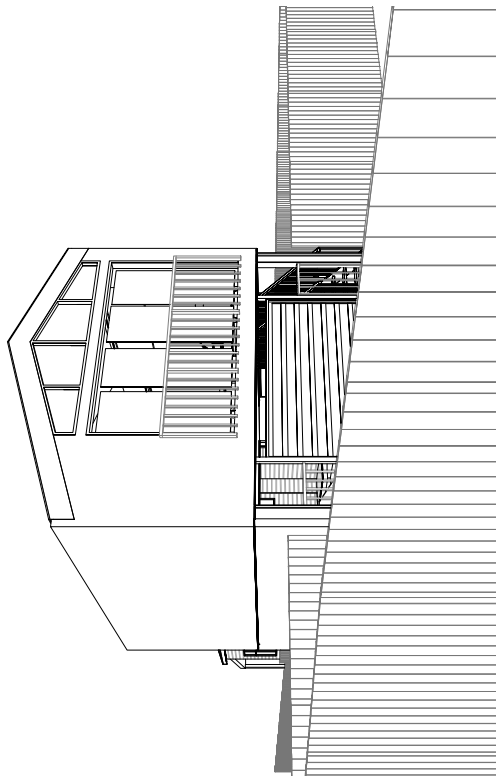
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E: also@alsocan.com.au

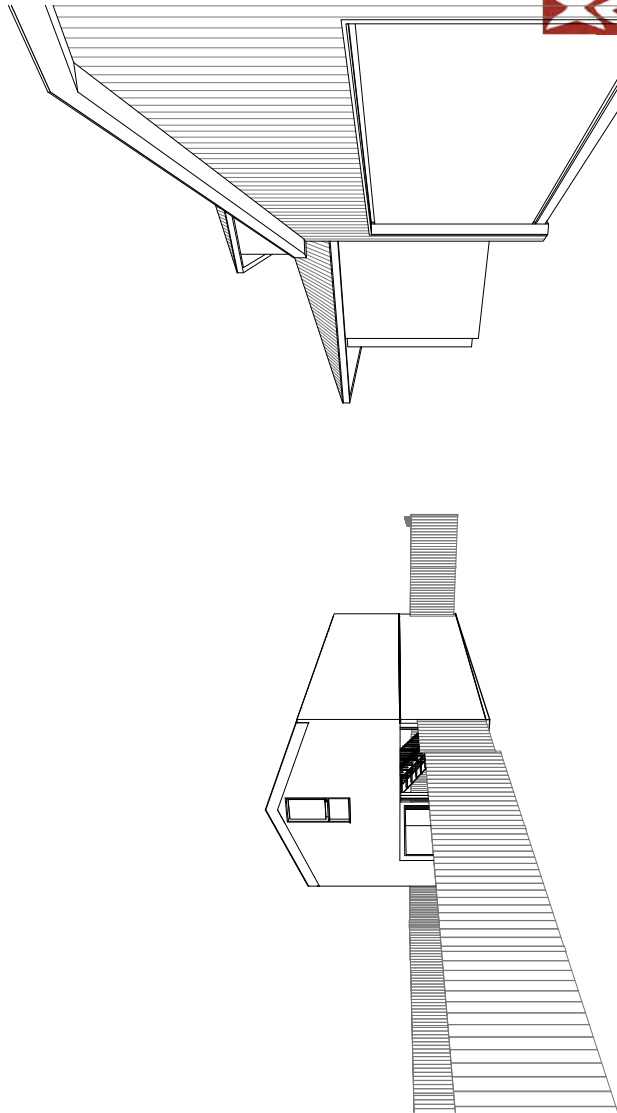
W: www.alsocan.com.au

TP DA-
23/11/23

LEGEND
carport no wall open area



VIEW FROM GRAHAM ST

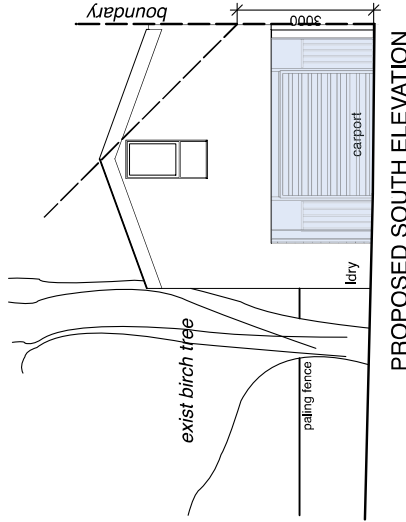
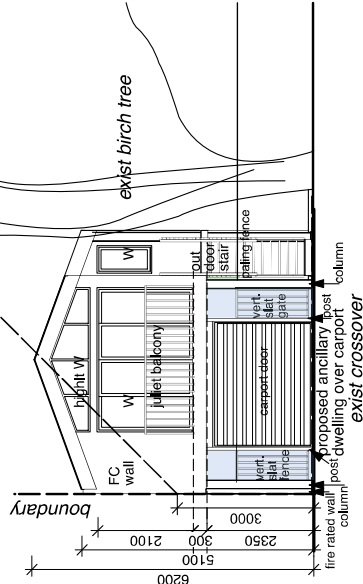
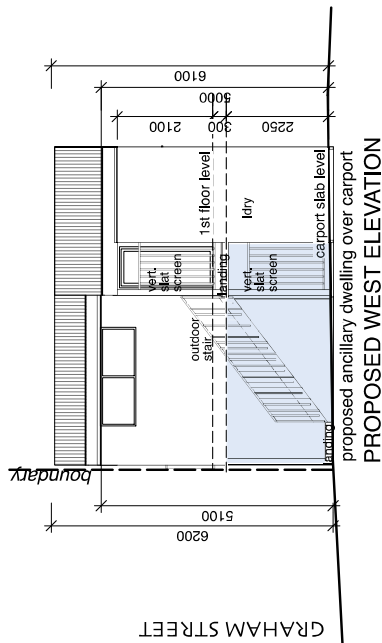
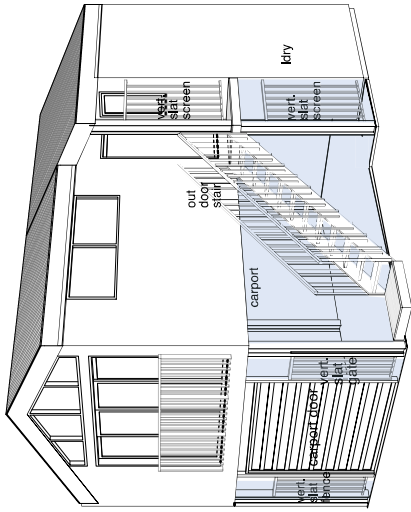
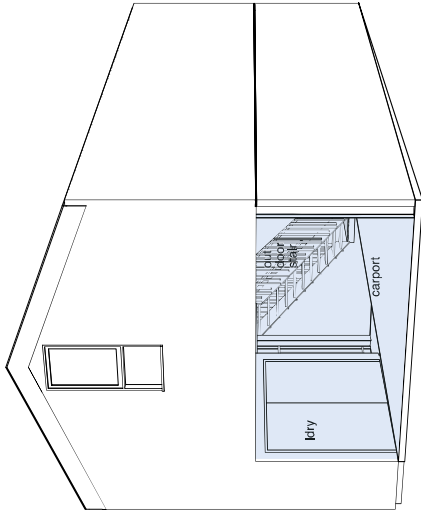
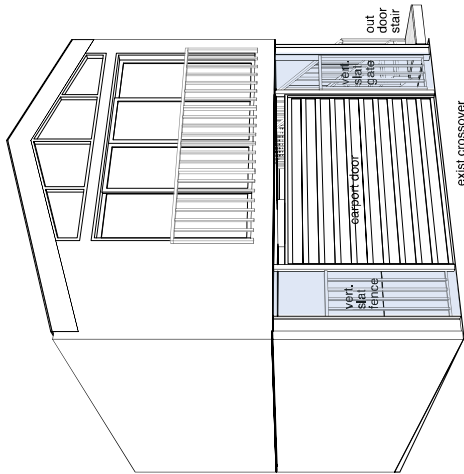


VIEW FROM NEIGHBOURS DRIVEWAY

TP DA-
23/11/23

ISSUE A	DATE: 23/11/23	REVISION: Further info set	PROJECT #	2304
PROJECT: 12 Queen St Invermay Ancillary Dwelling			DATE #	
CLIENT: Liam Kelleher			SCALE @ A3	1:100
CLIENT: Proposed Perspective Views			DRAWN	JM
DWG			CHKD	
alsoCAN Architects			REVISION	A
W: www.alsoCAN.com.au			PROJECT #	
M: 0413 332 874			DWG #	
E: also@alsoCAN.com.au			TP16	
			42 Herbert St Invermay TAS 7248	






