

3.1 DA18134 – 8 Allen Street, Bicheno

Planning Assessment Report

Proposal:	Additions & Alterations to Dwelling & Outbuilding
Applicant:	MyBuild Homes
Location:	8 Allen Street, Bicheno
Planning Document:	Glamorgan Spring Bay Interim Planning Scheme 2015 (Interim Scheme)
Zoning:	General Residential Zone
Application Date:	26 June 2018
Statutory Date:	28 September 2018 (by consent of applicant)
Discretions:	Three
Attachments:	Appendix A – Application documentation
Author:	Theresia Williams, Consultant Planner

1. Executive Summary

- 1.1. Planning approval is sought for a house extension at 8 Allen Street, Bicheno, CT64195/14.
- 1.2. The application is for a No Permit Required use class in the General Residential zone, however it relies on Performance Criteria and is therefore discretionary.
- 1.3. The proposal was advertised twice, as revised plans were received after the first advertising period closed.
- 1.4. Valid representations were received during both advertising periods.
- 1.5. The proposal is recommended for conditional approval.
- 1.6. The final decision must be made by the Planning Authority due to the receipt of representations during the public exhibition period.
- 1.7. Key planning issues relate to the impact on the adjoining properties in terms of privacy and setbacks. The planning scheme provides guidance through the building envelope and privacy provisions. The proposal meets the Acceptable Solutions with the exception of these two areas, for which the proposal meets the Performance Criteria. The proposal is considered to be in keeping with the requirements of the General Residential zone and is recommended for conditional approval.

2. Legislative & Policy Content

- 2.1. The purpose of this report is to enable the Planning Authority to determine application DA 2018/134.
- 2.2. This determination must be made no later than 28 September 2018 which has been extended by the consent of the applicant.
- 2.3. The relevant legislation is the *Land Use Planning and Approvals Act 1993 (LUPAA)*. The provisions of LUPAA require a planning authority to take all reasonable steps to ensure compliance with the planning scheme.
- 2.4. This report details the reasons for the officer recommendation. The Planning Authority must consider this report but is not bound to adopt the recommendation. Broadly, the Planning Authority can either: (1) adopt the recommendation, or (2) vary the recommendation by adding, modifying or removing recommended reasons and conditions or replacing an approval with a refusal (or vice versa). Any alternative decision requires a full statement of reasons to comply with the *Judicial Review Act 2000* and the *Local Government (Meeting Procedures) Regulations 2005*.
- 2.5. This report has been prepared with appropriate regard to the State Policies that apply under the *State Policies and Projects Act 1993*.
- 2.6. This report has been prepared with appropriate regard to Council's Strategic Plan and other Council policies, and the application is not found to be inconsistent with these. Nevertheless, it must be recognised that the planning scheme is a regulatory document that provides the overriding consideration for this application. Matters of policy and strategy are primarily a matter for preparing or amending the planning scheme.

3. Risk & Implications

- 3.1. Approval or refusal of this application will have no direct financial implications for the Planning Authority, outside the implications should an appeal against Council's decision be lodged.
- 3.2. Implications for Council include general matters related to rate income, asset maintenance and renewal and responding to future building applications, however these are not significant issues given the scale of the proposal.

4. Relevant Background and Past Applications

- 4.1. The site contains an existing residence, with two outbuildings at the front combined with a carport under one roof.

5. Site Detail

- 5.1. The site consists of one lot located at 8 Allen Street, Bicheno, in the General Residential zone of the Glamorgan Spring Bay Interim Planning Scheme 2015.
- 5.2. The total size of the site is approximately 845m². Vehicle and pedestrian access is via Allen Street, with secondary pedestrian access via the Crown Land Coastal reserve to the north.
- 5.3. The site is flat and there are no threatened species on the site.
- 5.4. Land to all sides is within the General Residential zone, with the exception of the Crown Land to the north, zoned as Open Space.



Figure 1: Aerial imagery – site and surrounds



Figure 2: Aerial imagery – subject site

6. Proposal

- 6.1. Planning approval is sought for extensions to the existing buildings on site.
- 6.2. The applicable use is single dwelling, at 8 Allen Street, Bicheno.



Figure 3: Subject site from street, driveway crossover



Figure 4: Site from Crown Land, looking south, neighbouring residences visible



Figure 5: Crown Land and boundary profiles to the north

7. Assessment against planning scheme provisions

- 7.1. An application must meet every applicable Standard to be approved.
- 7.2. Each standard can be met by either an acceptable solution or performance criteria. If a performance criteria is relied upon, an application is discretionary and may be approved or refused depending on if the Performance Criteria is satisfied.
- 7.3. The following provisions are relevant to the proposed use and development;
 - General Residential Zone
 - E6.0 Parking and Access Code
 - E7.0 Stormwater Management Code
 - E15.0 Inundation Prone Areas Code
 - E16.0 Coastal Erosion Hazard Code
- 7.4. The proposal is classified as Residential. This is a No Permit Required use in the General Residential zone. The proposal relies on Performance Criteria and is therefore subject to the discretionary application process.
- 7.5. General Residential Zone:
 - 7.5.1. Extensions to the existing buildings are proposed. This would include extensions to the existing ground floor, deck and outbuildings and the construction of a second story.

