

Cay-Lea supported accommodation redevelopment

Supporting Planning Report

**GLENORCHY CITY COUNCIL
PLANNING SERVICES**

APPLICATION No. : PLN-25-314

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They are the original custodians of our land, sky and waters.

We respect their unique ability to care for country and deep spiritual connection to it.

We honour and pay our respect to Elders past and present, whose knowledge and wisdom has and will ensure the continuation of culture and traditional practices.

We acknowledge that their sovereignty has never been ceded.

Always was, always will be.

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Permit overview

Permit application details

Applicant	Era Advisory (Era) obo Motor Accidents Insurance Board
Owner	Motor Accidents Insurance Board (MAIB)
Address	32 Philip Avenue, Montrose TAS 7010 33 Philip Avenue, Montrose TAS 7010
Lot description	Folio of the Register 83123, Lot 1 Folio of the Register 130418, Lot 1
Description of proposal	Redevelopment of existing assisted housing.

Relevant Planning Provisions

Applicable planning scheme	<i>Tasmanian Planning Scheme - Glenorchy</i>
Zone(s)	General Residential Zone
Codes	<ul style="list-style-type: none">· Parking and Sustainable Transport Code· Flood Prone Areas Hazard Code
Discretions	<ul style="list-style-type: none">· 8.4.2 Setbacks and building envelope P1, P2, P3· 8.4.5 Width of openings for garages and carports P1· 8.4.6 Privacy for all dwellings P1· 8.4.7 Frontage fences for all dwellings P1· C12.5.1 Uses in a flood hazard area P1· C12.5.2 Vulnerable use in a flood hazard area P1, P4· C12.6.1 Buildings and works in a flood hazard area P1

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1 Introduction

1.1 Purpose

Era Advisory (Era) have been engaged on behalf of Motor Accidents Insurance Board (MAIB) to provide planning services associated with the upgrade of Cay-Lea assisted housing, located at 32 and 33 Philip Avenue, Montrose. MAIB offer assisted housing for people impacted by motor vehicle accidents.

1.2 Enquiries

Enquiries relating to this report should be directed to:

Mark O'Brien
Principal Planner
Era Advisory
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Mobile: 0415 407 294

1.3 Planning authority

The relevant planning authority is Glenorchy City Council (Council).

1.4 Planning scheme

The application must be considered by Council against the provisions of the *Tasmanian Planning Scheme – Glenorchy* (the planning scheme).

1.5 Project site

The project is located at 32 and 33 Philip Avenue, Montrose. The site consists of the following land, as described in Table 1 and depicted in Figure 1. Title documents are available in Appendix A.

Table 1 - Land comprising the subject site

Address	Owner	Title reference	Area
32 Philip Avenue, Montrose TAS 7010	MAIB	83123/1	1,763 m ²
33 Philip Avenue, Montrose TAS 7010	MAIB	130418/1	3,227 m ²

2 Site

2.1 Description of the site

The site is at 32 and 33 Philip Avenue, Montrose, otherwise known as Cay-Lea. The site is currently used as assisted housing for MAIB, providing 12 beds for people with acquired injuries, including:

- Two independent living units (ILUs)¹, one with one bedroom and two with two bedrooms;
- One primary living unit (PLU)² with six bedrooms; and
- One support accommodation with one bedroom.

The site is 4,990 m² in area and is bordered by public open space containing Islet Rivulet to the west, and residential development on all other sides, as shown in Figure 1.



Figure 1 Aerial image of the site and surrounds (source: LISTmap)

¹ Independent living units (ILUs) are self-contained units that are available for residents with less intensive care needs. Support accommodation may or may not be included for care workers and/or family members to temporarily occupy.

² The primary living unit (PLU) includes a communal style dwelling for residents with more intensive care needs. Some private facilities are provided for residents, including a private bedroom, bathroom, and living space, but this is supplemented by a communal kitchen, living areas, and treatment rooms. Overnight accommodation is included for care workers to temporarily occupy.