PROPOSED WEST ELEVATION

PROPOSED NORTH
(GRAHAM ST) ELEVATION

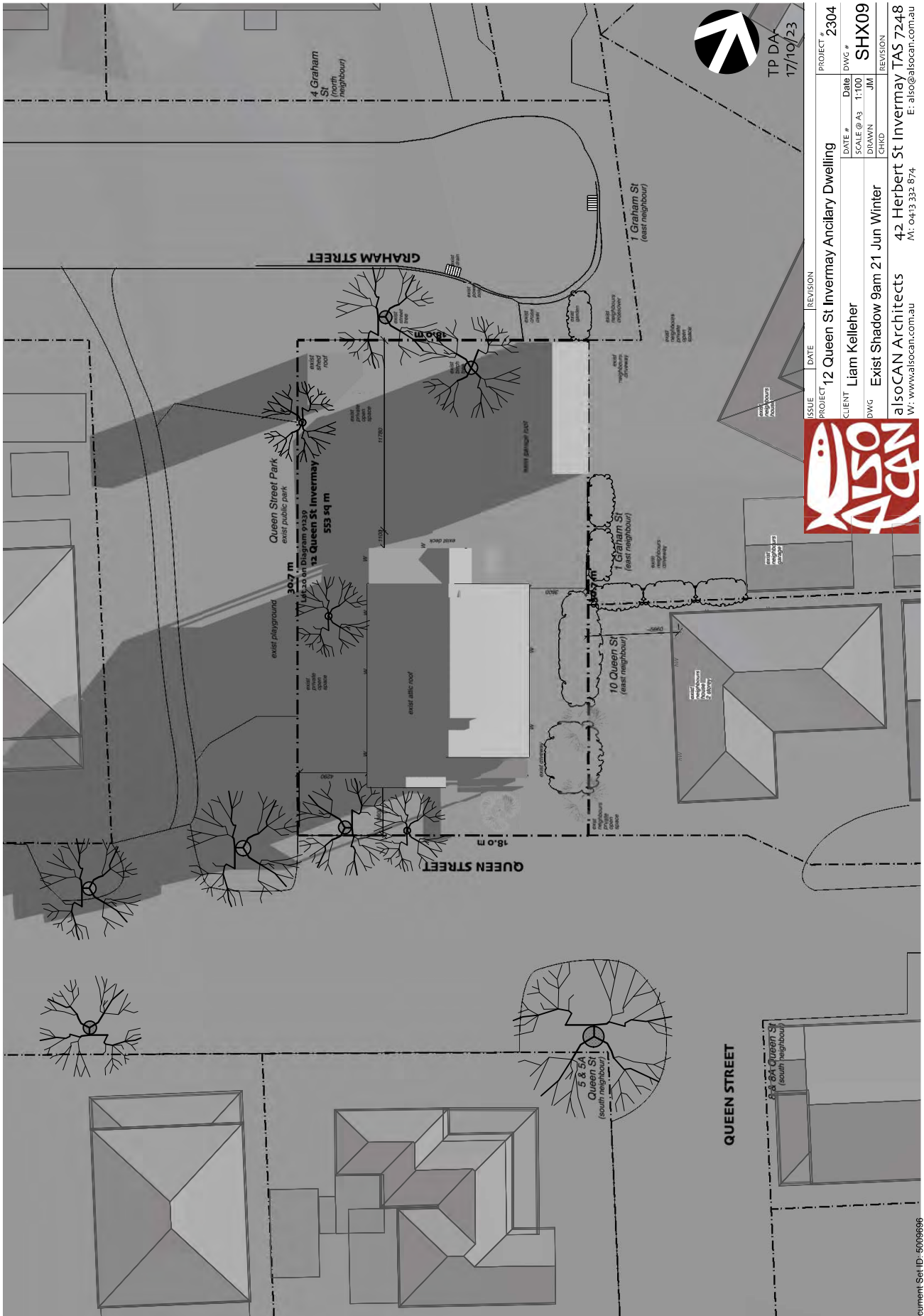
PROPOSED SOUTH ELEVATION

LEGEND
 carport no wall open area

TP DA-
23/11/23

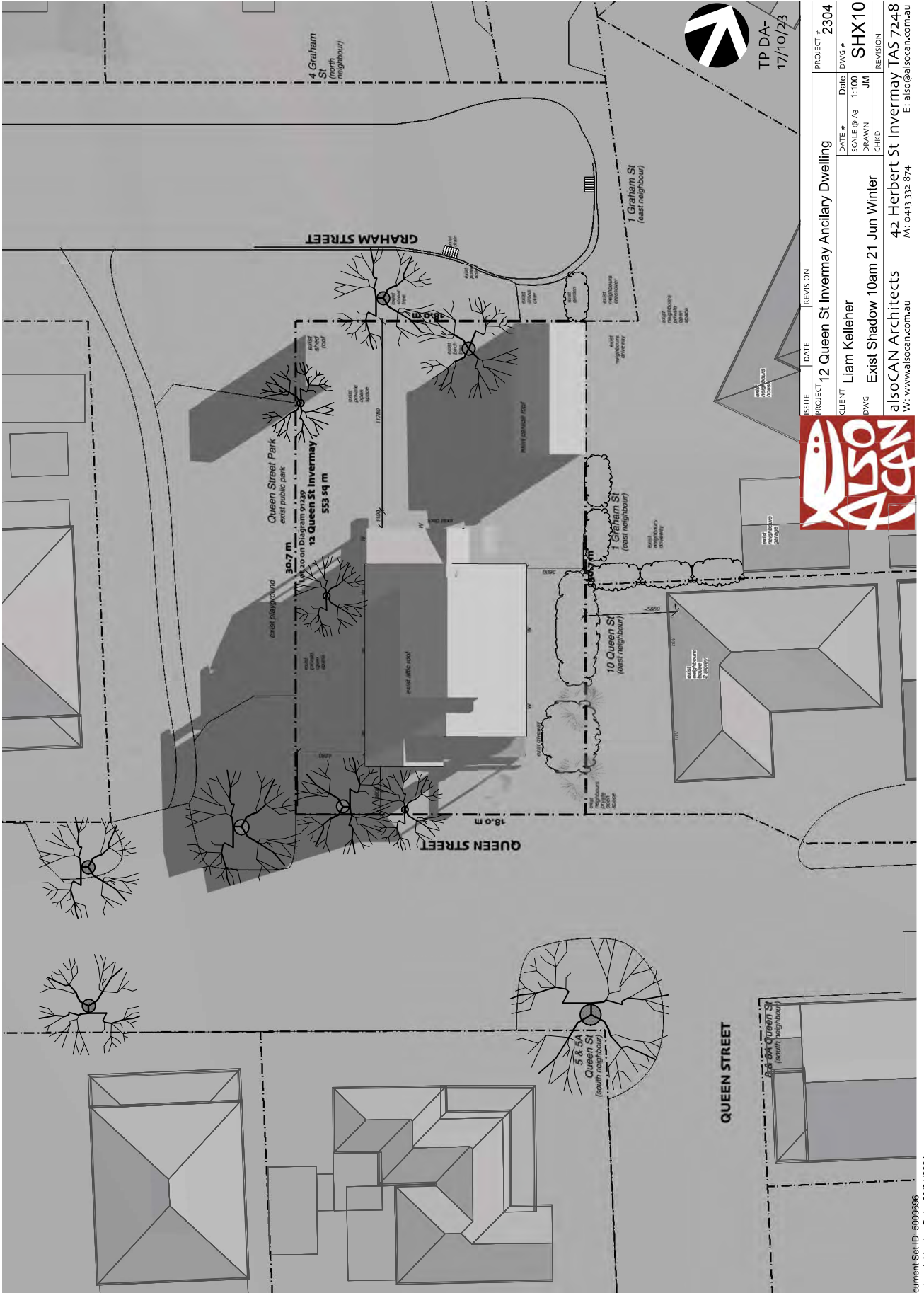
ISSUE A	DATE: 23/11/23	REVISION: Further info set-Carport Dwelling, no surroundings drawing sheet added
PROJECT #	2304	
CLIENT	Liam Kelleher	
DWG	TP17	
DATE #	Date	DWG #
SCALE @ A3	1:100	
DRAWN	JM	
CHKD		
REVISION	A	
Prop. Carport Dwelling Elevs & Pers alsoCAN Architects 42 Herbert St Invermay TAS 7248 W: www.alsoacan.com.au M: 0413 332 874 E: also@alsoacan.com.au		





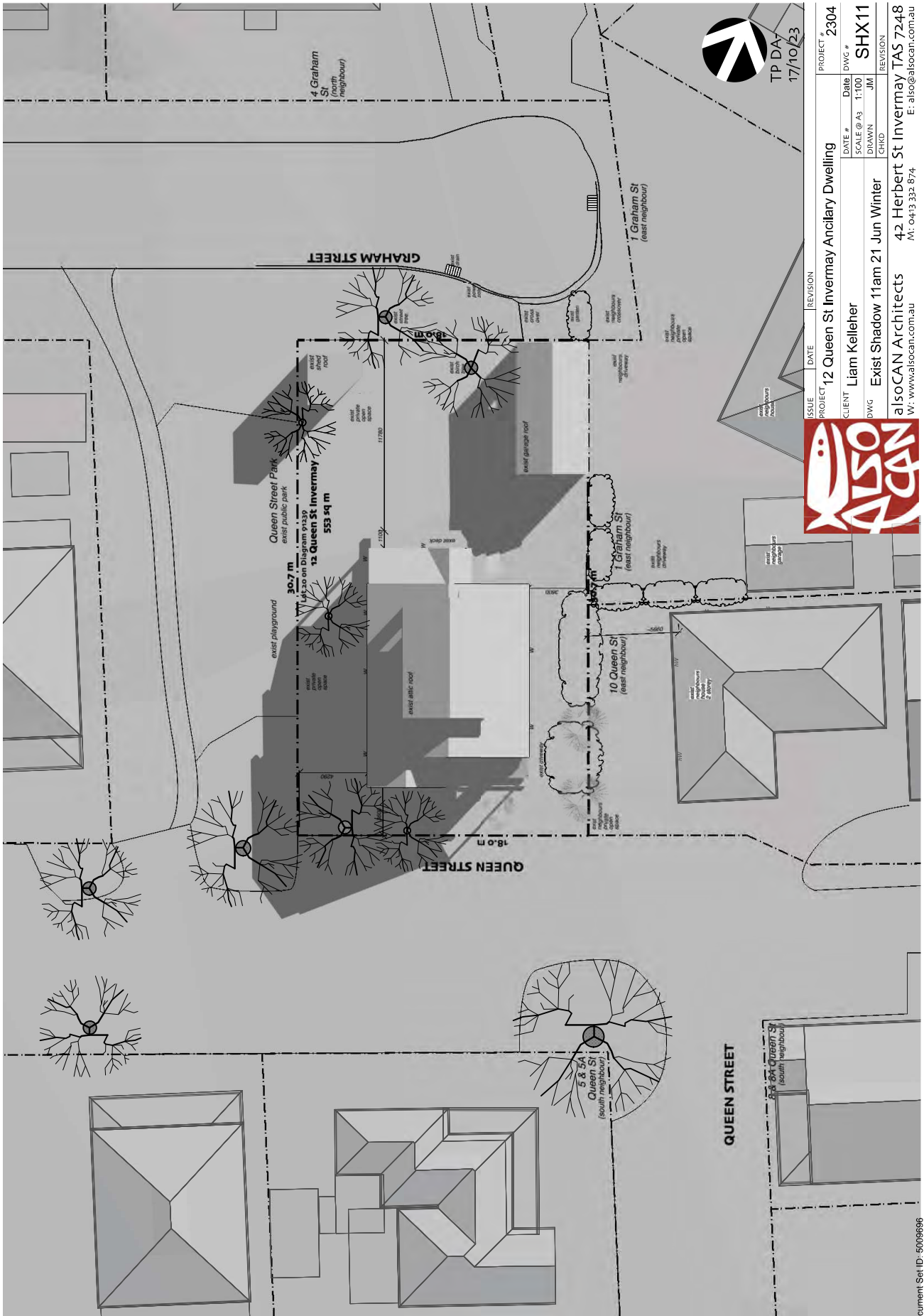
ISSUE	DATE	REVISION
PROJECT #	2304	
CLIENT	Liam Kelleher	
DWG	Exist Shadow 9am 21 Jun Winter	
ALSO CAN Architects	42 Herbert St Invermay TAS 7248	
W:	www.alsoacan.com.au	
M:	0413 332 874	
E:	also@alsoacan.com.au	
DATE	DWG #	REVISION
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TP DA		