- 7.5.2. Two parking spaces within the garage are proposed, with additional parking in the driveway. The carparking is in keeping with Table E6.1.
- 7.5.3. The maximum height will be approximately 7.4m excluding protrusions.
- 7.5.4. Total site coverage is proposed to be less than 50%, and more than 25% of the site is to be free of impervious materials.
- 7.5.5. Setback requirements are standard for the General Residential zone. These also include as standard practice a *“building envelope – means the three dimensional shape within which buildings are to occur”*.
- The residence is proposed to be outside the building envelope.
- 7.5.6. As marked on the plans, the deck will be above 1m from the natural ground level. The land is to be filled so that the deck is less than 1m above finished ground level to avoid the need for balustrades.
- 7.5.7. The bedroom window on the eastern side will be 1.7m above the floor level and opaque. The deck on this side is screened.
- 7.5.8. The habitable rooms on the western side have floor levels of 1m or less above natural ground, with the exception of those that exit onto the deck.
- 7.5.9. The existing access is sufficient.
- 7.6. The proposal meets the Acceptable Solutions for E6.0 Parking and Access Code and E7.0 Stormwater Management Code.
- 7.7. In regards to E15.0 Inundation Prone Areas Code, the site has not been mapped in detail and is within an investigation area. The guide is therefore Table E15.1. The property sits above the minimum AHD and is fronted by over 40m of rock. It is also in a well established residential area. The application complies with all applicable Standards in E15.0.
- 7.8. The proposal complies with the Acceptable Solution of each applicable Standard other than the following where the proposal is reliant on the associated Performance Criteria.

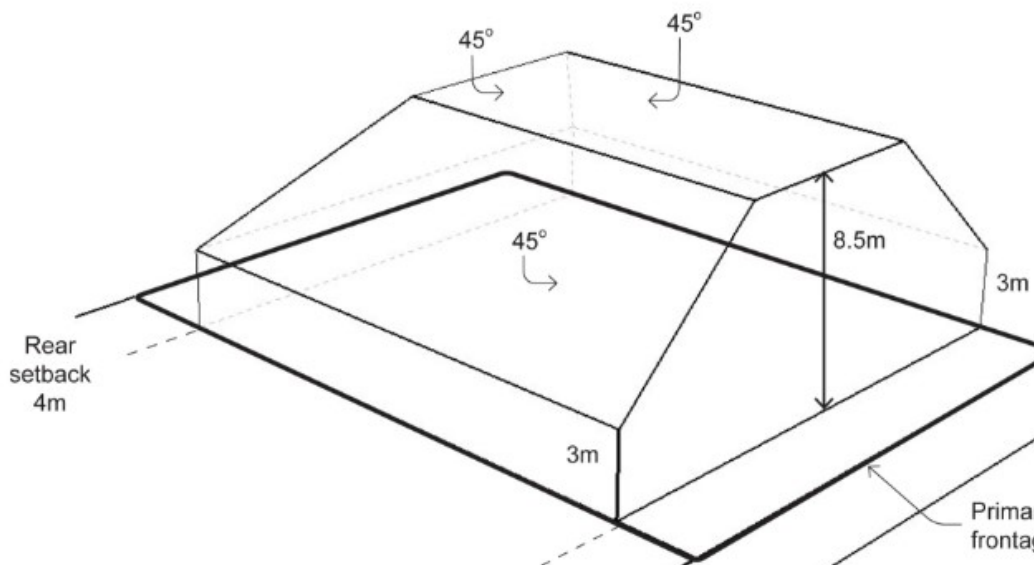
General Residential Zone			
		Acceptable Solution Requirement	Proposed
1	Development (Building Envelope) Clause 10.4.2 A3	A dwelling....must: (a) be contained within a building envelope...: (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above natural ground level at the side boundaries and a distance of 4m from the rear boundary to a building height of not more than 8.5m above natural ground level; and (b) only have a setback within 1.5m of a side boundary if the dwelling: (i) does not extend beyond an existing	A corner of the second storey as proposed would be outside the building envelope on the eastern side as shown on plan A09. The side setback to the western side would be outside the building envelope. This is with respect to the block wall around the lower deck. The lower deck will also be outside the building envelope where part of the deck is within 4m of the rear

		<p>building built on or within 0.2m of the boundary of the adjoining lot; or</p> <p>(ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser)</p> <p>Diagrams 10.4.2A&B detail the building envelope.</p>	<p>(foreshore) boundary.</p> <p>It is noted that the existing residence is already outside the building envelope on the western boundary.</p>
2	<p>Development (Privacy for all dwellings)</p> <p>Clause 10.4.6A1</p>	<p>A balcony or deck that has a finished floor level more than 1m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:</p> <p>(a) side boundary, unless the balcony or deck has a setback of at least 3m from the side boundary.</p>	<p>The finished floor level of the lower deck is 1.43 above natural ground level and at the height of the existing deck.</p> <p>The lower deck is sufficiently screened on the eastern side.</p> <p>The screening on the western side is not clarified, thus the performance criteria are applicable. The height of the block wall above the deck scales at approx. 1.65m. The block wall does not extend the full length of the deck leaving a section of deck with no privacy provisions.</p>
Codes			
3	<p>Buildings & Works - E16 Coastal Erosion Code</p> <p>E16.7.1</p>	Erosion Investigation area	The proposal is within a mapped Erosion Investigation Area.

7.9. Discretion 1 – Development (Building Envelope)

- 7.9.1. The planning scheme provides for a defined building envelope in Clause 10.4.2 A3, through Diagrams 10.4.2A&B.

Diagram 10.4.2A. Building envelope as required by subclause 10.4.2 /



7.9.2. The existing proposal before Council includes a design which sits outside the Building Envelope prescribed in the Acceptable Solution.