3 Proposal

3.1 Description of proposal

The proposal seeks redevelopment of existing assisted housing on the site; the current use is to remain. The existing assisted housing is of a size and standard that is less conducive to contemporary living and care needs of residents. The proposal seeks demolition and redevelopment to provide nine beds for assisted housing comprised of the following:

- Two ILUs¹, each with one bedroom and one parking space;
- One PLU², with four bedrooms and shared parking;
- Three support worker bedrooms, one bedroom in the PLU and two bedrooms in the ILU;
- One outbuilding, a storage shed;
- Single storey buildings to ensure level pedestrian access for less able-bodied residents;
- Landscaped gardens including the retention of many existing large trees;
- Replacement of existing flood wall and like for like replacement or repair of existing boundary fencing; and
- New accommodations with a similar occupancy to the existing (three beds less).

Proposal plans are available in Appendix B. Note that the proposal does not include subdivision; title consolidation will occur via a separate adhesion order process.



Figure 2 Proposed site plan (source: Jasmax and Core Collective Architects)

4 Zoning assessment

4.1 Zoning

The site is in the General Residential Zone, as shown in Figure 3.

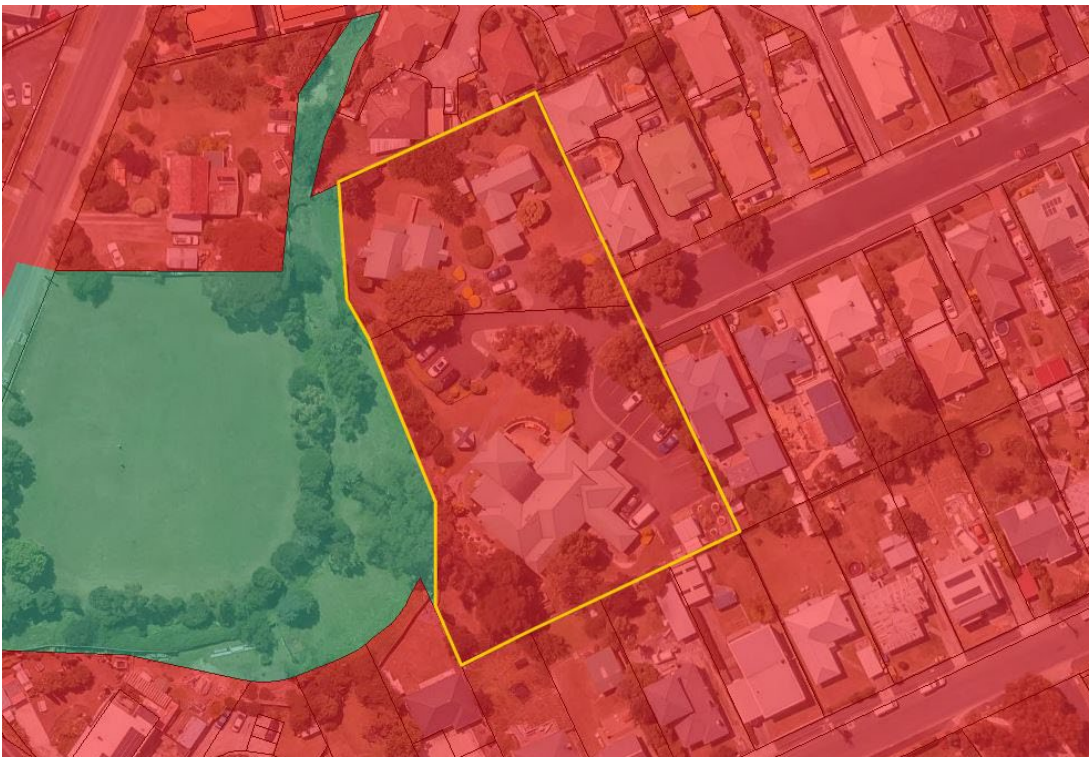


Figure 3 Zoning of the subject site and surrounds (source: LISTmap)

4.2 Use class and status

The proposed use is Residential. Residential use is defined in Table 6.2 of the planning scheme as:

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

The proposed use fits into the subclass of assisted housing, which is defined as:

...housing provided by an organisation for higher needs tenants or residents, including those with physical or intellectual disabilities, and may include associated support services.

Residential use for assisted housing is permitted in the General Residential Zone.