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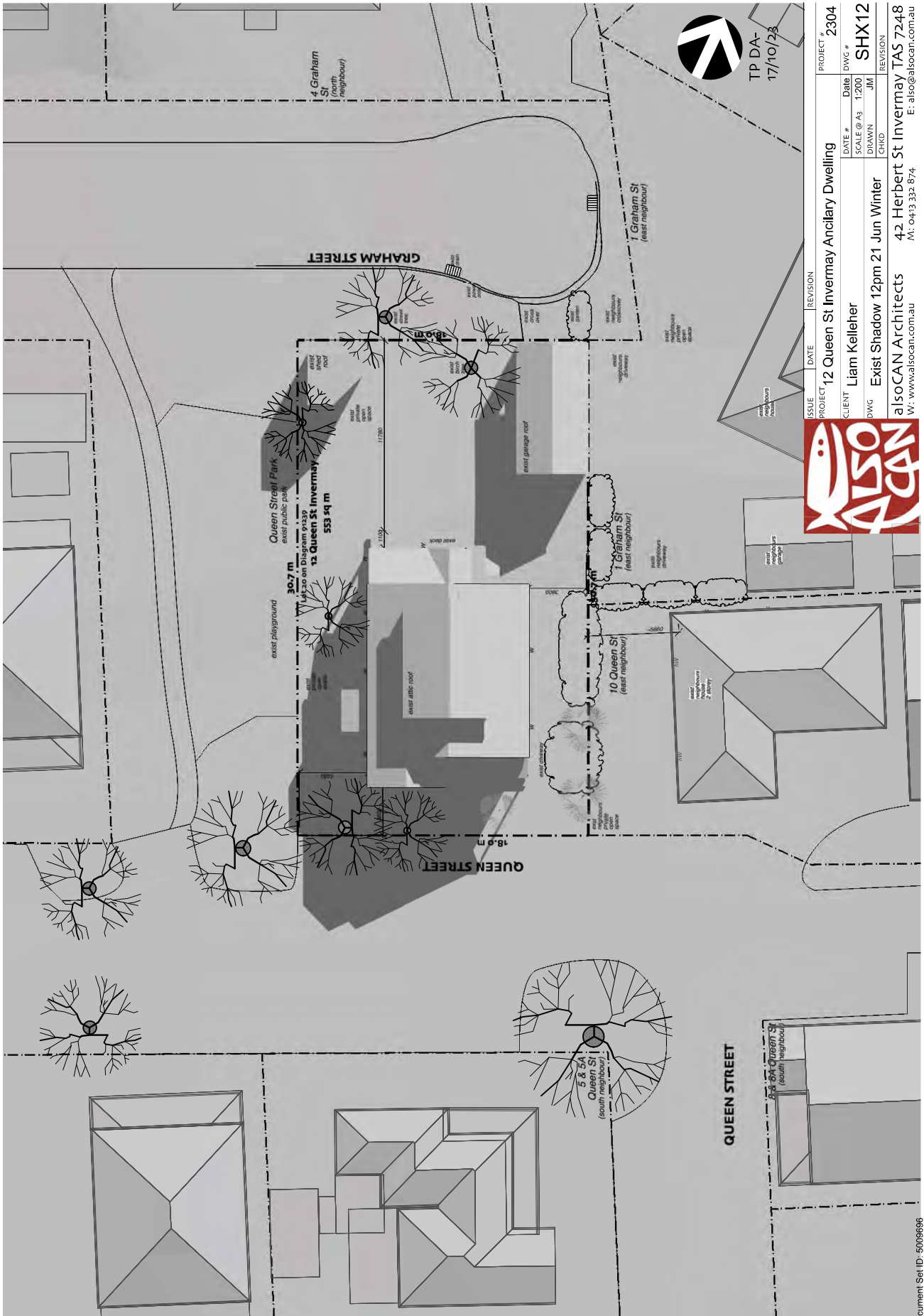
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	W: www.alSOCAN.com.au	M: 0413 332 874	
	E: also@alSOCAN.com.au		
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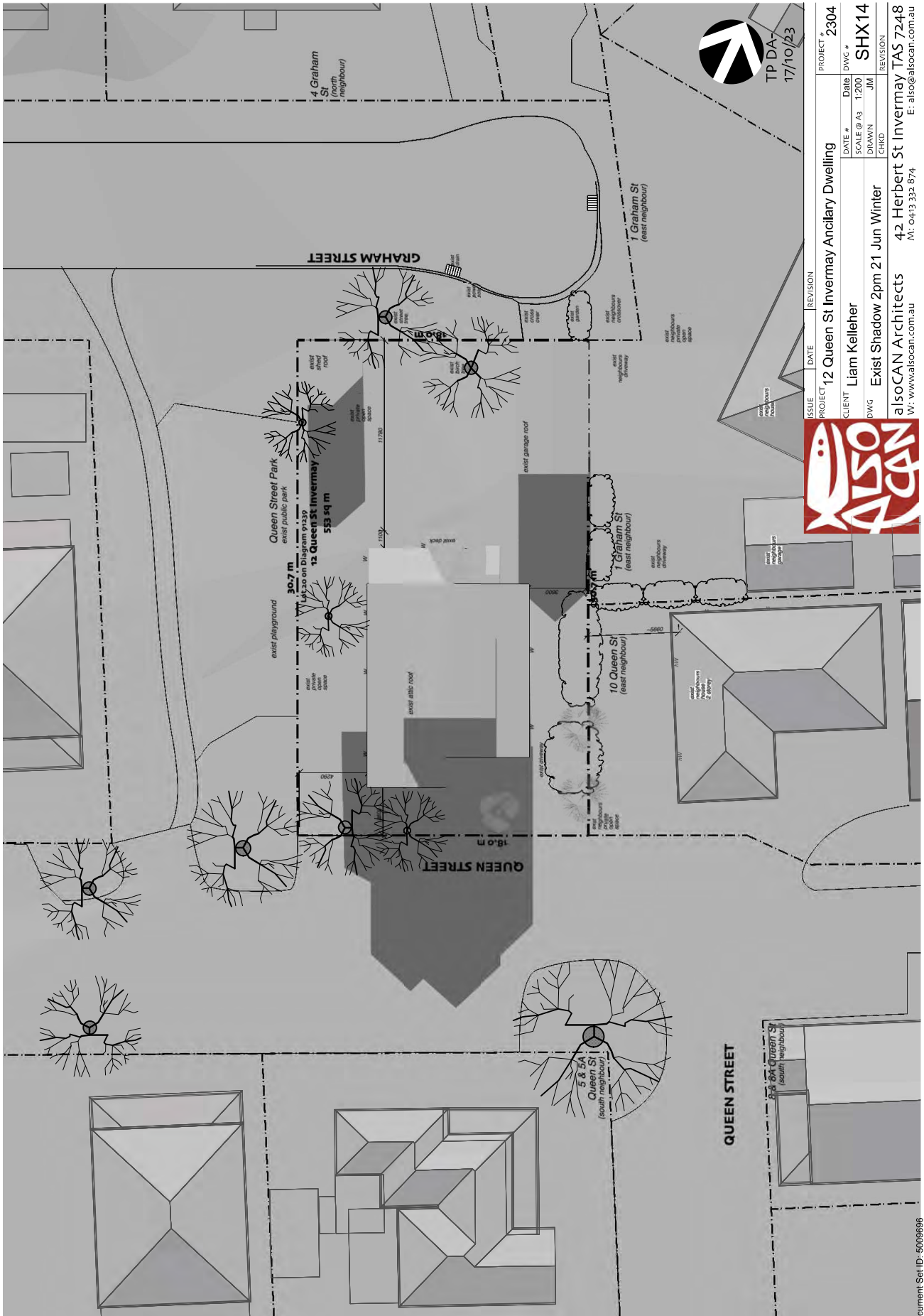
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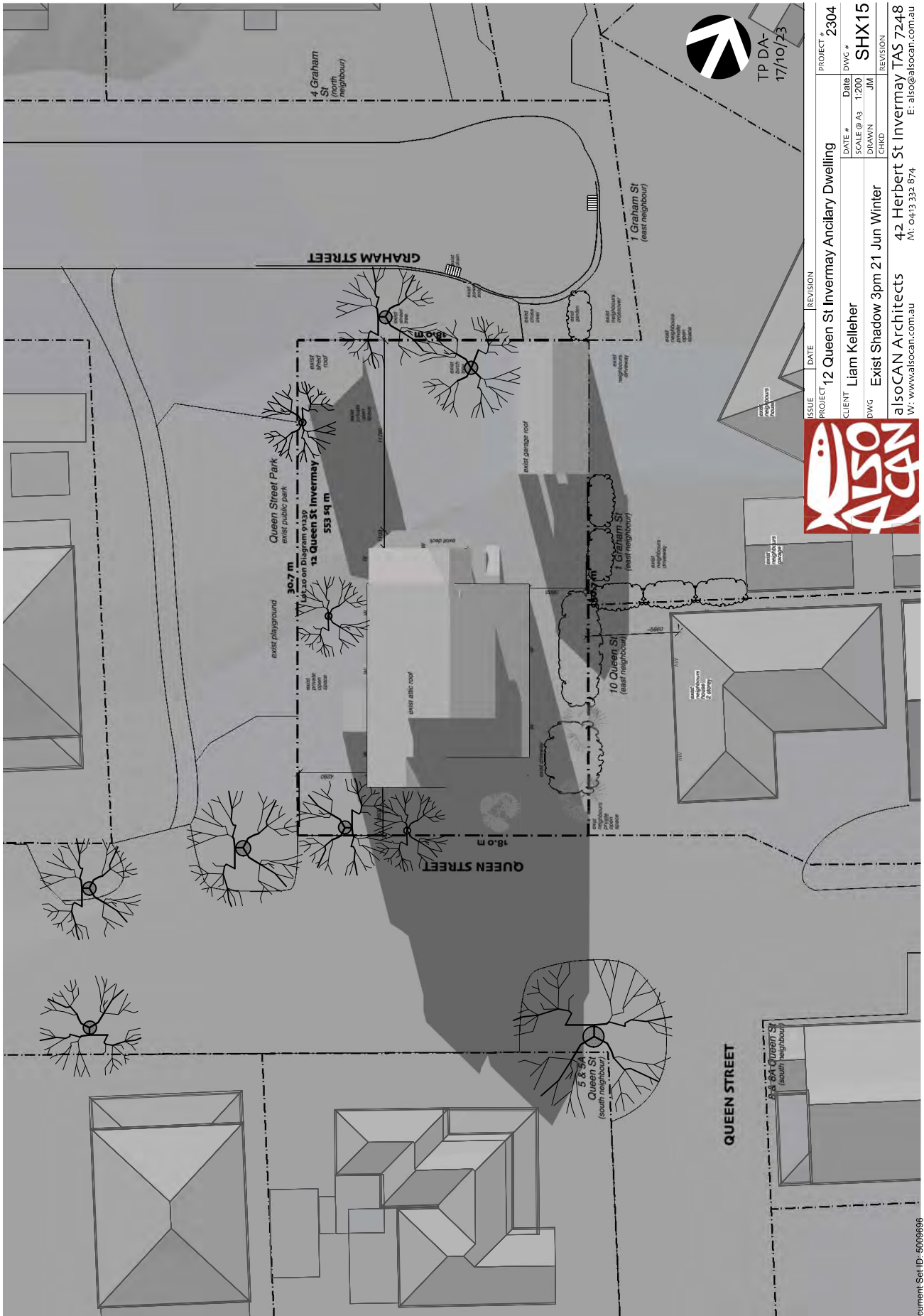
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CLIENT	Liam Kelleher	
DWG	Exist Shadow 12pm 21 Jun Winter	
PROJECT	42 Herbert St Invermay TAS 7248	
W:	www.alsoacan.com.au	
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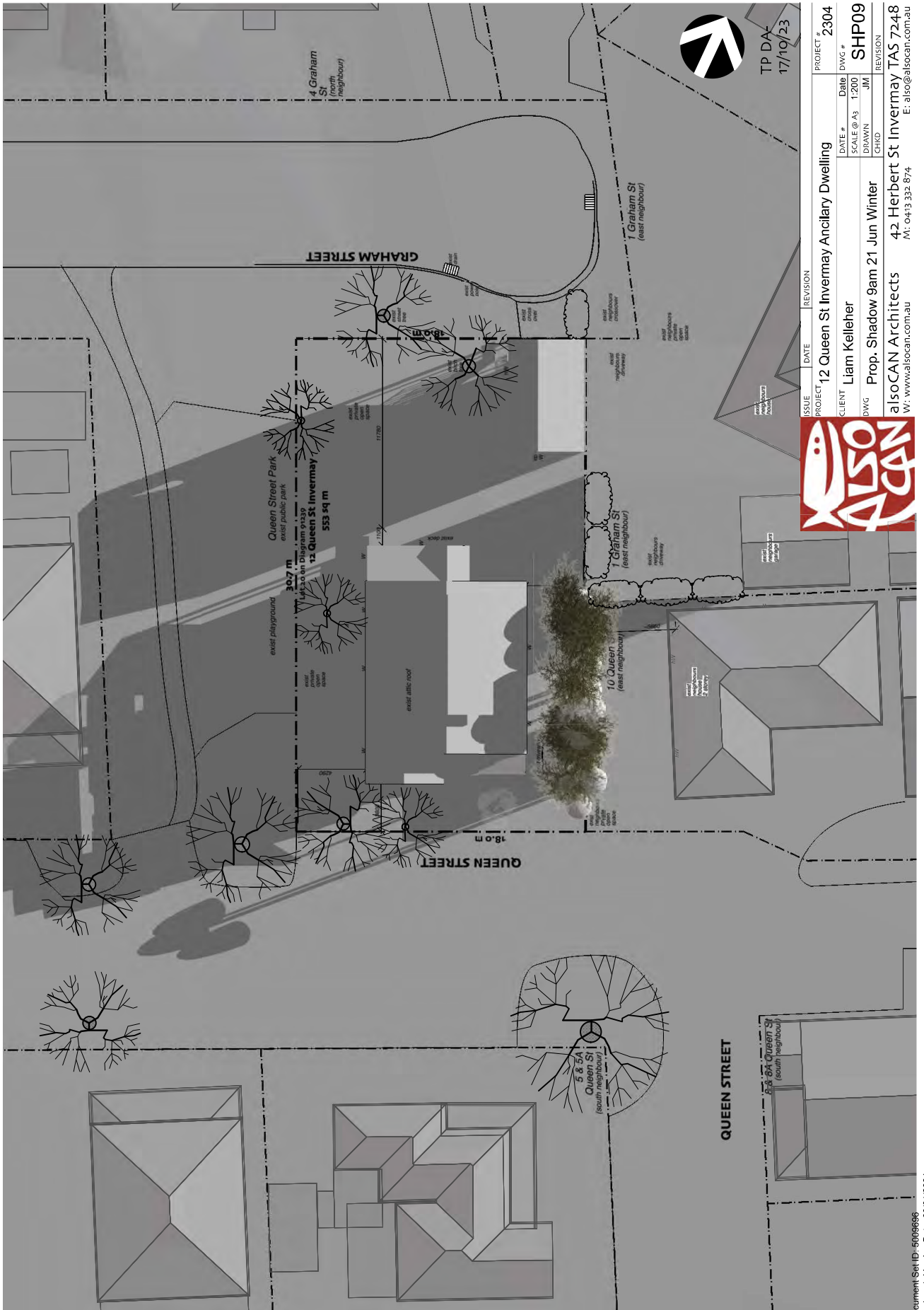
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ADDRESS	42 Herbert St Invermay TAS 7248	
PHONE	M: 0413 332 874	
EMAIL	E: also@alsocan.com.au	
WEBSITE	W: www.alsocan.com.au	

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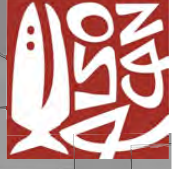
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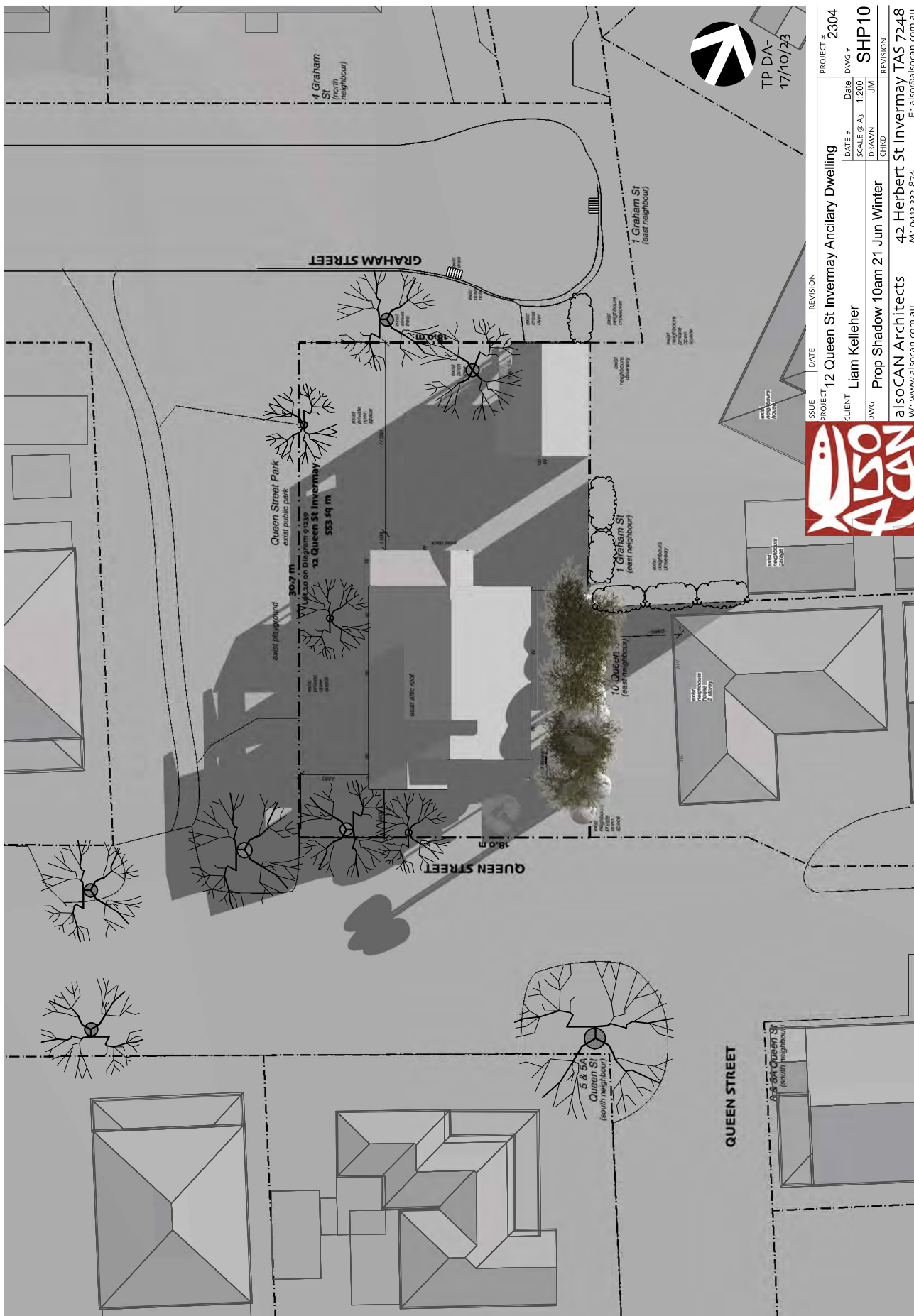