7.9.3. The existing residence already sits outside this building envelope. The proposal would reduce this setback of the deck to the adjoining property from (approximately) 10cm to 0cm

7.9.4. The Performance Criteria is as follows:

The siting and scale of a dwelling must:

(a) *not cause unreasonable loss of amenity by:*

- (i) *reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or*
- (ii) *overshadowing the private open space of a dwelling on an adjoining lot; or*
- (iii) *overshadowing of an adjoining vacant lot; or*
- (iv) *visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and*

(b) *provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.*

7.9.5. The siting and scale of the dwelling must be considered as a standalone provision.

7.9.6. The proposal sits outside the building envelope when viewed in relation to a small corner of the proposed second storey, the stairs at the front and the extension along the western side.

7.9.7. The performance criteria provide for consideration of sunlight, overshadowing and visual impacts. There is no explicit mention of privacy in this clause, just a mention of separation between dwellings. In order to determine the intention of this separation, we look to the Objectives of 10.4.2:

- (a) *provide reasonably consistent separation between dwellings on adjacent sites and dwelling and its frontage; and*
- (b) *assist in the attenuation of traffic noise or any other detrimental impacts from roads with high traffic volumes; and*
- (c) *provide consistency in the apparent scale, bulk, massing and proportion of dwellings; and*
- (d) *provide separation between dwellings on adjacent sites to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.*

These Objectives reinforce that the intention of this separation is for visual impact and consistency as well as access to sunlight, rather than privacy.

For clarification, Clause 10.4.6 provides for consideration of privacy, discussed later in this report.

7.9.8. The shadow diagrams demonstrate that there will be a slight increase in overshadowing of the adjoining properties as a result of the proposed extensions. This increase mainly affects the outbuildings, decks, parking spaces and to a smaller extent, the bedrooms, of the adjoining houses.

The question is whether this increase in overshadowing causes “an unreasonable loss of amenity”. The adjoining residences will retain the majority of their sunlight. The habitable rooms (other than bedrooms) are towards the north of these properties, where the sunlight is not being significantly affected. Whilst number 10 will lose some afternoon sunlight to the deck and number 6 will lose some to the yard between the house and the road, the properties also contain private open space areas to the north of the houses, within the area not affected by overshadowing of the proposed extensions.

The proposal is considered to comply with cl. 10.4.2 P3 (a)(i) & (ii). There are no adjoining vacant lots, thus cl.10.4.2 P3 (a)(iii) is not applicable.

7.9.9. Clause 10.4.2 P3(a)(iv) requires the consideration of the ‘*visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot*’.

The proposed second storey will be slightly outside the permitted eastern side of the building envelope when viewed from the northern boundary. The proposed design has this second storey sitting over 4m from this boundary, behind the building line of the remainder of the house and the outbuilding. It will extend along approximately 16% of this boundary line.

There are few two storey buildings currently within this section of the street. Further along the street, the two storey residences sit within 1.5m of the side boundaries, without the staggered design that this application proposes.

The design will bring the house closer to the residence to the west. The residence to the west, including the deck, sits higher than the proposed extension to 8 Allen Street. The main visual impact will be from the brick wall, which will be approximately 9m long, or just under 17% of the length of the boundary. It will be over 4.5m from the adjoining residence.

The area contains a number of residences and outbuildings that sit along the boundary. For example, the property to the west contains an outbuilding of approximately 8.5m that sits on the boundary. The majority of houses are oriented at an angle to maximise sunlight, and many are within close proximity to the side boundaries.

In this comparison, it can be determined that the scale, bulk and proportions will create similar visual impacts to those in the surrounding area, and that the staggered design of the second storey minimises this effect. As such, it cannot be considered as an unreasonable loss of amenity.

- 7.9.10. The proposal is considered to comply with cl. 10.4.2 P3 (a)(iv).
- 7.9.11. The final consideration in this matter is the separation between the dwellings.
- 7.9.12. The setbacks from other dwellings in the area are varied. Nearby examples (including the existing setbacks on this site) are consistently around 4m. The proposed extensions will retain this separation between dwellings, with the separation to the adjoining dwellings proposed sitting at (approximately) 4.4m and 3.6m.
- 7.9.13. It is concluded that the proposal complies with clause 10.4.2 P3 (b).
- 7.9.14. The proposal is considered to comply with cl.10.4.2 P3.

7.10. **Discretion 2 – Development (Privacy for all dwellings)**

- 7.10.1. The proposal provides for sufficient screening on the eastern elevation for both upper and lower decks.
- 7.10.2. On the western elevation, there is sufficient separation to the upper deck. The plans do not however, clarify the screening on the western elevation in regards to the lower deck.
- 7.10.3. The plans when scaled, show the wall along this side will be close to 1.65m above the deck. The wall does not run the full length of the deck. Demonstration with the Acceptable Solution has not been made, thus the Performance Criteria are applicable (relevant sections only):

A balcony, deck... that has a finished surface or floor level more than 1m above natural ground level, must be screened, or otherwise designed to minimise overlooking of:

(a) a dwelling on an adjoining lot or its private open space

- 7.10.4. The existing deck is more than 1m above natural ground level, and the proposed new deck will be at the same level as that existing deck.
- 7.10.5. The proposal will provide for a wall which sits along the boundary on the

western elevation adjoining the deck. The dwelling to the west also has a substantial freestanding timber screen wall in place.

The height of this wall is not entirely clear. It is considered that ensuring that this wall is a minimum of 1.7m above the level of the deck will ensure that the deck is sufficiently screened to minimise overlooking of the dwelling to the west. It is also recommended that the screening treatment of the eastern elevation be extended to the western elevation for that part of the deck where there is no wall. It is recommended that a condition to this effect be placed on any permit issued.

7.11. Discretion 4 – Coastal Erosion Hazard Area

- 7.11.1. The site is within a mapped Erosion Investigation Area.
- 7.11.2. The site is fronted by over 40m of rock and sits above the 10m contour, and is in an established residential area.
- 7.11.3. Given the elevation, shoreline materials and significant setback, the proposal is concluded to comply with the remaining provisions of E16.7.1, without additional information, as per E16.5.2.