4.3 General Residential Zone

4.3.1 Zone purpose

The purpose of the General Residential Zone is:

- 8.1.1 *To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.*
- 8.1.2 *To provide for the efficient utilisation of available social, transport and other service infrastructure.*
- 8.1.3 *To provide for non-residential use that:*
- (a) primarily serves the local community; and*
 - (b) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.*
- 8.1.4 *To provide for Visitor Accommodation that is compatible with residential character.*

As the proposed use is permitted in the General Residential Zone, it is consistent with the zone purpose.

4.3.2 Applicable standards

Table 2 identifies the applicable standards in the General Residential Zone. An assessment against the applicable standards is in the sections following.

Table 2 - Applicable standards in the General Residential Zone.

Clause	Applicability
8.3.1 Discretionary uses	Not applicable. Permitted use proposed.
8.3.2 Visitor Accommodation	Not applicable. Not proposed.
8.4.1 Residential density for multiple dwellings	Not applicable. No multiple dwellings proposed.
8.4.2 Setbacks and building envelope for all dwellings	Applicable.
8.4.3 Site coverage and private open space for all dwellings	Applicable.
8.4.4 Sunlight to private open space of multiple dwellings	Not applicable. No multiple dwellings proposed.
8.4.5 Width of openings for all dwellings	Applicable.
8.4.6 Privacy for all dwellings	Applicable.
8.4.7 Frontage fences for all dwellings	Applicable.
8.4.8 Waste storage for multiple dwellings	Not applicable. No multiple dwellings proposed.
8.5 Development Standards for Non-dwellings	Not applicable. No non-dwellings proposed.
8.6 Development Standards for Subdivision	Not applicable. No subdivision proposed.

4.3.3 Clause 8.4.2 Setbacks and building envelope for all dwellings

Acceptable Solutions

Performance Criteria

Objective:

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.
-

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.
-

P1

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

Planner Response

The site has a short primary frontage and no secondary frontages. The walls of proposed buildings are setback more than 4.5 m from the primary frontage. However, the roof eaves of the PLU project more than 0.9m into the frontage setback. Therefore, assessment is required against the performance criteria.

Frontage setbacks in the streetscape range from approximately 2.5 m (27 Philip Avenue) to approximately 6.5 m (25 Philip Avenue). The proposed frontage setback minimum is 4.5 m for the building walls and 2.1 m for the building eaves. The proposed setback is compatible with the range of dwelling setbacks prevailing in the streetscape.

Refer to the proposal plans in Appendix B.

The performance criteria (P1) are satisfied.

A2

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

- (a) 5.5m, or alternatively 1m behind the building line;
- (b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or
- (c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.

P2

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

Planner Response

The proposal includes semi-covered shared parking for the PLU, covered private parking for the ILUs, and uncovered shared parking. The covered ILU parking is more than 5.5 m from the primary frontage. However, one of the covered PLU parking spaces is less than 5.5 m from the primary frontage. Therefore, assessment is required against the performance criteria.

There are examples of covered garages and carports in the street that are setback less than 5.5 m from the primary frontage (e.g. 4 Philip Ave; 10 Philip Ave). There are also examples of uncovered parking spaces in the front setback (e.g. 1/30 Philip Ave; 2/28 Philip Ave). The proposal provides all but one parking space with a setback greater than 5.5 m from Philip Ave. The one parking space inside the 5.5 m setback is screened from view by fencing. Overall, the proposed setback is compatible with the siting and design of existing parking in the street.

Refer to the proposal plans in Appendix B.

The performance criteria (P2) are satisfied.

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).

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.
-

Planner Response

The proposal is outside the building envelope. Noting that the front setback to the PLU is less than 4.5 m, the proposal does not meet A3(a)(i). Therefore, assessment is required against the performance criteria.

The assessment test under the performance criteria P3 requires consideration of overshadowing, visual impact, and building separation.

Overshadowing

Other than the front setback discretion, the proposed buildings are inside the permitted building envelope of the adhered property (i.e. considering both titles together). Buildings are all single storey with walls setback no less than 3 m from all boundaries. Shadow diagrams have been submitted with the proposal plans in Appendix B to demonstrate overshadowing impacts on adjoining properties during the winter solstice. The siting and scale of the proposal will result in some overshadowing at 9am to the public open space west of the site, but minimal overshadowing between 9am and 3pm on adjoining residential properties. The overshadowing will not impact on any solar energy installations. Rather, impacts will be confined to only part of the private open space of an adjoining property, with most of the property experiencing unfettered sunlight access throughout the day.