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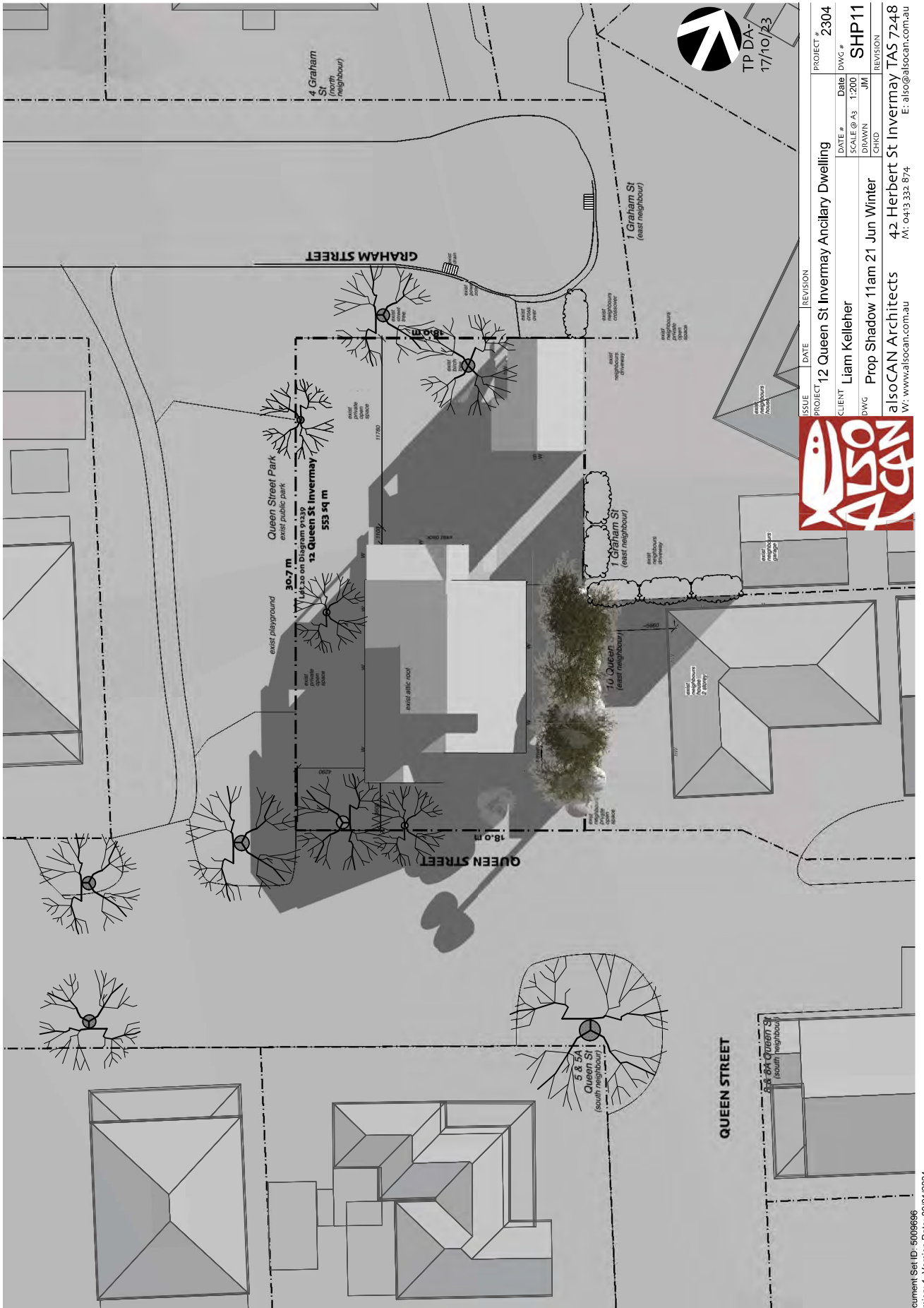


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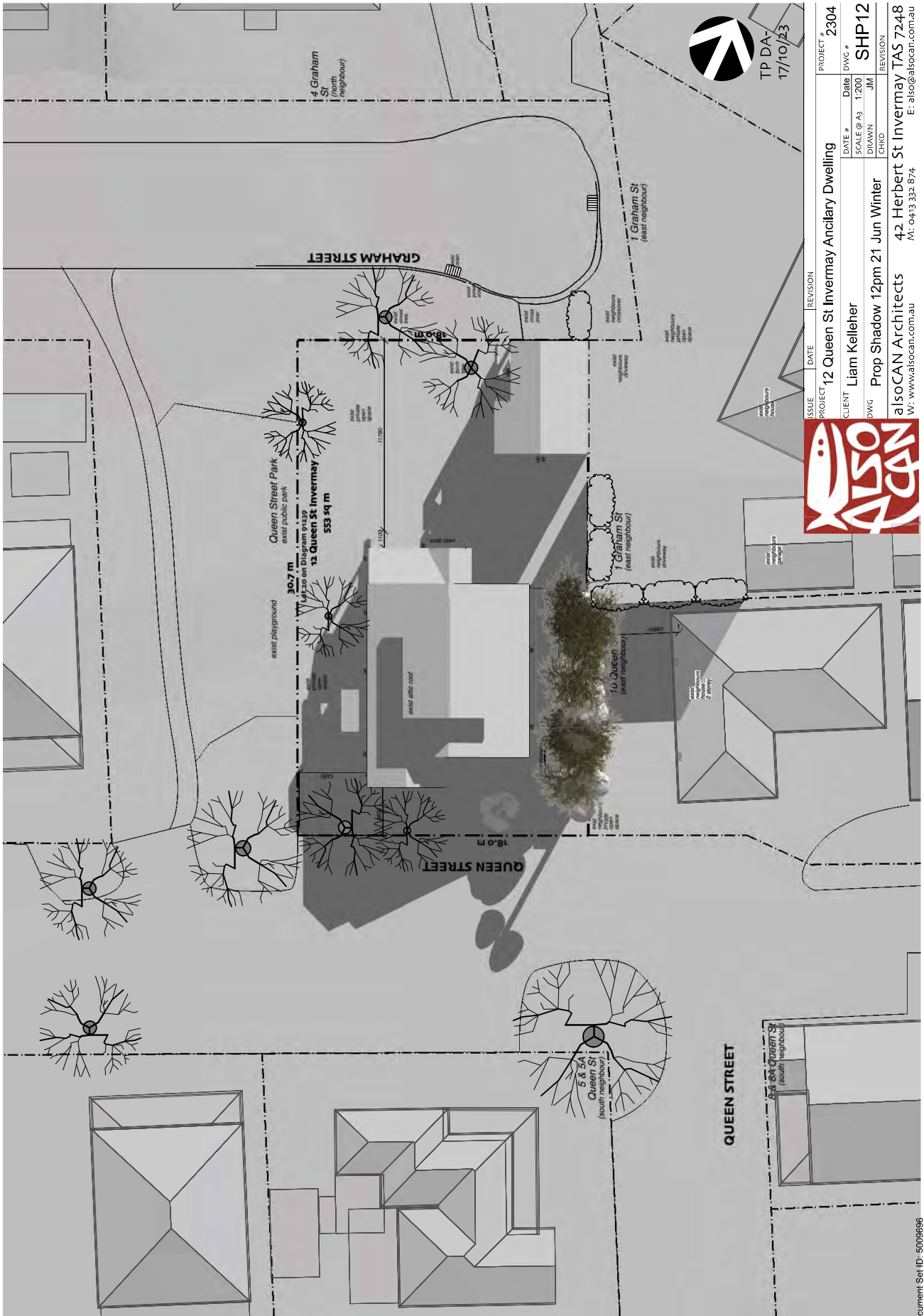
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M:	0413 332 874
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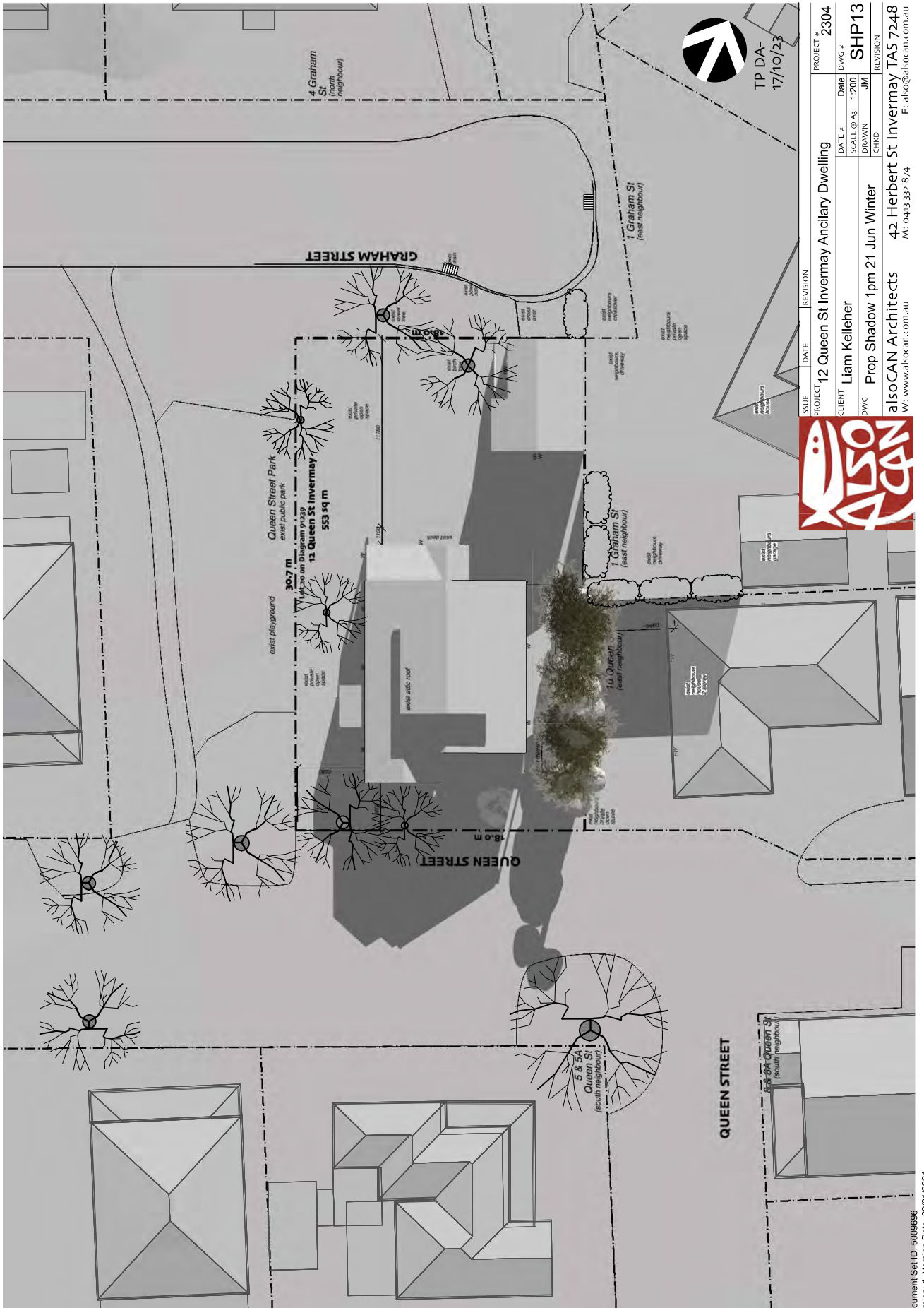
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ADDRESS	42 Herbert St Invermay TAS 7248
CONTACT	M: 0413 332 874 E: also@alsoCAN.com.au
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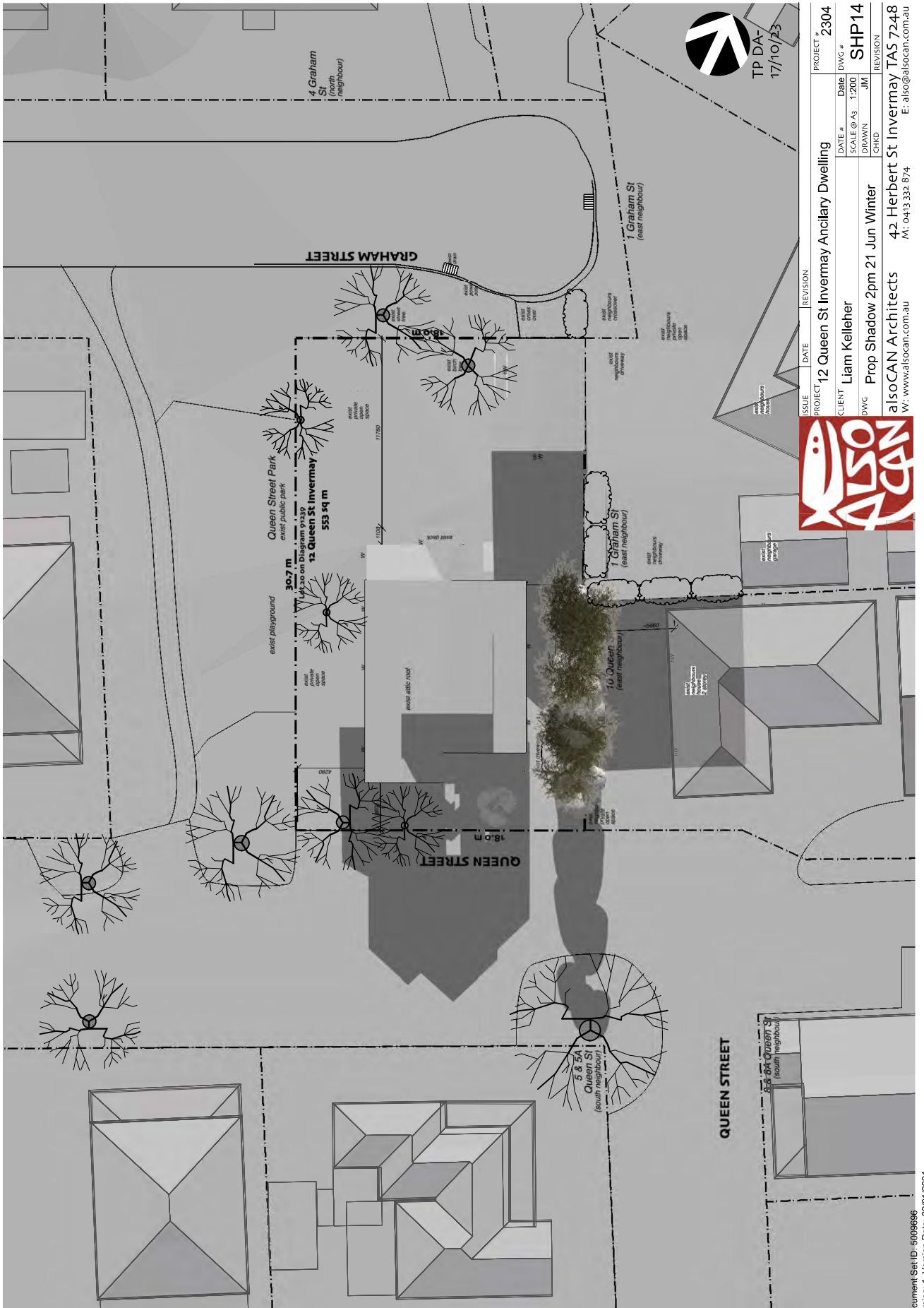
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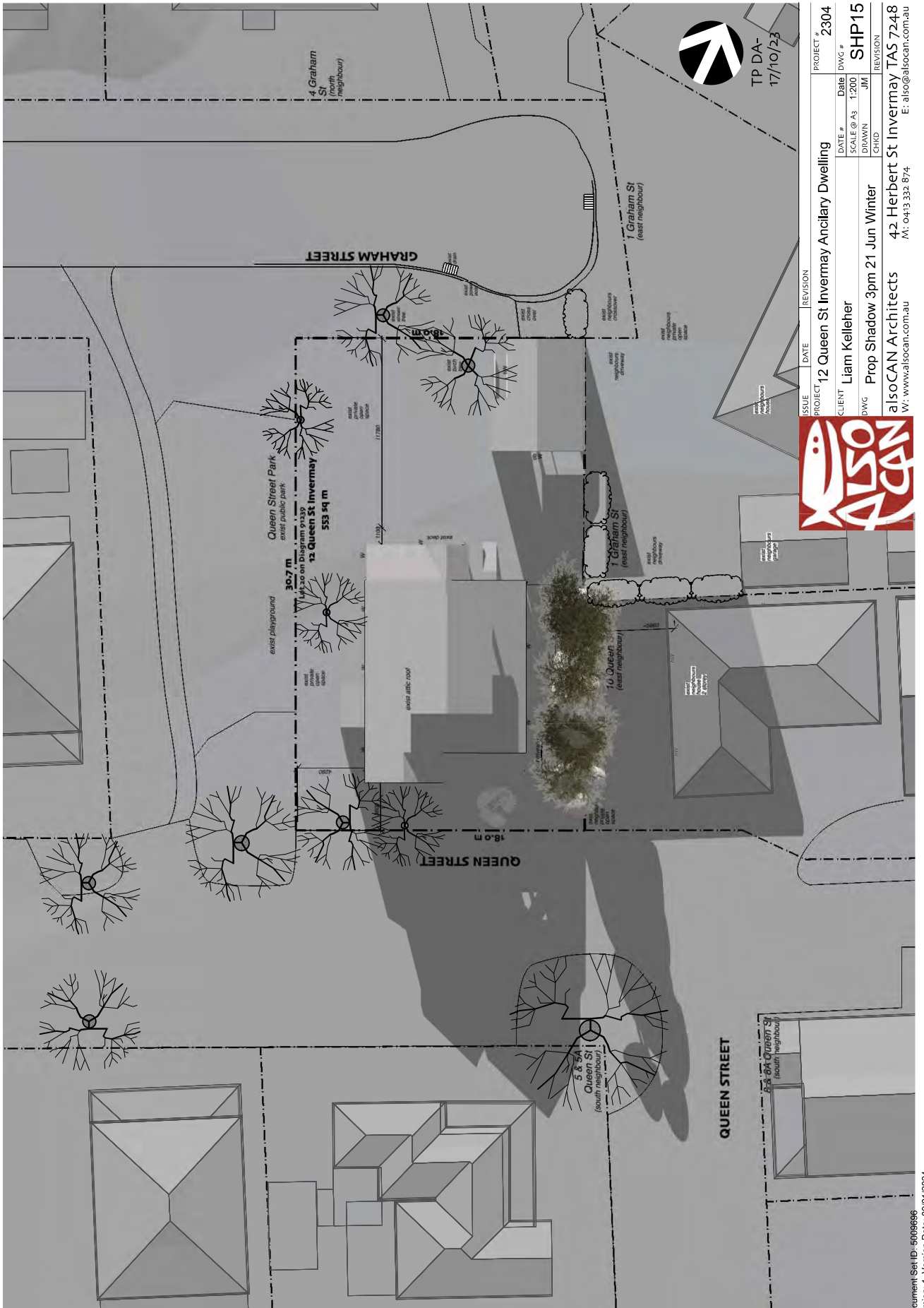
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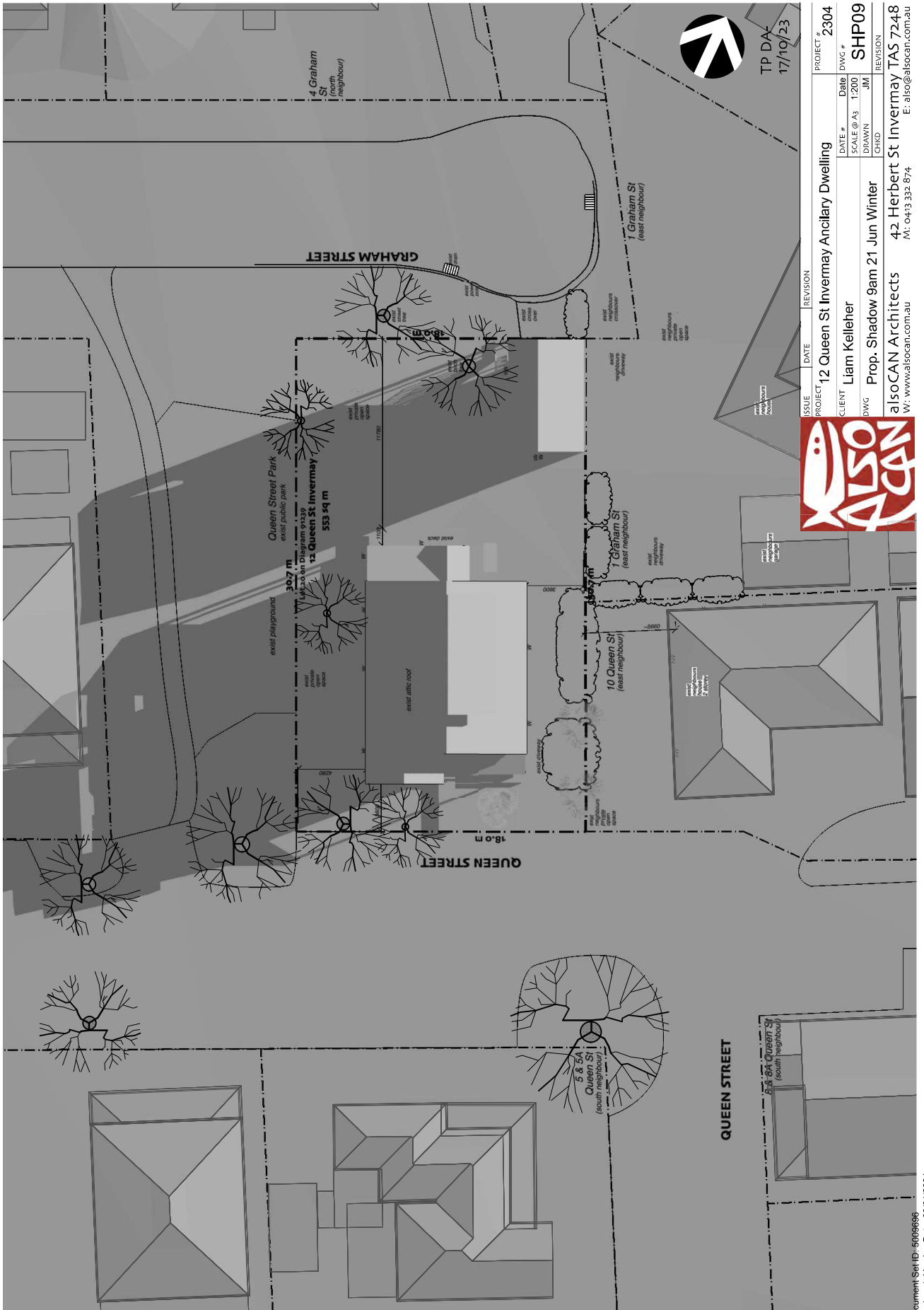