8. Referrals

- 8.1. No comments. Standard conditions for development in the General Residential zone would apply.

9. Concerns raised by representors

The following table outlines the issues raised by the representations.

Note that all comments have been considered, including those made on both the original plans and the revised plans.

Public Notification # 1	
Issue	Response
Long term impact of this type of design on the street and municipality.	The planning system dictates that the proposal must be considered on its individual merits.
Loss of privacy to two front bedrooms of 6 Allen Street.	<p>Clause 10.4.6 provides for consideration of privacy.</p> <p>The plans for the deck (refer to drawings A08 and A09) show the floor level of the deck to be more than 1m above natural ground level. The deck has a brick wall along the majority of the length.</p> <p>The proposal complies with cl.10.4.6 P1, and the acceptable solutions for cl10.4.6 A2 and A3.</p>
Early morning shadowing on bedrooms of 6 Allen Street.	The existing building overshadows the adjoining houses. The shadow diagrams since provided by the applicant illustrate that the change will not cause additional unreasonable loss of light. Note that the provisions explicitly exclude consideration of access to sunlight for bedrooms.
Overshadowing of second storey on	Agreed. The Scheme provides for protection of sunlight to habitable rooms and private open space of adjoining

front door of 6 Allen Street.	properties. On this site, the front door is neither of these.
Plans are insufficient and inaccurate.	<p>It appears that the plans do not accurately represent the adjoining residences. The original plans did not show natural ground level. The revised plans (available during the second round of public notification) have natural ground level marked, more clearly showing the floor level of the proposed deck.</p> <p>The assessment has been undertaken based on the demonstration on the plans for 8 Allen Street combined with on site inspection for 6, 8 and 10 Allen Street. If approved, the constructed residence is bound to comply with the plans as submitted to Council for assessment.</p>
Previous developments and planning regulations have maintained a more sensitive approach to development.	Noted. Council only has capacity to assess an application under the existing provisions. There is capacity for Council to review the provisions in the ongoing updating of the planning scheme.
Recognises that the proposal meets the planning requirements.	Noted.
Negative impact on users of the public reserve to the north.	The Scheme does not explicitly consider the users of the public reserve. There is some consideration given within the building envelope / rear setback requirements. Compliance of the proposal with these provisions is discussed above.
Does not comply with 10.4.2 .	<p>The proposal complies with 10.4.2 A1 and A2. Note that frontage is defined in the Scheme as being a boundary which abuts a road.</p> <p>The proposal does not comply with cl.10.4.2 A3. Assessment against the performance criteria is provided above.</p>
Comparison in the LPS to the new planning scheme.	Noted. The planning authority only has the capacity to assess the application against the current provisions.
Gradual encroachment on coastal reserve, sets a precedent.	It is agreed that the proposal will sit closer to the coastal reserve than the other properties along this line. Clause 10.4.2 provides the assessment criteria for this issue.
Impacts on light for 10 Allen Street – no shadow diagrams provided.	Shadow diagrams have since been provided by the applicant (Appendix C). These demonstrate compliance with cl. 10.4.2 P3 which considers overshadowing.
Not in keeping with the character of the location, negatively impacts amenity of the local community.	The acceptable solutions and performance criteria provide the applicable guidelines for determining character and amenity.
Not in keeping with the coastal landscape values – height increase and setback reduced from the established setback, no vegetation buffer.	<p>The proposal is within the height limit.</p> <p>The setback to the coastal reserve is assessed against cl.10.4.2 A3, which does not consider these values.</p>
Impact on privacy for habitable rooms	Cl.10.4.6A1 requires that a deck be setback 3m from a

and private open space for 10 Allen Street – references Objective 10.4.6, cl.10.4.6 A1.	boundary if it is over 1m in height. The plans show the lower deck to have a floor level of just over 1m in height. The proposal has been assessed against the Performance Criteria, and is found to have met these, subject to condition.
Plans show 10 Allen Street as crossing the boundary.	Noted. The location of 10 Allen Street was confirmed by a site visit.
Materials and finishes are not indicated on plans.	The plans indicate a mix of cladding and a solid material such as render or similar.
Does not comply with the Coastal Proximity Zone provisions.	These provisions are not applicable to land in the General Residential zone.
Public Notification # 2 – additional issues raised	
Issue	Response
Privacy concerns for #10 Allen St have been resolved.	The readvertised plans provide screening to maintain privacy for #10 Allen Street.
Additional information regarding overshadowing of the deck at 10 Allen Street.	<p>Clause 10.4.2 A3/P3 addresses overshadowing of private open space on adjoining properties.</p> <p>This is discussed in detail above. It is noted that 10 Allen Street contains significant open space outside the area covered by the deck, the majority of which will not lose sunlight.</p>
Omissions and errors on the plans.	The plans, combined with site inspection, provide sufficient information to assess the proposal, as required under the Scheme. Whilst the plans may not mark the total height, they are able to be accurately scaled to determine the height. The true north has been identified by site inspection. The proposed fencing is exempt under the Scheme – if significant fencing is proposed, it will require a separate planning approval, a point which is noted on every permit issued within the General Residential zone. Finally, the application is for a residential extension, and not multiple dwellings. If the use proposed is for multiple dwellings, a new application would be required.
Concerned that the proposal does not meet 10.4.2(a).	This objective is provided to guide assessment. The relevant assessment reference for this application is 10.4.2P3(b), which is discussed above in detail, and the proposal is determined to comply. It is important to note that 10.4.2P3(b) refers only to separation between dwellings, rather than boundaries or open space areas.
Flaws in the Planning Scheme.	Noted. The planning authority only has the capacity to assess the application against the current provisions.
Height restrictive covenants.	Covenants such as this are a contract between the landowners, rather than a provision under the planning system. The planning authority does not have the power to incorporate these into the assessment.
The proposal should be revised so that the height and setback are consistent	The planning authority must assess the application that is before it.