Visual impact

Being single storey and separated into distinct building clusters, the scale and bulk of the proposal in context of the size of the site is not out of character with development in the area. Specifically, it is not uncommon for properties in the area to contain multiple buildings on the same property with a similar site coverage to that which is proposed. While the proposed PLU building footprint is large in comparison to other buildings in the area, the retention of existing large trees on the site, as well as new landscaped gardens, will reduce direct views from various viewpoints from off the site (see proposal plans in Appendix B). That is, when viewed from adjoining properties, only part of the

built form will be visible from any given point. The building design also features articulated facades, which will minimise visual impacts by reducing the span of blank walls. Overall, when viewed in this context, the visual impact from the proposal will not cause an unreasonable loss of amenity.

Separation

Separation distances between side boundaries of buildings in the area is typically more than 2 m. Excluding eaves, the proposed buildings are setback no less than 3 m from all boundaries, which is consistent with the area as it is similar to separation distances prevalent on nearby properties.

Overall, the proposal results in minimal overshadowing, reasonable visual impact, and separation between dwellings from adjoining properties that is consistent with the prevailing situation.

The performance criteria (P3) are satisfied.

4.3.4 Clause 8.4.3 Site coverage and private open space for all dwellings

Acceptable Solutions

Performance Criteria

Objective:

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.
-

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).

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

Planner Response

The proposal has a site coverage less than 50% and the proposal is not for multiple dwellings. The roof area schedule in the proposal plans in Appendix B demonstrates that the proposed site coverage is 40.3%.

The acceptable solution (A1) is met.

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

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.

-
- (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.
-

Planner Response

It is important to note that the proposal is for assisted housing, which is not multiple dwellings.

Nevertheless, the proposal includes substantial areas of private open space. For example, each ILU has an area larger than 24 m² with a minimum horizontal dimension greater than 4 m, located close to living areas and on level deck surface. The PLU has a level central courtyard space that is larger than 300 m². Refer to the proposal plans in Appendix B.

The acceptable solution (A2) is met.

4.3.5 Clause 8.4.5 Width of openings for garages and carports for all dwellings

Acceptable Solutions

Performance Criteria

Objective:

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

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.

Planner Response

The proposal includes ILU carports that are more than 12 m from the primary frontage. However, the covered PLU parking is less than 12 m from Philip Avenue, and the opening is wider than 6 m. Therefore, assessment is required against the performance criteria.

The covered parking next to the PLU is partially screened from view from the street by new 1.5 m high solid timber front fencing. Due to the siting of the parking, most of the frontage width also remains as the existing driveway access, reducing the dominance of the carport on the primary frontage.

Refer to the proposal plans in Appendix B.

The performance criteria (P1) are satisfied.

4.3.6 Clause 8.4.6 Privacy for all dwellings

Acceptable Solutions

Performance Criteria

Objective:

To provide a reasonable opportunity for privacy for dwellings.

A1

A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the

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 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:

- (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:
 - (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.

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:

- (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.

Planner Response

To mitigate flood impacts, the ILUs have finished floor levels that are greater than 1 m above existing ground level, including the outdoor decks. The deck of ILU 2 is less than 4 m from the rear (west) site boundary and is not screened to a height of 1.7 m. Therefore, assessment is required against the performance criteria.

All decks for the ILUs are no less than 4 m from the northern site boundary. Although the deck to ILU 2 is less than 1 m from the rear (west) site boundary at its closest point, this is adjoining public open space, which will benefit from the passive surveillance provided by a deck in this location. That is, this part of the deck is not overlooking an adjoining private property.

The performance criteria (P1) are satisfied.

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

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:

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

height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%.

Planner Response

To mitigate flood impacts, the finished floor levels of the ILUs will be up to 1.5 m above existing ground level. All habitable room windows and glazed doors will be setback no less than 4 m from a boundary. The finished floor level of the PLU is less than 1 m above existing ground level where within 4 m of a boundary. Refer to the proposal plans in Appendix B.

The acceptable solution (A2) is met.

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:

- (a) 2.5m; or
 - (b) 1m if:
 - (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.
-

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.