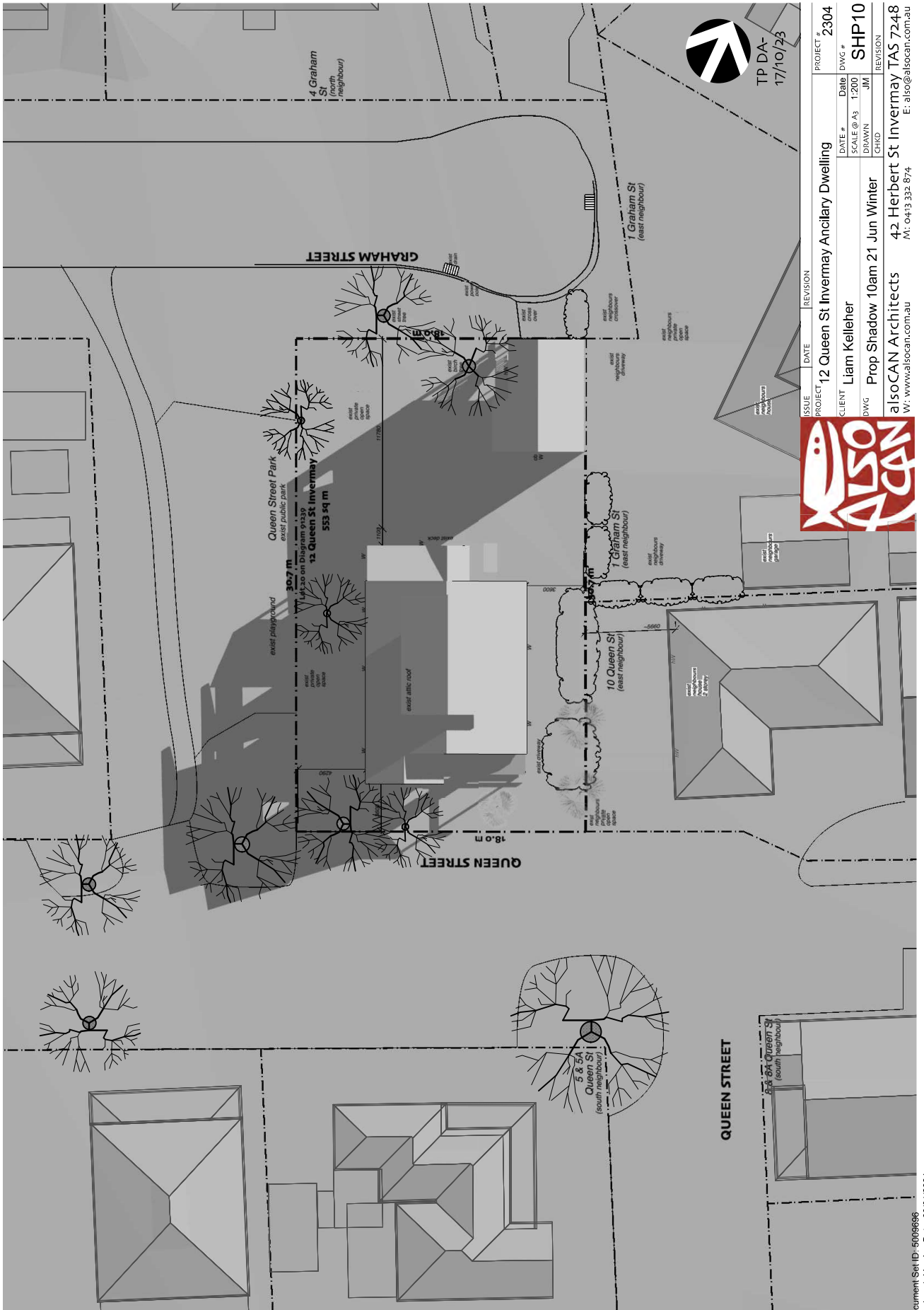


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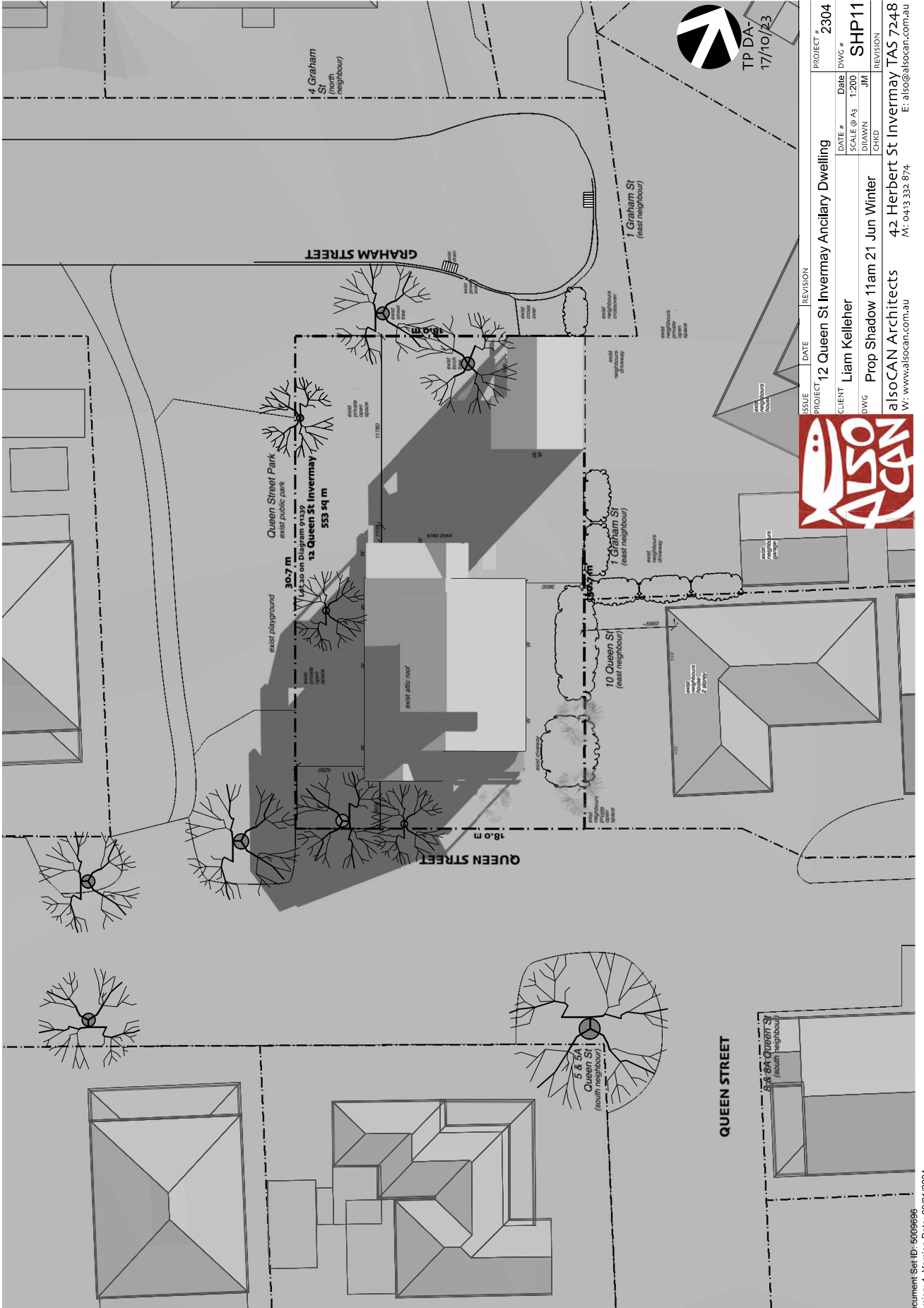
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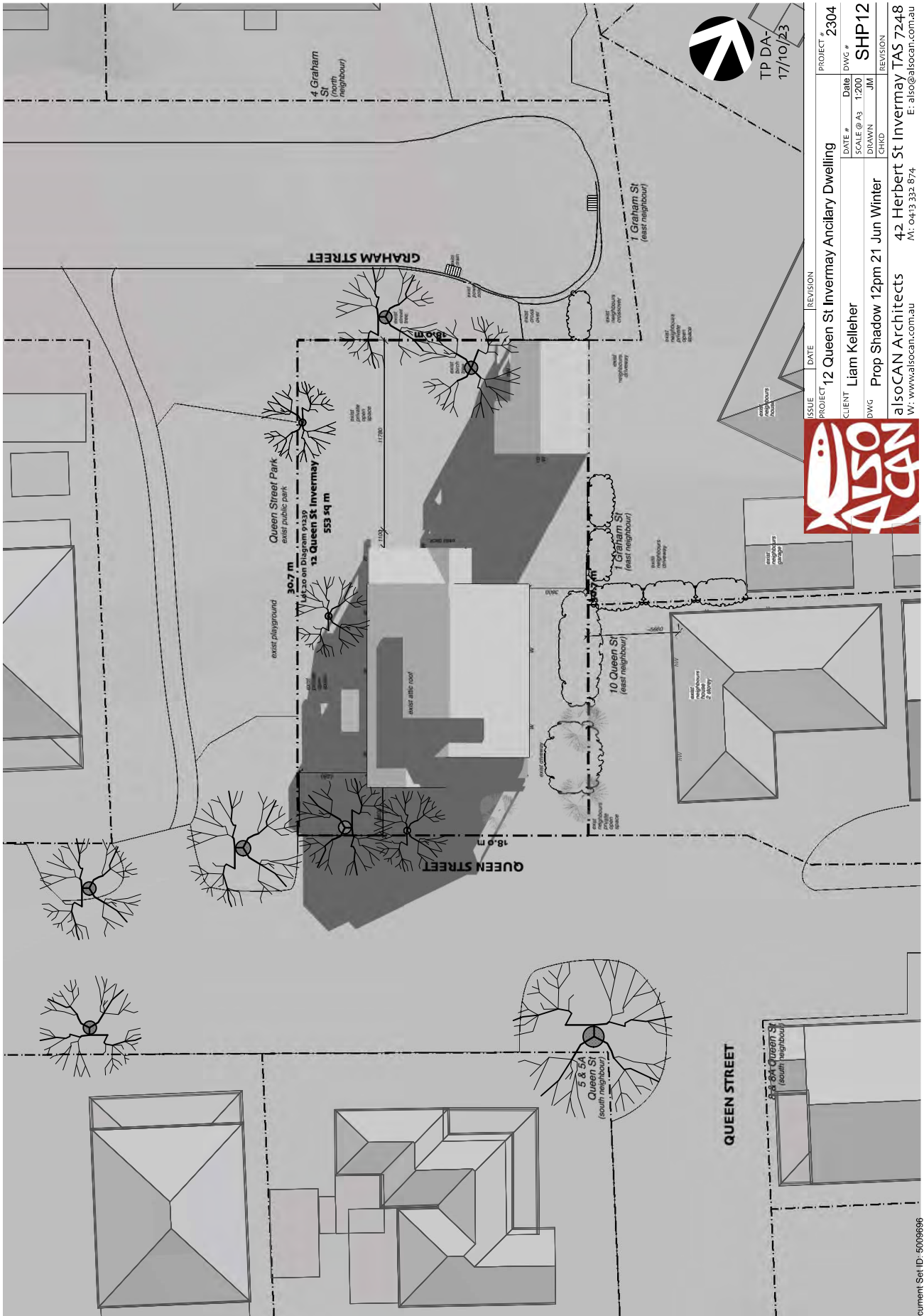
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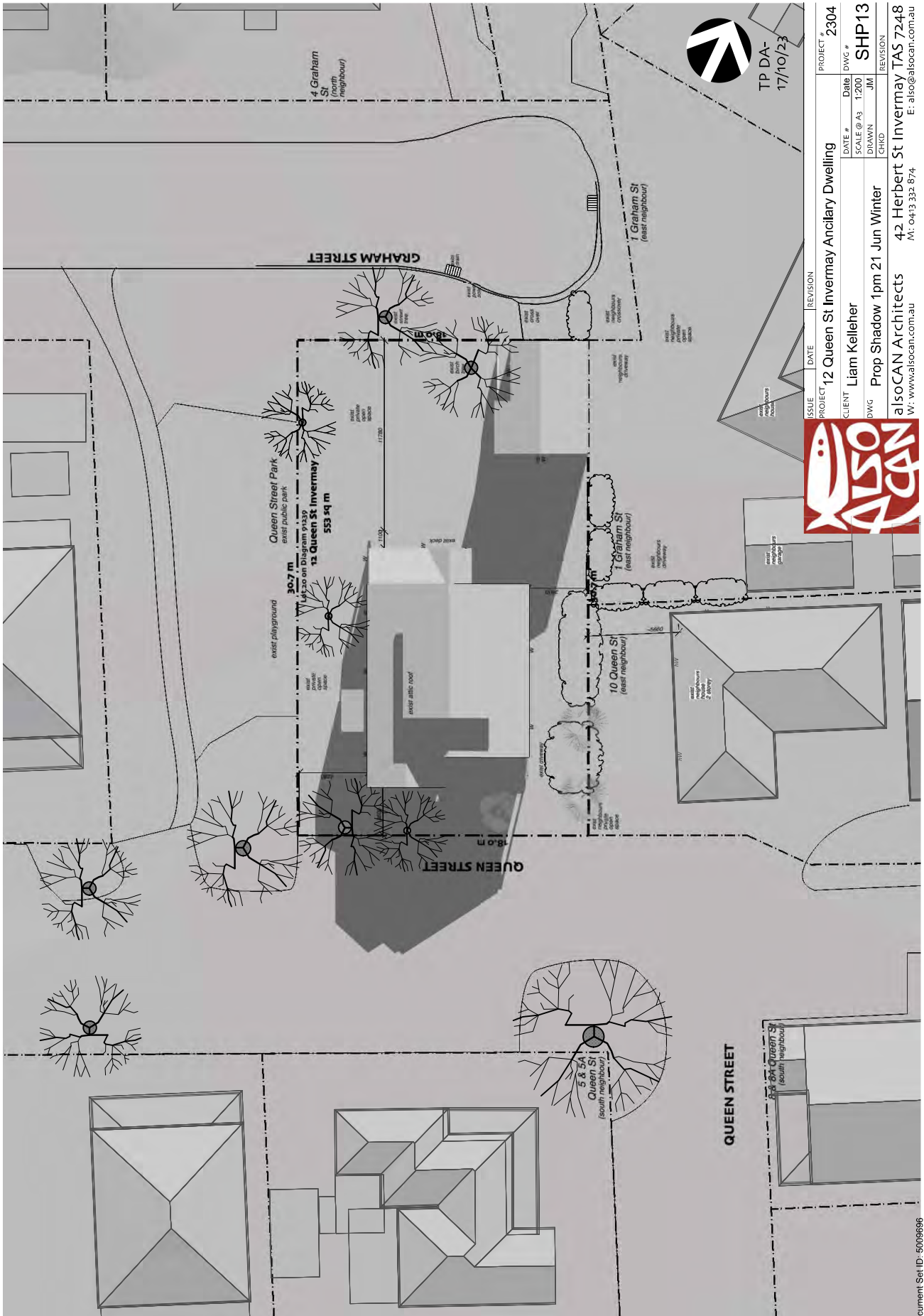