with the existing properties.	
Long term impact of larger scale designs into the future, notes the differences between the larger cities and a small town like Bicheno, and the lack of this differentiation in the planning scheme.	<p>If the Council wish to, it is possible to look into a larger strategic approach, with research into design characteristics for the broader area into the future. That can then be presented to the Planning Commission as an amendment to the planning scheme. These types of amendments traditionally need to have very strong supporting documentation.</p> <p>In regards to this proposal, all that can be done is to assess the proposal that is before Council.</p>
Loss of privacy to number 6 Allen Street, due to the moving forward of number 8.	This is addressed in the Scheme through 10.4.6A1/P1, which is addressed in detail above. The proposal is to have a wall 1.7m in height above the deck to maintain privacy to number 6 Allen Street. This is recommended to be reinforced via condition.
Overshadowing.	The loss of sunlight to these rooms that will occur is not sufficient to qualify as causing an unreasonable loss of amenity. These rooms will lose a small amount of early morning sun, however they are well oriented to retain significantly more sun than most residences in the General Residential zone ever receive.
Previous design choices by owner of number 6 Allen Street have been taken with sensitivity to the adjoining properties.	Noted.
Loss of penguin breeding ground.	The properties through this area are regularly used by the Little Penguins for breeding and moulting. The loss of the small section of vegetation is not considered to be a significant impact, given the extensive number of sites available in the surrounding areas. The site works will however have the potential to impact any birds that are on site during construction work. Any approval should be conditioned to manage this impact.
The top of the building is outside the building envelope on the eastern side.	Agreed. The proposal has been assessed against the performance criteria.
The assessment is a "Done Deal".	The assessment has not been completed. The proposal will be determined at the Council meeting on the 25 of September 2018. If it is found that illegal works have been conducted, this will be addressed through the necessary legal channels.
The owner has not contacted the neighbours.	This is a matter for the property owners. The legal notification requirements of the planning authority have been met.

10. Conclusion

The proposal satisfies the relevant provisions of the *Glamorgan Spring Bay Interim Planning Scheme 2015* as outlined in this report and is recommended for conditional approval.

11. Recommendations

That:

- A. Pursuant to Section 57 of the Land Use Planning & Approvals Act 1993 and the Glamorgan Spring Bay Interim Planning Scheme 2015, the application for a residential extension at 8 Allen Street, Bicheno (DA2018/134) be APPROVED subject to the following conditions:

1. Use and development must be substantially in accordance with the endorsed plans and documents unless modified by a condition of this permit.

Advice: Any changes may either be deemed as substantially in accordance with the permit or may first require a formal amendment to this permit or a new permit to be issued.

2. The solid wall along the western portion of the lower deck is to be a minimum of 1.7m in height, when measured from the finished floor level of that deck.
3. The western side of the lower level deck that is not adjoining the solid wall must be provided with a 1.7m high screen to match that proposed for the eastern side of the deck.
4. Use of the outbuildings must be limited to residential storage and related residential activities only and must not be used for human habitation.
5. Prior to the commencement of use, at least two (2) car parking spaces must be provided on site and must be available for car parking at all times.

Each space must be at least 5.4m long and 2.4m wide with an additional 0.3m clearance from any nearby wall, fence or other obstruction.

6. The internal driveway and areas set aside for vehicle turning must have a minimum width driveway of 3.6m.

Please note, if a Bushfire Hazard Management Plan and/or Building Attack Level (BAL) assessment is required through the building approval process, the minimum width may need to be increased to 4.0 with passing bays.

7. To the satisfaction of Council's General Manager, the internal driveway including turning areas and any area set aside for vehicle parking must:

- (a) Be constructed with a durable all weather pavement;
- (b) have a sealed surface of either concrete, asphalt, two coat spray seal, pavers or similar;
- (c) Be formed to ensure stormwater is suitably contained, drained and managed;
- (d) Be fully complete within six months of the commencement of use.

8. To the satisfaction of Council's General Manager, surface water runoff from the internal driveway and areas set-aside for vehicle parking and turning must be controlled and drained to avoid unreasonable impact to adjoining land and directed to a legal point of discharge.

Advice: The design of drainage associated with driveways, parking areas and buildings is regulated under the Building Act 2016 and may require a Certificate of Likely Compliance or Plumbing Permit under the Building Act 2000.

9. Through the construction process to the satisfaction of Council's General Manager and unless otherwise noted on the endorsed plans or approved in writing by Council's General Manager, the developer must:
 - (a) Ensure soil, building waste and debris does not leave the site other than in an orderly fashion and to be disposed of at an approved facility.
 - (b) Not burn debris or waste on site.
 - (c) Promptly pay the costs associated with any alteration, extension, reinstatement, repair or cleaning of Council infrastructure, public land or private property.
 - (d) Ensure public land, footpaths and roads are not unreasonably obstructed by vehicles, machinery or materials or used for storage.
10. No top soil is to be removed from the site.
11. The developer shall provide a commercial skip for the storage of builders waste on site and arrange for the removal and disposal of the waste to an approved landfill site by private contract.
12. The developer must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the development. Any work required is to be specified or undertaken by the authority concerned.

Advice: The developer may submit photographs showing the existing condition of roads, footpaths, kerb and gutter and similar in the nearby area as evidence of the existing conditions prior to any works occurring.