Planner Response

The shared driveways and parking spaces are more than 2.5 m from windows and glazed doors of other units, or are screened by solid walls of buildings; noting that the proposed use is for assisted housing and not multiple dwellings. Refer to the proposal plans in Appendix B.

The acceptable solution (A3) is met.

4.3.7 Clause 8.4.7 Frontage fences for all dwellings

Acceptable Solutions

Performance Criteria

Objective:

The height and transparency of frontage fences:

- (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.
-

A1

No Acceptable Solution (exemption applies).

P1

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

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

Planner Response

The proposal includes a new section of front fencing that is a 1.5 m high solid timber paling fence. There is no acceptable solution, and this section of fencing does not meet the front fencing exemption at clause 4.6.3. Therefore, assessment is required against the performance criteria.

The new front fencing will be high enough to provide a degree of privacy to the PLU building entry, as well as providing a screen for some new water service infrastructure (see concept services in Appendix E), but will be low enough to allow for mutual passive surveillance with the street. There are examples of other timber fencing of similar height in the street, including 14 and 29 Philip Avenue.

The performance criteria (P1) are satisfied.

5 Codes assessment

5.1 Applicable codes

The following codes require consideration:

- Parking and Sustainable Transport Code
- Natural Assets Code
- Flood Prone Areas Hazard Code

5.2 Parking and Sustainable Transport Code

5.2.1 Application of the code

The Parking and Sustainable Transport Code applies to all use and development.

5.2.2 Applicable standards

Table 3 identifies the applicable standards in the Parking and Sustainable Transport Code. An assessment against the applicable standards is provided in the sections following.

Table 3 – Applicable standards in the Parking and Sustainable Transport Code

Clause	Applicability
C2.5.1 Car parking numbers	Applicable
C2.5.2 Bicycle parking numbers	Not applicable. No requirement for assisted housing.
C2.5.3 Motorcycle parking numbers	Not applicable pursuant to clause C2.2.2.
C2.5.4 Loading bays	Not applicable pursuant to clause C2.2.3.
C2.5.5 Car parking for non-residential use	Not applicable pursuant to clause C2.2.4.
C2.6.1 Construction of parking areas	Applicable
C2.6.2 Design and layout of parking areas	Applicable
C2.6.3 Number of accesses for vehicles	Applicable (A1/P1 only)
C2.6.4 Lighting of parking areas in a business zone	Not applicable. Site is in the General Residential Zone.
C2.6.5 Pedestrian access	Not applicable. Less than 10 parking spaces required.

Clause	Applicability
C2.6.6 Loading bays	Not applicable. No loading bays proposed.
C2.6.7 Bicycle parking in a business zone	Not applicable. Site is in the General Residential Zone.
C2.6.8 Siting of parking and turning areas	Not applicable. Site is in the General Residential Zone.
C2.7.1 Parking precinct plan	Not applicable. No relevant parking precinct plan.

5.2.3 Clause C2.5.1 Car parking numbers

Acceptable Solutions

Performance Criteria

Objective

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

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.

P1.1

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

- (a) the availability of off-street public car parking spaces within reasonable walking distance of the site;
- (b) the ability of multiple users to share spaces because of:
 - (i) variations in car parking demand over time; or
 - (ii) efficiencies gained by consolidation of car parking spaces;
- (c) the availability and frequency of public transport within reasonable walking distance of the site;
- (d) the availability and frequency of other transport alternatives;
- (e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;
- (f) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;
- (g) the effect on streetscape; and
- (h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development.

P1.2

The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to:

- (a) the nature and intensity of the use and car parking required;
- (b) the size of the dwelling and the number of bedrooms; and
- (c) the pattern of parking in the surrounding area.

Planner Response

Onsite parking provisions are more than the minimum requirements, as demonstrated in the Traffic Impact Assessment by Pitt & Sherry, available at Appendix C. The acceptable solution (A1) is met.

5.2.4 Clause C2.6.1 Construction of parking areas

Acceptable Solutions**Performance Criteria**

Objective

That parking areas are constructed to an appropriate standard.

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.

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.
-

Planner Response

All parking and access will be constructed with a durable all weather pavement that is drained to the public stormwater system, as detailed in the Traffic Impact Assessment by Pitt & Sherry (Appendix C). The acceptable solution (A1) is met.