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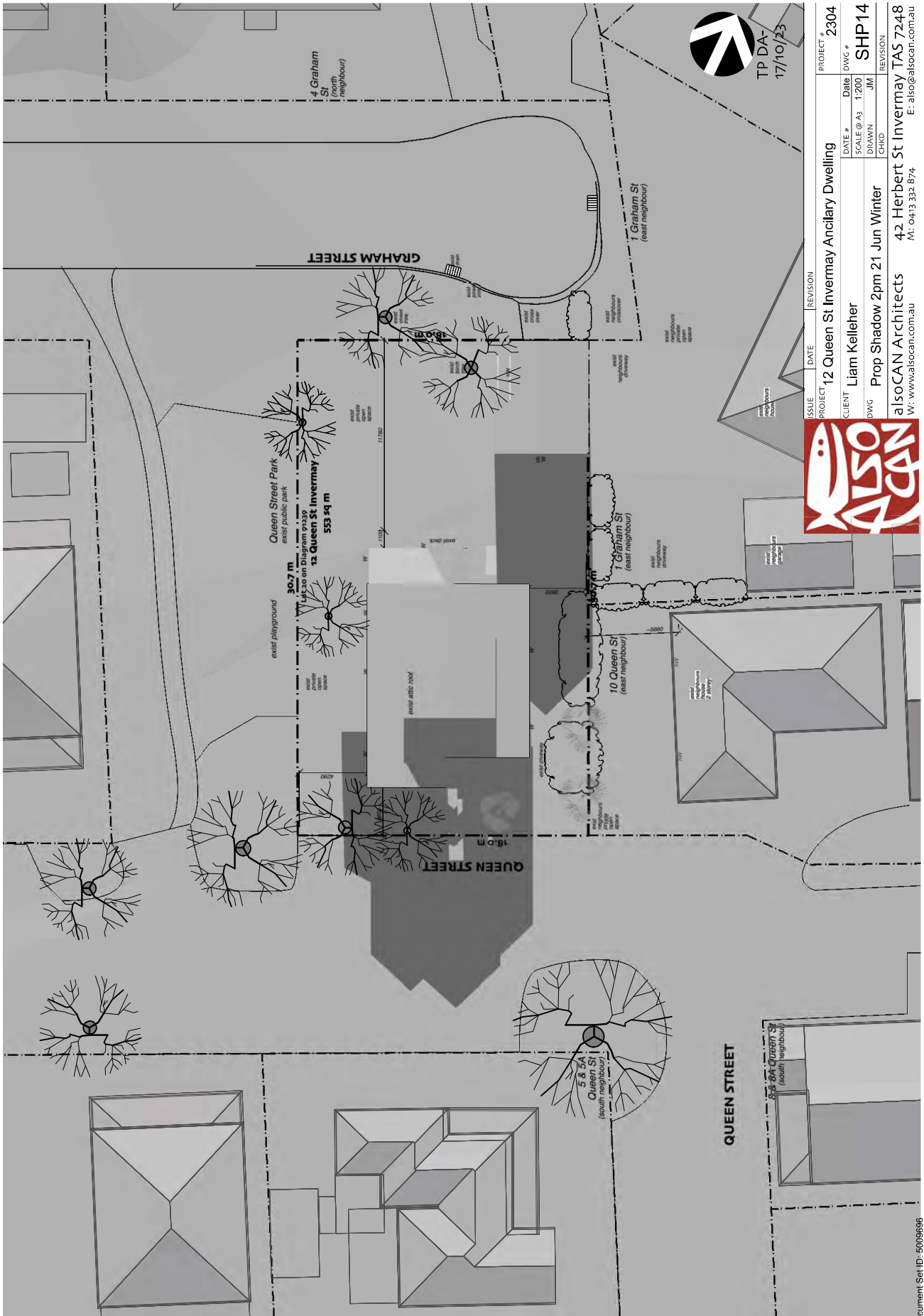
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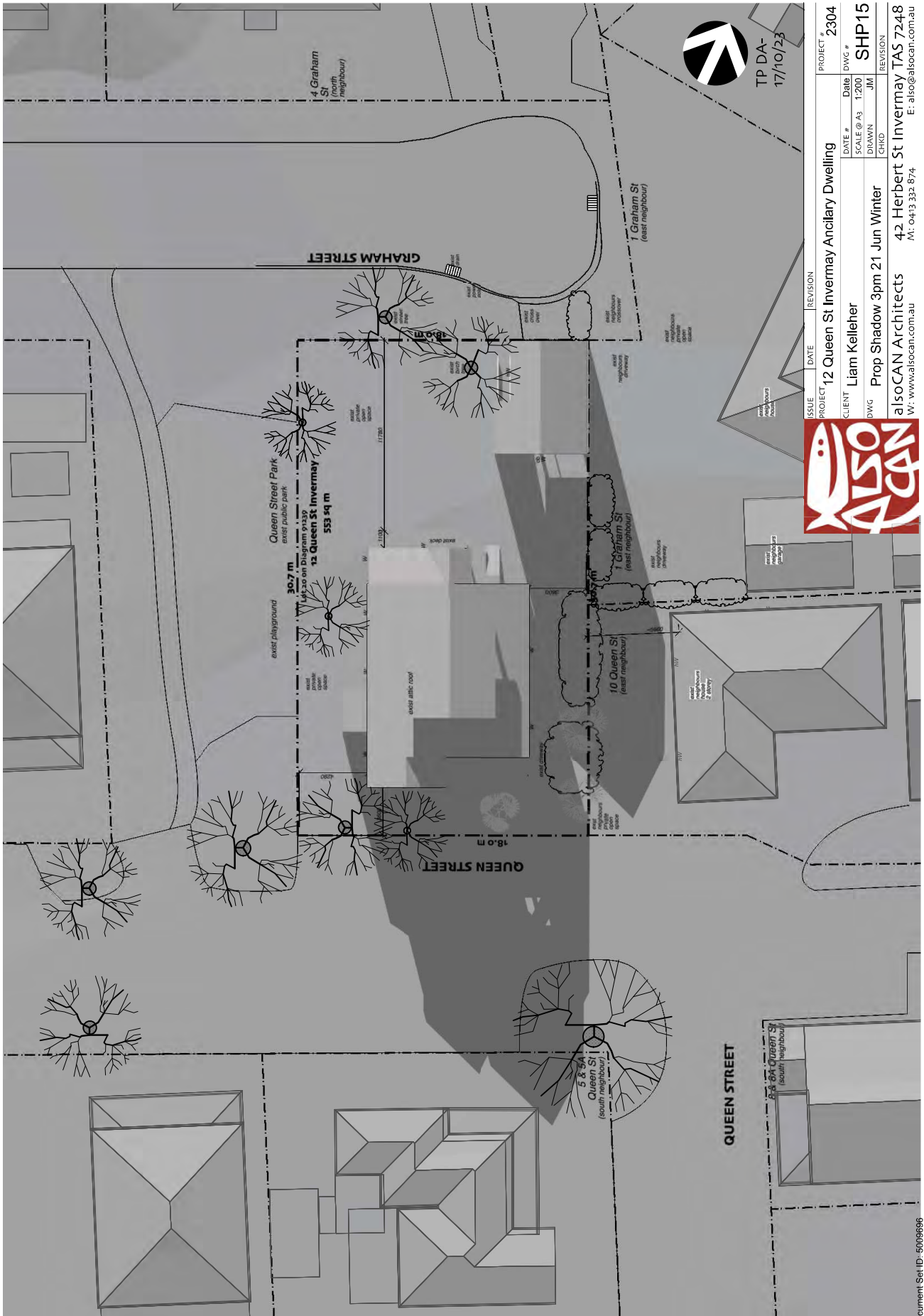
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alsoCAN Architects	CHKD	
W: www.alsoacan.com.au		
42 Herbert St Invermay TAS 7248		
M: 0413 332 874		
E: also@alsoacan.com.au		