13. A suitably qualified person should be employed to ensure that no penguins are on the area of the site to be worked on that day. This check must be conducted each day, prior to any work occurring on external surfaces.

Decision: 95 /18

Moved Cllr Jenny Woods, seconded Cllr Britt Steiner, that pursuant to Section 57 of the Land Use Planning & Approvals Act 1993 and the Glamorgan Spring Bay Interim Planning Scheme 2015, the application for a residential extension at 8 Allen Street, Bicheno (DA2018/134) be APPROVED subject to conditions 1-13.

**The motion was put and lost
(1 Vote to 6)**

For: Mayor Michael Kent,

Against: Deputy Mayor Cheryl Arnol, Cllr Jenifer Crawford, Cllr Britt Steiner, Cllr Debbie Wisby, Cllr Jenny Woods.

Decision: 96 /18

Moved Cllr Jenifer Crawford, seconded Cllr Jenny Woods, that pursuant to Section 57 of the Land Use Planning & Approvals Act 1993 and the Glamorgan Spring Bay Interim Planning Scheme 2015, the application for a residential extension at 8 Allen Street, Bicheno (DA2018/134) be REFUSED as it does not comply with:

- Clause 10.4.2 acceptable solution 3 does not meet the performance criteria
- In relation to 10.4.2 P3 (a) (ii) regarding the setbacks and building envelopes for the dwelling at 8 Allen St.
- The siting and the scale of the proposed additions and alterations.
(a) will cause unreasonable loss of amenity by overshadowing the private open space of a dwelling on an adjoining lot.
- The additions and alterations proposed to 8 Allen St also do not comply with 10.4.2 (a) (iv) as the additions and alterations will have a negative visual impact caused by the scale and bulk of the proposed dwelling when viewed from an adjoining lot; and
- Also DA2018/134 does not comply with 10.4.2 P3 (b) as the proposed residential alterations and extensions do not provide separation between dwellings on an adjoining lot that is compatible with that prevailing in the surrounding area.

**The motion was put and carried
(6 Votes to 1)**

For: Deputy Mayor Cheryl Arnol, Cllr Jenifer Crawford, Cllr Britt Steiner, Cllr Debbie Wisby, Cllr Jenny Woods.

Against: Mayor Michael Kent



301 Invermay Road
Invermay TAS 7248

P: (03) 6326 8780
F: (03) 6326 3800
M: 0400 682 089

E: murray@mybuildhomes.com.au
www.mybuildhomes.com.au

Drawing Schedule

A01	Cover Page	29.08.18
A02	Existing Site Plan	29.08.18
A03	Existing Floor Plan	29.08.18
A04	Demolition Plan	29.08.18
A05	Proposed Site Plan	29.08.18
A06	Proposed Ground Floor Plan	29.08.18
A07	Proposed First Floor Plan	29.08.18
A08	East & South Elevations	29.08.18
A09	North & West Elevations	29.08.18
A10	Shadow Diagram - Existing Site 9am	29.08.18
A11	Shadow Diagram - Existing Site 3pm	29.08.18
A12	Shadow Diagram - Proposed Site 9am	29.08.18
A13	Shadow Diagram - Proposed Site 3pm	29.08.18
A14	3D Views	29.08.18
A15	3D Views	29.08.18

Existing Total Floor Area m² sq

Existing Deck	13.95	1.50
Existing Garage	21.09	2.27
Existing Ground Floor	149.52	16.09
Existing Storage	19.04	2.05

New Total Floor Area m² sq

Deck	57.87	6.23
First Floor	46.52	5.22
Garage	40.29	4.34
Ground Floor	211.30	22.74
Patio	11.63	1.25
Storage	19.04	2.05