5.2.5 Clause C2.6.2 Design and layout of parking areas

Acceptable Solutions**Performance Criteria**

Objective

That parking areas are designed and laid out to provide convenient, safe and efficient parking.

A1.1

Parking, access ways, manoeuvring and circulation spaces must either:

- (a) comply with the following:
 - (i) have a gradient in accordance with Australian Standard AS 2890 - Parking facilities, Parts 1-6;
 - (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

P1

(a) All parking, access ways, manoeuvring and circulation spaces must be designed and readily identifiable to provide convenient, safe and efficient parking, having regard to:

- (b) the characteristics of the site;
- (c) the proposed slope, dimensions and layout;
- (d) useability in all weather conditions;
- (e) vehicle and pedestrian traffic safety;
- (f) the nature and use of the development;
- (g) the expected number and type of vehicles;
- (h) the likely use of the parking areas by persons with a disability;
- (i) the nature of traffic in the surrounding area;
- (j) the proposed means of parking delineation; and

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 Australian Standard AS 2890- Parking facilities, Parts 1-6.

A1.2

Parking spaces provided for use by persons with a disability must satisfy the following:

(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 Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities.

(k) the provisions of Australian Standard AS 2890.1:2004 - Parking facilities, Part 1: Off-street car parking and AS 2890.2 -2002 Parking facilities, Part 2: Off- -street commercial vehicle facilities.

Planner Response

Parking and access is designed to comply with the permitted standards, as demonstrated in the Traffic Impact Assessment by Pitt & Sherry, available at Appendix C. The acceptable solution (A1) is met.

5.2.6 Clause C2.6.3 Number of accesses for vehicles

Acceptable Solutions

Performance Criteria

Objective

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.

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,

(c) whichever is the greater.

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.

Planner Response

The proposal will use the existing single access point. The acceptable solution (A1) is met.

5.3 Natural Assets Code

5.3.1 Application of the code

A small section of the site is impacted by the waterway protection area, as shown in Figure 4. No buildings or works are proposed in the waterway protection area. Therefore, the Natural Assets Code is not applicable.



Figure 4 Waterway protection area next to site (source: LISTmap)

5.4 Flood-Prone Areas Hazard Code

5.4.1 Application of the code

The site is impacted by the flood prone hazard area, as shown in Figure 5. Development of land in the flood prone hazard area is proposed. Therefore, the Flood-Prone Areas Hazard Code is applicable.



Figure 5 Flood prone hazard area impacting site (source: LISTmap)

5.4.2 Applicable standards

Table 4 identifies the applicable standards in the Flood Prone Areas Hazard Code. An assessment against the applicable standards is provided in the sections following.

Table 4 – Applicable standards in the Flood Prone Areas Hazard Code

Clause	Applicability
C12.5.1 Use in a flood-prone hazard area	Applicable.
C12.5.2 Critical use, hazardous use or vulnerable use	Applicable (A1/P1 and A4/P4 only)
C12.6.1 Buildings and works in a flood-prone hazard area	Applicable.
C12.7 Development Standards for Subdivision	Not applicable. No subdivision proposed.

5.4.3 Clause C12.5.1 Uses within a flood-prone hazard area

Acceptable Solutions

Performance Criteria

Objective:

That a habitable building can achieve and maintain a tolerable risk from flood.

A1

No Acceptable Solution.

P1.1

A change of use that, converts a non-habitable building to a habitable building, or a use involving a new habitable

room within an existing building, within a flood-prone hazard area must have a tolerable risk, having regard to:

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

P1.2

A flood hazard report also demonstrates that:

- (a) any increase in the level of risk from flood does not require any specific hazard reduction or protection measures; or
 - (b) the use can achieve and maintain a tolerable risk from a 1 % annual exceedance probability flood event for the intended life of the use without requiring any flood protection measures.
-

Planner Response

The proposal includes new buildings for an existing vulnerable use that occupies the site. The flood hazard assessment by Gandy and Roberts (Appendix D) provides an appraisal of the proposal, concluding that development will not increase risk and can achieve and maintain a tolerable risk from flood.

For detail, refer to the flood hazard assessment in Appendix D.

The relevant performance criteria (P1.2) are satisfied.