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PROJECT #	2304
PROJECT	12 Queen St Invermay Ancillary Dwelling
CLIENT	Liam Kelleher
DWG	Prop Shadow 2pm 21 Jun Winter
ALSO CAN ARCHITECTS	42 Herbert St Invermay TAS 7248
W:	www.alsoacan.com.au
M:	0413 332 874
E:	also@alsoacan.com.au
DATE	REVISION
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DATE #	DRAWN
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alsoCAN Architects	CHKD	
W: www.alsoCAN.com.au		
42 Herbert St Invermay TAS 7248		
M: 0413 332 874		
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17/10/2023

Launceston City Council
Statutory Planning Department

We wish to make an application for a Planning Permit for an Ancillary Dwelling over a Carport at 12 Queen Street Invermay.

The following documents are attached:

2304-TP01toTP16-23-10-17.pdf containing:	2304-SHX09to15-Exist-Jun21-Shadows.pdf containing:
2304/TP01 Existing Site Plan 1:250	2304/SHX01 Exist 9am 21 June Shadow Diagrams
2304/TP02 Existing Streetscape Photos	2304/SHX02 Exist 10am 21 June Shadow Diagrams
2304/TP03 Existing Ground Plan 1:200	2304/SHX03 Exist 11am 21 June Shadow Diagrams
2304/TP04 Existing First Plan 1:200	2304/SHX04 Exist 12pm 21 June Shadow Diagrams
2304/TP05 Existing Ground Plan 1:100	2304/SHX05 Exist 1pm 21 June Shadow Diagrams
2304/TP06 Existing First Plan 1:100	2304/SHX06 Exist 2pm 21 June Shadow Diagrams
2304/TP07 Existing Roof Plan 1:100	2304/SHX07 Exist 3pm 21 June Shadow Diagrams
2304/TP08 Existing Elevations 1:100	
2304/TP09 Proposed Site Plan 1:250	2304-SHP09to15-Prop-Jun21-Shadows.pdf containing:
2304/TP10 Proposed Ground Plan 1:200	2304/SHP01 Prop 9am 21 June Shadow Diagrams
2304/TP11 Proposed First Plan 1:200	2304/SHP02 Prop 10am 21 June Shadow Diagrams
2304/TP12 Proposed Ground Plan 1:100	2304/SHP03 Prop 11am 21 June Shadow Diagrams
2304/TP13 Proposed First Plan 1:100	2304/SHP04 Prop 12pm 21 June Shadow Diagrams
2304/TP14 Proposed Roof Plan 1:100	2304/SHP05 Prop 1pm 21 June Shadow Diagrams
2304/TP15 Proposed Elevations 1:100	2304/SHP06 Prop 2pm 21 June Shadow Diagrams
2304/TP16 Proposed Perspective Views	2304/SHP07 Prop 3pm 21 June Shadow Diagrams

Tasmanian Planning Scheme General Residential Zone Assessment
Invermay/Inveresk Flood Inundation Specific Area Plan Assessment
Title.

Also included are pdfs of the shadow diagrams including the existing trees and pittosporum hedges along the boundary throwing shadows, as the existing trees and hedges already overshadow the neighbouring 10 Queen Street's private open space.

2304-SHX09to15-Exist-Jun21-Shadows-incl.BoundaryTrees.pdf &
2304-SHP09to15-Prop-Jun21-Shadows-incl.BoundaryTrees.pdf

Do not hesitate to contact us regarding the proposal for 12 Queen Street Invermay.

Yours faithfully

Jane McDougall
Tasmanian Registered Architect 1166
alsoCAN architects

1

ALSO CAN ARCHITECTS

42 Herbert St Invermay Tas 7248
M:0413 332 874 E:also@alsocan.com.au www.alsocan.com.au



INTRODUCTION

The purpose of this application is to seek approval for an ancillary dwelling over a carport.

ADDRESS

12 Queen Street Invermay.

ZONE

8 General Residential Zone

OVERLAYS

LAU-S10.0 Invermay/Inveresk Flood Inundation Specific Area Plan
Airport obstacle limitation area

SITE

12 Queen Street Invermay. (the subject site) has its primary frontage to Queen Street, and a secondary frontage, at the rear of the existing house, to Graham St.

The Graham St secondary frontage is to the north and has an existing garage, shed and paling fence.

The subject site is approximately 533m² and has rectilinear boundaries.

The existing dwelling on the subject site is a 2 storey house. The existing house is approximately 156 m². The existing garage is approximately 34 m² and the shed approx. 8 m²

The subject site is relatively flat. The flood maps show the existing floor level of the house at 2.3 m AHD, below the 3.7 m AHD flood impact level.

Queen St Park abuts the subject site to the west.

Abutting the subject site to the east, at the rear, is the driveway of 1 Graham St. 1 Graham St is at the end of a cul-de-sac with the front of the house facing the end of the street to the west.

Abutting the subject site to the east, at the front, is the side private open space of 10 Queen St. The ground floor of the house along this side is a carport and a habitable room window. The first floor has two highlight windows along the side facing the subject.



PROPOSAL

The proposal is to demolish the existing garage and shed, and replace the garage with an ancillary dwelling over a carport.

The proposed addition is located where the existing garage is on the Graham St boundary, and the east side boundary adjacent to the neighbouring 1 Graham Street's driveway.

The proposed ancillary dwelling has 2 m2 laundry on the ground floor and a 36 m2 one bedroom unit on the first floor, with the floor level above 3.7 m AHD.

It contains one bedroom, one living room and one bathroom.

DISCRETION

The application is discretionary on the following Clauses:

Setbacks and building envelope for all dwellings

8.4.2 P1

8.4.2 P3

Refer attached 8.0 General Residential Zone and LAU- S10.2 Invermay/Inveresk Flood Inundation Specific Area Plan assessments.

END

3

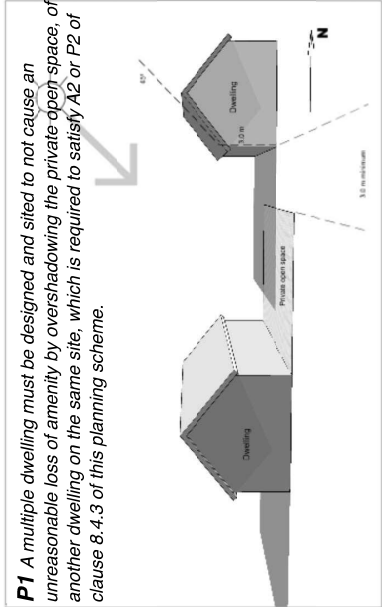
ALSOCAN ARCHITECTS

M:0413 332 874 E:also@alsocan.com.au www.alsocan.com.au

42 Herbert St Invermay Tas 7248

8.0 General Residential Zone	Acceptable Solutions	Performance Criteria	Proposal -
<p>8.4.1 Residential density for multiple dwellings A1 Multiple dwellings must have a site area per dwelling of not less than 325m².</p>	<p>P1 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> <ul style="list-style-type: none"> (a) is compatible with the density of existing development on established properties in the area; or (b) provides for a significant social or community benefit and is: <ul style="list-style-type: none"> (i) wholly or partly within 400m walking distance of a public transport stop; or (ii) the site is wholly or partially 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. 	<p>Complies with 8.4.1 A1 We are proposing an ancillary dwelling, less than 60 m²</p>	<p>Complies with 8.4.1 A1 We are proposing an ancillary dwelling, less than 60 m²</p>
<p>8.4.2 Setbacks and building envelope for all dwellings A1 Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is : (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>	<p>P1 A dwelling must have a setback from a frontage that is compatible with the streetscape, having regard to any topographical constraints.</p>	<p>Relies on Performance Criteria 8.4.2 P1 12 Queen St has 2 street frontages. The primary frontage is to Queens St, where we are proposing no change and the secondary frontage is to Graham St. We are proposing an ancillary dwelling over a carport on Graham St, the secondary street frontage. There is currently a garage on this street frontage that we will be replacing with the ancillary dwelling over a carport.</p>	<p>Relies on Performance Criteria 8.4.2 P1 12 Queen St has 2 street frontages. The primary frontage is to Queens St, where we are proposing no change and the secondary frontage is to Graham St. We are proposing an ancillary dwelling over a carport on Graham St, the secondary street frontage. There is currently a garage on this street frontage that we will be replacing with the ancillary dwelling over a carport.</p>
<p>A2 A garage or carport must have a setback from a primary frontage of at least: (a) 5.5 m, or alternatively 1 m behind the facade of the dwelling; or (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 1.0m from the frontage.</p>	<p>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.</p>	<p>Complies with 8.4.2 A2 We are proposing no change to the primary street frontage, Queens St.</p>	<p>Complies with 8.4.2 A2 We are proposing no change to the primary street frontage, Queens St.</p>
<p>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 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 (b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or (ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).</p>	<p>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 (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property; (b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and (c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on: (i) an adjoining property; or (ii) another dwelling on the same site.</p>	<p>Relies on Performance Criteria 8.4.2 P3 We are proposing an ancillary dwelling over a carport on the Graham St secondary frontage and the east side boundary, to replace an existing garage in this position. It is adjacent to the neighbours driveway. Winter Solstice Shadow diagrams have been provided to show that it will not reduce sunlight to adjoining properties' habitable rooms or overshadow private open space of adjoining properties. The scale and bulk of the ancillary dwelling has been kept to a minimum with the pitched ceiling low along the boundary. Proportions are a small gable roofed building with a 36 m2 footprint in keeping with the surrounding dwellings, garages and sheds.</p>	<p>Relies on Performance Criteria 8.4.2 P3 We are proposing an ancillary dwelling over a carport on the Graham St secondary frontage and the east side boundary, to replace an existing garage in this position. It is adjacent to the neighbours driveway. Winter Solstice Shadow diagrams have been provided to show that it will not reduce sunlight to adjoining properties' habitable rooms or overshadow private open space of adjoining properties. The scale and bulk of the ancillary dwelling has been kept to a minimum with the pitched ceiling low along the boundary. Proportions are a small gable roofed building with a 36 m2 footprint in keeping with the surrounding dwellings, garages and sheds.</p>