PROPOSED MODIFICATIONS FOR MRS ROBERTSON

not for building
approval
**PLANNING
ONLY**

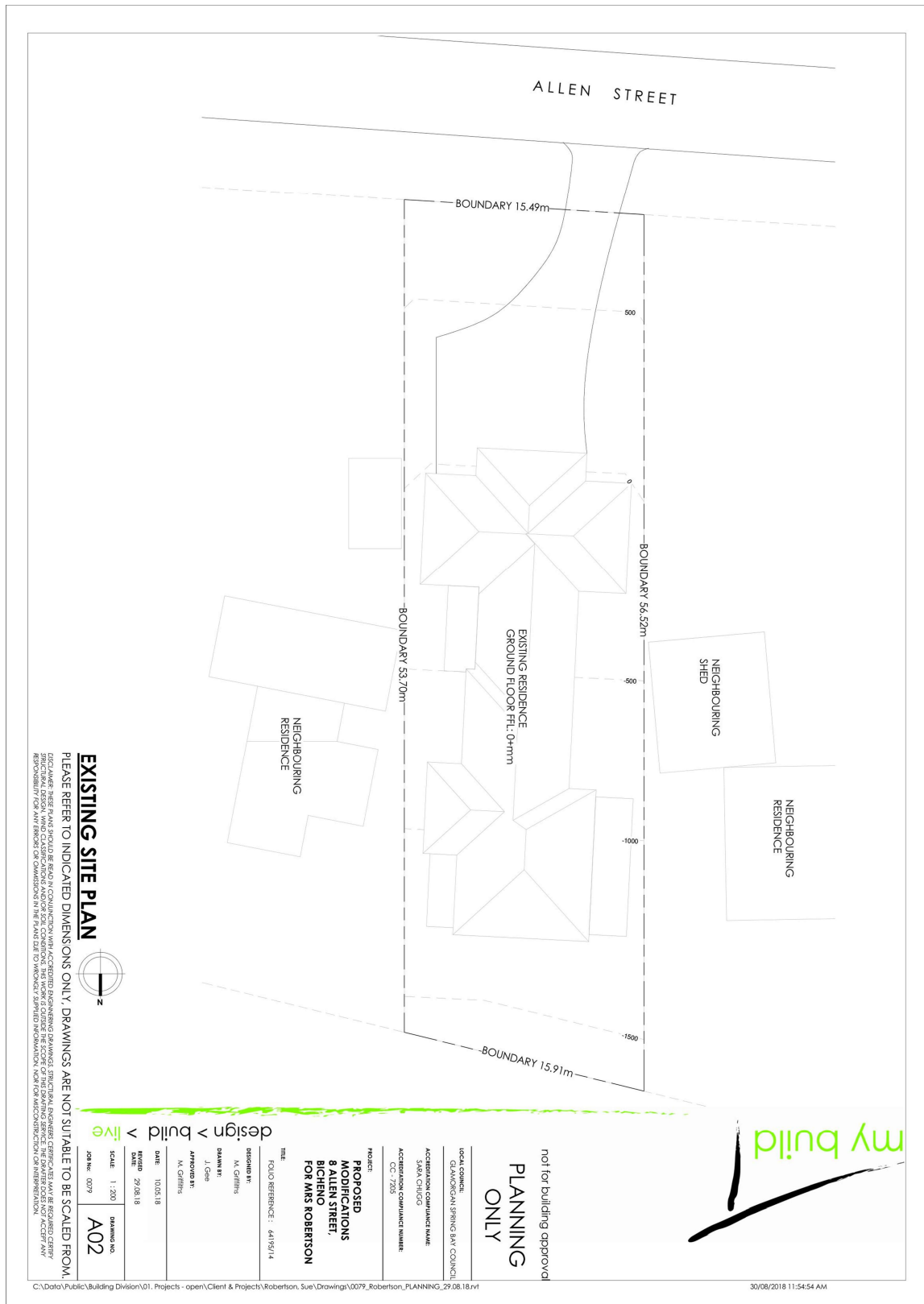
LOCAL COUNCIL
GLAMORGAN SPRING BAY COUNCIL
ACCOMMODATION CHAIRMAN NAME
SARA CHONG
ACCOMMODATION COMPLIANCE NUMBER
15011205
PROJECT:
**PROPOSED
MODIFICATIONS
8 ALLEN STREET,
BICHENO**

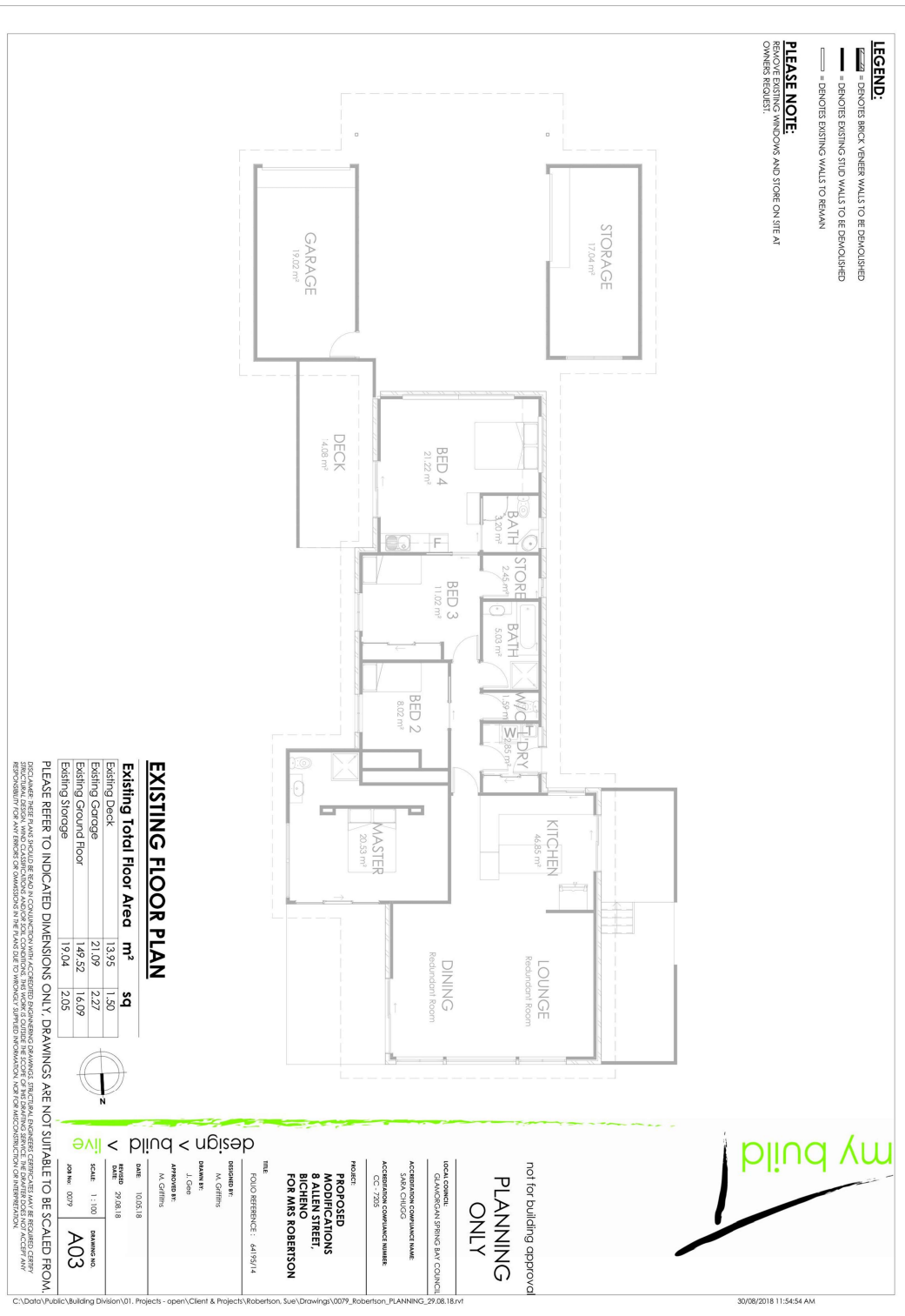
TITLE GRID REFERENCE: 64195/14
CLIMATE ZONE: 7
SOIL CLASSIFICATION: N/A
DESIGN WIND PRESS: N/A
SEA BARRING: N/A
SITE HAZARD: N/A
DATE: 10/05/18
REVISED: 29.08.18
NO. DATE DESCRIPTION