5.4.4 Clause C12.5.2 Critical use, hazardous use or vulnerable use

Acceptable Solutions

Performance Criteria

Objective:

That critical, hazardous and vulnerable uses, located within a flood-prone hazard area can achieve and maintain a tolerable risk from flood.

A1

No Acceptable Solution.

P1

A critical, hazardous, or vulnerable use within a flood-prone hazard area must achieve a tolerable level of risk from flood, having regard to:

- (a) the type form and duration of the use; and
 - (b) a flood hazard report that demonstrates that:
 - (i) any increase in the level of risk from flood does not warrant any specific hazard reduction or protection measures; or
 - (ii) the use can achieve and maintain a tolerable risk from a 1% annual exceedance probability flood event for the intended life of the use without requiring any flood protection measures.
-

Planner Response

The proposal includes new buildings for an existing vulnerable use that occupies the site. The flood hazard assessment by Gandy and Roberts (Appendix D) provides an appraisal of the proposal, concluding that development will not increase risk and can achieve and maintain a tolerable risk from flood.

For detail, refer to the flood hazard assessment in Appendix D.

The performance criteria (P1) are satisfied.

A4

No Acceptable Solution.

P4

In addition to the requirements in clause C12.5.2 P1, a vulnerable use within a flood-prone hazard area, must be protected from flood, having regard to:

- (a) any protection measures, existing or proposed;
- (b) the ability and capability of people in a flood event who may live, work or visit the site, to:
 - (i) protect themselves;
 - (ii) evacuate in an emergency; and
 - (iii) understand and respond to instructions in the event of an emergency;
- (c) any emergency evacuation plan;
- (d) the level of risk for emergency personnel involved in evacuation and rescue tasks;
- (e) the advice contained in a flood hazard report; and
- (f) any advice from a State authority, regulated entity or a council.

Planner Response

The proposal includes new buildings for an existing vulnerable use that occupies the site. The flood hazard assessment by Gandy and Roberts (Appendix D) provides an appraisal of the proposal, concluding that development will be appropriately protected from flood.

For detail, refer to the flood hazard assessment in Appendix D.

The performance criteria (P4) are satisfied.

5.4.5 Clause C12.6.1 Buildings and works in a flood-prone hazard area

Acceptable Solutions**Performance Criteria**

Objective:

That:

- (a) building and works within a flood-prone hazard area can achieve and maintain a tolerable risk from flood; and
- (b) buildings and works do not increase the risk from flood to adjacent land and public infrastructure.

A1

No Acceptable Solution.

P1.1

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

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

P1.2

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

- (a) do not cause or contribute to flood on the site, on adjacent land or public infrastructure; and
- (b) can achieve and maintain a tolerable risk from a 1% annual exceedance probability flood event for the

intended life of the use without requiring any flood protection measures.

Planner Response

The proposal includes new buildings for an existing vulnerable use that occupies the site. The flood hazard assessment by Gandy and Roberts (Appendix D) provides an appraisal of the proposal, concluding that development will not increase risk and can achieve and maintain a tolerable risk from flood, and will not cause or contribute to flooding on the site or adjacent land.

For detail, refer to the flood hazard assessment in Appendix D.

The performance criteria (P1) are satisfied.

6 Conclusion

The proposal seeks approval for redevelopment of existing assisted housing at 32 and 33 Philip Avenue, Montrose (Cay-Lea). The assisted housing is for persons who have experienced trauma from road vehicle accidents and require accommodation that supports their needs and those of the support staff who assist them. The redevelopment will improve the quality of accommodation in line with modern living, health and wellbeing expectations. This will maximise the opportunity for inclusive living and independence, and incorporate flexibility to cater for the changing needs of residents.

This report identifies that the proposal is subject to the *Tasmanian Planning Scheme – Glenorchy*. In particular, the provisions of the General Residential Zone, Parking and Sustainable Transport Code, and Flood Prone Areas Hazard Code.

An assessment has been undertaken in this report and is summarised in Table 5. The proposal meets the acceptable solution (AS) in 5 out of 12 applicable standards. Where not complying with the acceptable solution, the performance criteria is met, noting that the proposal is effectively an upgrade to an existing use and development on the site.