8.0 General Residential Zone

Acceptable Solutions	Performance Criteria	Proposal -
<p>8.4.3 Site coverage and private open space for all dwellings</p> <p>A1 Dwellings must have:</p> <p>(a) a site coverage of not more than 50% (excluding eaves up to 0.6m); and</p> <p>(b) for multiple dwellings, a total area of private open space of not less than 60m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer).</p>	<p>P1 Dwellings must have:</p> <p>(a) site coverage consistent with that existing on established properties in the area;</p> <p>(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:</p> <p>(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</p> <p>(ii) operational needs, such as clothes drying and storage; and</p> <p>(c) reasonable space for the planting of gardens and landscaping.</p>	<p>Complies with 8.4.3 A1</p> <p>Site coverage is approximately 34% and private open space approximately 277 m². As we are proposing demolishing the existing garage and shed, the proposed site coverage and private open space will be similar to existing.</p>
<p>A2 A dwelling must have an area of private open space that:</p> <p>(a) is in one location and is at least:</p> <p>(i) 24m²; or</p> <p>(ii) 12m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(b) has a minimum horizontal dimension of:</p> <p>(i) 4m; or</p> <p>(ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and</p> <p>(d) has a gradient not steeper than 1 in 10.</p>	<p>P2 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> <p>(i) conveniently located in relation to a living area of the dwelling; and</p> <p>(ii) orientated to take advantage of sunlight.</p>	<p>Complies with 8.4.3 A2</p> <p>Private open space approximately 275 m², of which approx. 160 m² is in the north facing back yard.</p>
<p>8.4.4 Sunlight to private open space of multiple dwellings</p> <p>A1 A multiple dwelling, that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 8.4.3, must satisfy (a) or (b), unless excluded by (c):</p> <p>(i) at a distance of 3m from the northern edge of the private open space; and</p> <p>(ii) vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal;</p> <p>(b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00am and 3.00pm on 21st June; and</p> <p>(c) this Acceptable Solution excludes that part of a multiple dwelling consisting of:</p> <p>(i) an outbuilding with a building height not more than 2.4m; or</p> <p>(ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling.</p>	<p>P1 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>Figure 8.4 Separation from the private open space of another dwelling on the same site as required by clause 8.4.4 A1(a)</p>	<p>Complies with 8.4.4 A1</p> <p>We are proposing an ancillary dwelling, less than 60 m². Refer shadow diagrams.</p>

8.0 General Residential Zone

Acceptable Solutions	Performance Criteria	Proposal -
<p>8.4.5 Width of openings for garages and carports for all dwellings</p> <p>A1 A garage or carport for a dwelling within 12m of a primary frontage, whether the garage or carport is free-standing or part of the dwelling, must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).</p>	<p>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.</p>	<p>Complies with 8.4.5 A1</p> <p>We are proposing no change to the primary street frontage, Queens St. The proposed carport facing the secondary frontage, Graham St, is wider than the existing garage it is replacing, but is still less than 6 m or half the frontage.</p>
<p>8.4.6 Privacy for all dwellings</p> <p>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:</p> <ul style="list-style-type: none"> (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 3m from the side boundary; (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m: <ul style="list-style-type: none"> (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space of the other dwelling on the same site. 	<p>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:</p> <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>Complies with 8.4.6 A1</p> <p>The proposed ancillary dwelling's living room window has a Juliet balcony balustrade so it can be opened. The Juliet balcony balustrade is directly on the secondary street frontage, Graham St.</p>
<p>A2 A window or glazed door to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b):</p> <ul style="list-style-type: none"> (a) the window or glazed door: <ul style="list-style-type: none"> (i) is to have a setback of not less than 3m from a side boundary; (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. (b) the window or glazed door: <ul style="list-style-type: none"> (i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; (ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of not less than 1.7m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%. 	<p>P2 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>Complies with 8.4.6 A2</p> <p>The proposed ancillary dwelling's bedroom window has obscured fixed glass to 1.7 m above floor level, and the living room window faces the the secondary street frontage, Graham St.</p>

Acceptable Solutions	Performance Criteria	Proposal -
<p>8.0 General Residential Zone</p> <p>A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than:</p> <ul style="list-style-type: none"> (a) 2.5m; or (b) 1m if: <ul style="list-style-type: none"> (i) it is separated by a screen of not less than 1.7m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level. 	<p>P3 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>Complies with 8.4.6 A3 There are existing crossovers to Queens St and to Graham St with a driveway down the side of the hose and a garage on the Graham St boundary. The garage will be replaced with a carport</p>
<p>8.4.7 Frontage fences for all dwellings</p> <p>A1 No Acceptable Solution. [S5] An exemption applies for fences in this zone – see Table 4.6. Fences (including free-standing walls) within 4.5m of a frontage, if located in:</p> <ul style="list-style-type: none"> (a) the General Residential Zone, Inner Residential Zone, Low Density Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone, Central Business Zone, Commercial Zone or any particular purpose zone, and if not more than a height of: <ul style="list-style-type: none"> (i) 1.2m above existing ground level if the fence is solid; or (ii) 1.8m above existing ground level, if the fence has openings above the height of 1.2m which provide a uniform transparency of at least 30% (excluding any posts or uprights); 	<p>P1 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>Complies with 8.4.7 Table 4.6 We are proposing no change to the primary street frontage, Queens St. The secondary frontage, Graham St has an existing garage and 1.8 m paling fence. We are proposing retaining the paling fence and replacing the garage with an ancillary dwelling over a carport. The carport will have a 2.1 m high carport door, gate and fence.</p>
<p>8.4.8 Waste storage for multiple dwellings</p> <p>A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is not less than 1.5m² per dwelling and is within one of the following locations:</p> <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 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>Complies with 8.4.8 Bins can be located in the carport beside the proposed laundry, screened from the back yard.</p>

<p>LAU-S10.2 Invermay/Inveresk Flood Inundation Specific Area Plan Acceptable Solutions</p>	<p>Area 2 -Inveresk Residential Performance Criteria</p>	<p>12 Queen Street Invermay Proposal -</p>
<p>LAU-S10.7.1 Intensification of Residential development A1 New residential development or extensions of existing residential buildings, excluding within the Invermay Residential Precinct, must:</p> <ul style="list-style-type: none"> • (a) not increase the gross floor area of individual dwellings or total gross floor area by 10% more than that existing or approved on the 1st January 2008; • (b) not result in more than 200m² of gross floor area on a single title; or • (c) be for residential uses associated with the educational activities within the Inveresk Cultural Precinct. 	<p>P1 No Performance Criterion.</p>	<p>Complies with LAU-S10.7.1 A1 Does not increase the gross floor area and does not result in more than 200 m² on a single title.</p>
<p>LAU-S10.7.2 Flood Impact A1 Floor levels of all habitable rooms within the Residential Use Class must be not less than 3.7m AHD.</p>	<p>P1 No Performance Criterion.</p>	<p>Complies with LAU-S10.7.2 A1 Proposed habitable rooms above a carport with floor level greater than 3.7m AHD</p>
<p>A2 No Acceptable Solution.</p>	<p>P2 Buildings within the Residential Use Class in the Inveresk Cultural Precinct must be sited and designed in accordance with a hydrological report and an emergency management plan prepared by a suitably qualified engineer. The report and plan must:</p> <ul style="list-style-type: none"> • (a) detail: <ul style="list-style-type: none"> • (i) the risks to life; • (ii) the likely impact on the use or development; and • (iii) how the use or development will manage the risk to tolerable levels, • during either an overtopping of the levee or a levee breach at the closest point in the levee during a 5% AEP, 2% AEP or a 1% AEP flood event; and • (b) consider the following: <ul style="list-style-type: none"> • (i) the likely velocity and depth of flood waters; • (ii) the need to locate electrical equipment and other fittings above the 1% AEP flood level; • (iii) the likely effect of the use or development on flood characteristics; • (iv) the development and incorporation of evacuation plans into emergency management procedures for the precinct; and • (v) the ability of the use or development to withstand flood inundation and debris damage and the necessity for the incorporation of any flood proofing measures in the development. 	<p>N/A Not in Inveresk Cultural Precinct.</p>

<p>LAU- S10.2 Invermay/Inveresk Flood Inundation Specific Area Plan</p>	<p>Area 2 -Inveresk Residential</p>	<p>12 Queen Street Invermay</p>
<p>Acceptable Solutions</p> <p>A3 All buildings not in the Residential Use Class must have a:</p> <ul style="list-style-type: none"> • (a) floor level of not less than 3.4m AHD; and • (b) gross floor area of not more than: <ul style="list-style-type: none"> (i) 400m²; or (ii) 10% more than that existing or approved on the 1st January 2008. 	<p>Performance Criteria</p> <p>P3 Buildings not in the Residential Use Class must be sited and designed in accordance with a hydrological report and an emergency management plan prepared by a suitably qualified engineer. The report and plan must:</p> <ul style="list-style-type: none"> • (a) detail: <ul style="list-style-type: none"> (i) the risks to life; (ii) the likely impact on the use or development; and (iii) how the use or development will manage the risk to tolerable levels, • during either an overtopping of the levee or a levee breach at the closest point in the levee during a 5% AEP, 2% AEP or a 1% AEP flood event; and • (b) consider the following: <ul style="list-style-type: none"> (i) the likely velocity and depth of flood waters; (ii) the need to locate electrical equipment and other fittings above the 1% AEP flood level; (iii) the likely effect of the use or development on flood characteristics; (iv) the development and incorporation of evacuation plans into emergency management procedures for the precinct; and (v) the ability of the use or development to withstand flood inundation and debris damage and the necessity for the incorporation of any flood proofing measures in the development. 	<p>Proposal -</p> <p>N/A Residential Use Class.</p>



Submission to Planning Authority Notice

Council Planning Permit No.	DA0479/2023	Council notice date	25/10/2023
TasWater details			
TasWater Reference No.	TWDA 2023/01489-LCC	Date of response	06/12/2023
TasWater Contact	Timothy Carr	Phone No.	0419 306 130
Response issued to			
Council name	CITY OF LAUNCESTON		
Contact details	Planning.Admin@launceston.tas.gov.au		
Development details			
Address	12 QUEEN ST, INVERMAY	Property ID (PID)	6572608
Description of development	Demolition two outbuildings and construction a secondary residence		
Schedule of drawings/documents			
	Prepared by	Drawing/document No.	Revision No.
	alsoCAN Architects	Proposed Ground Plan – TP10	B
			Date of Issue
			29/11/2023
Conditions			
Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56P(1) TasWater imposes the following conditions on the permit for this application:			
56W CONSENT			
1. Prior to the issue of the Certificate for Certifiable Work (Building) and/or (Plumbing) by TasWater the applicant or landowner as the case may be must make application to TasWater pursuant to section 56W of the Water and Sewerage Industry Act 2008 for its consent in respect of that part of the development which is built within two metres of TasWater infrastructure.			
DEVELOPMENT ASSESSMENT FEES			
2. The applicant or landowner as the case may be, must pay a development assessment fee of \$234.64 to TasWater, as approved by the Economic Regulator and the fee will be indexed, until the date paid to TasWater.			
The payment is required within 30 days of the issue of an invoice by TasWater.			
Advice			
General			
For information on TasWater development standards, please visit https://www.taswater.com.au/building-and-development/technical-standards			
For application forms please visit https://www.taswater.com.au/building-and-development/development-application-form			
Service Locations			
Please note that the developer is responsible for arranging to locate the existing TasWater infrastructure and clearly showing it on the drawings. Existing TasWater infrastructure may be located by a surveyor and/or a private contractor engaged at the developers cost to locate the infrastructure.			
(a) A permit is required to work within TasWater’s easements or in the vicinity of its infrastructure. Further information can be obtained from TasWater.			
(b) TasWater has listed a number of service providers who can provide asset detection and location services should you require it. Visit https://www.taswater.com.au/building-and-development/service-			



<p>locations for a list of companies.</p> <p>(c) Sewer drainage plans or Inspection Openings (IO) for residential properties are available from your local council.</p> <p>56W Consent</p> <p>The plans submitted with the application for the Certificate for Certifiable Work (Building) and/or (Plumbing) will need to show footings of proposed buildings located over or within 2.0m from TasWater pipes and will need to be designed by a suitably qualified person to adequately protect the integrity of TasWater’s infrastructure, and to TasWater’s satisfaction, be in accordance with AS3500 Part 2.2 Section 3.8 to ensure that no loads are transferred to TasWater’s pipes. These plans will need to also include a cross sectional view through the footings which clearly shows;</p> <p>(a) Existing pipe depth and proposed finished surface levels over the pipe;</p> <p>(b) The line of influence from the base of the footing must pass below the invert of the pipe and be clear of the pipe trench and;</p> <p>(c) A note on the plan indicating how the pipe location and depth were ascertained.</p> <p>(d) The location of the property service connection and sewer inspection opening (IO).</p> <p>Advice to the Drainage Authority</p> <p>The combined system is at capacity in this area. TasWater cannot accept additional flows of stormwater into this area within the combined system over those currently discharged.</p> <p>The Drainage Authority will be required to either refuse or condition the development to ensure the current service standard of the combined system is not compromised.</p>			
Declaration			
<p>The drawings/documents and conditions stated above constitute TasWater’s Submission to Planning Authority Notice.</p>			
TasWater Contact Details			
Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au