Table 5 - Summary of relevant standards and whether the proposal meets the acceptable solution or performance criteria.

Clause	Assessment result
8.4.2 Setbacks and building envelope	Performance criteria
8.4.3 Site coverage and private open space	Acceptable solution
8.4.5 Width of openings for garages and carports	Performance criteria
8.4.6 Privacy for all dwellings	Performance criteria
8.4.7 Frontage fences for all dwellings	Performance criteria
C.2.5.1 Car parking numbers	Acceptable solution
C2.6.1 Construction of parking areas	Acceptable solution
C2.6.2 Design and layout of parking areas	Acceptable solution
C2.6.3 Number of vehicle accesses	Acceptable solution
C12.5.1 Uses in a flood hazard area	Performance criteria
C12.5.2 Vulnerable use in a flood hazard area	Performance criteria
C12.6.1 Buildings and works in a flood hazard area	Performance criteria

Appendix A Title documents

Appendix B Proposal plans

B.1 Architectural plans

B.2 Landscaping concept plan

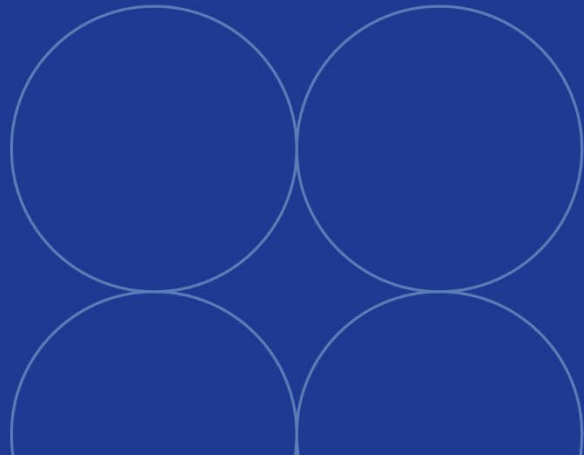
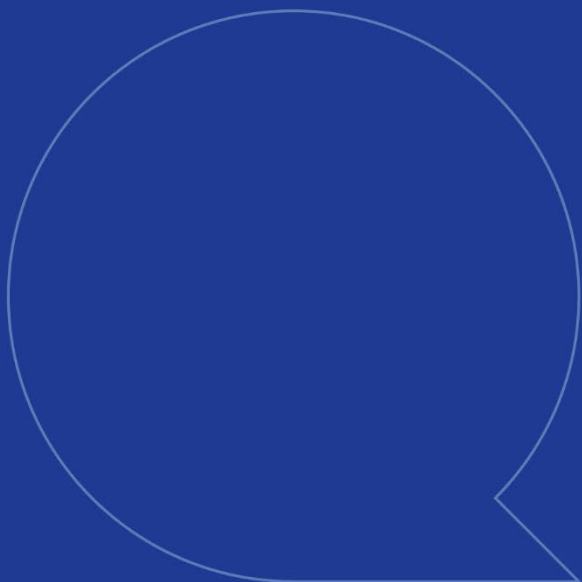
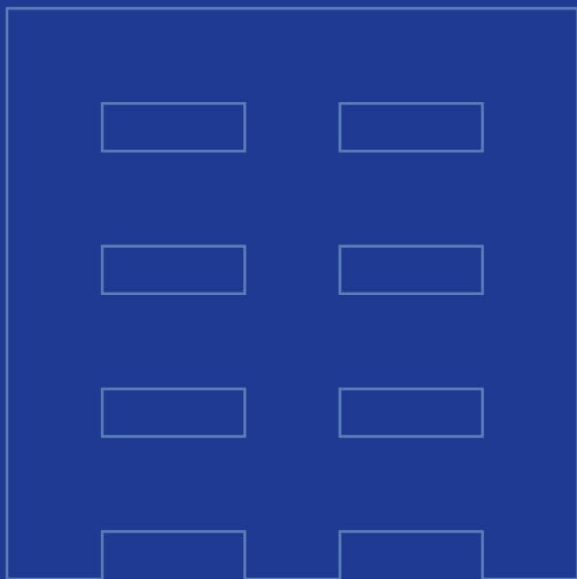
Appendix C Traffic impact assessment

Appendix D Flood hazard assessment

Appendix E Concept services report

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