PLEASE REFER TO INDICATED DIMENSIONS ONLY. DRAWINGS ARE NOT SUITABLE TO BE SCALED FROM
THIS DOCUMENT. THE DRAWING IS A REPRESENTATION OF THE PROPOSED WORK AND DOES NOT GUARANTEE THE
STRUCTURAL DESIGN AND CLASSIFICATION AND/OR SOIL CONDITIONS. THE WORK IS CONSIDERED THE PROPERTY OF THE DRAWING SERVICE. THE DRAWING SERVICE DOES NOT ACCEPT ANY
RESPONSIBILITY FOR ANY ERRORS OR OMISSIONS IN THE PLANS DUE TO WHICHEVER APPLIED INFORMATION, NOR FOR MISCONSTRUCTION OR INTERPRETATION.

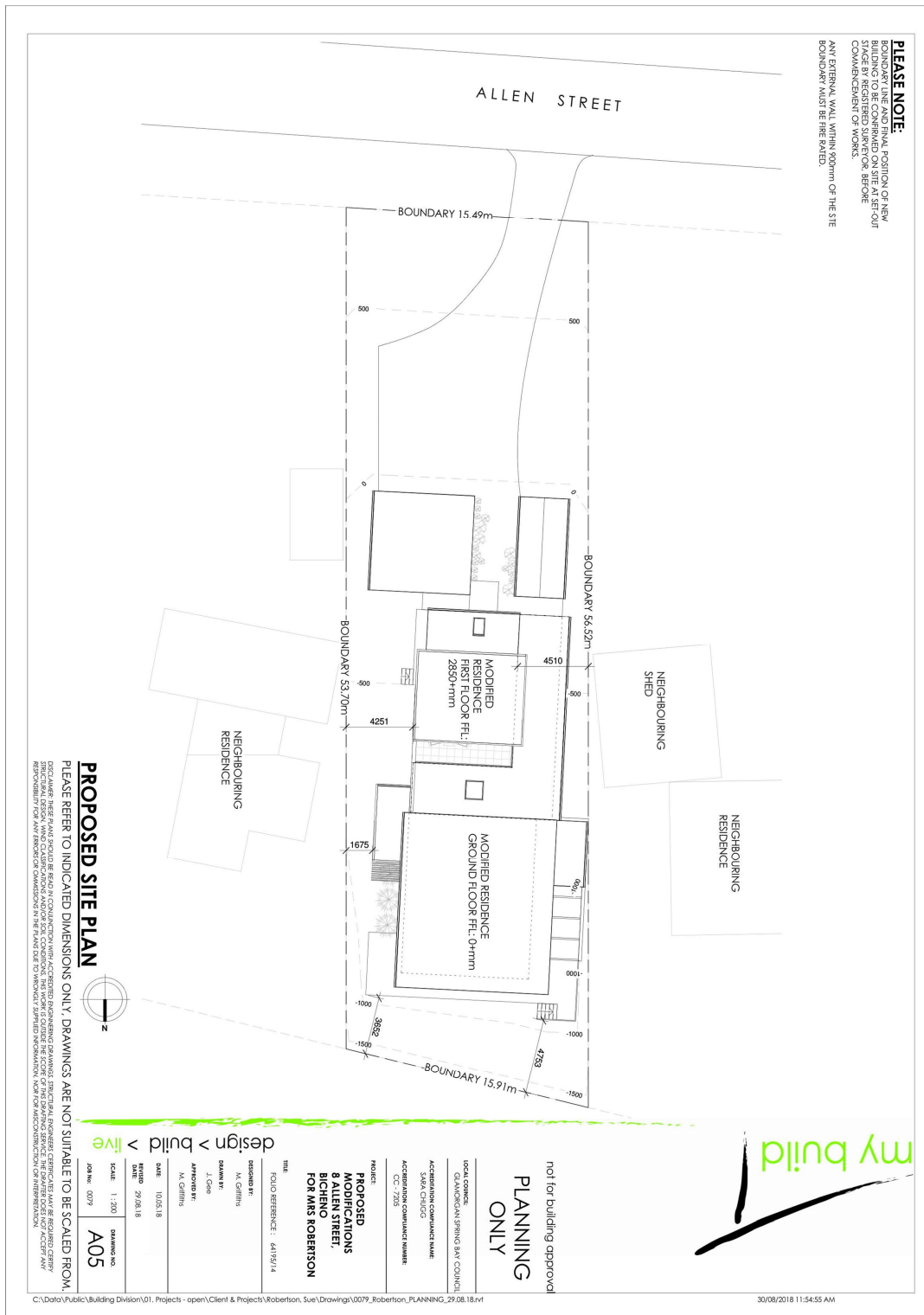
C:\Data\Public\Building Division\01 - Projects - open\client & Projects\Robertson, Sue\Drawings\0079_Robertson_PLANNING_29.08.18.rvt

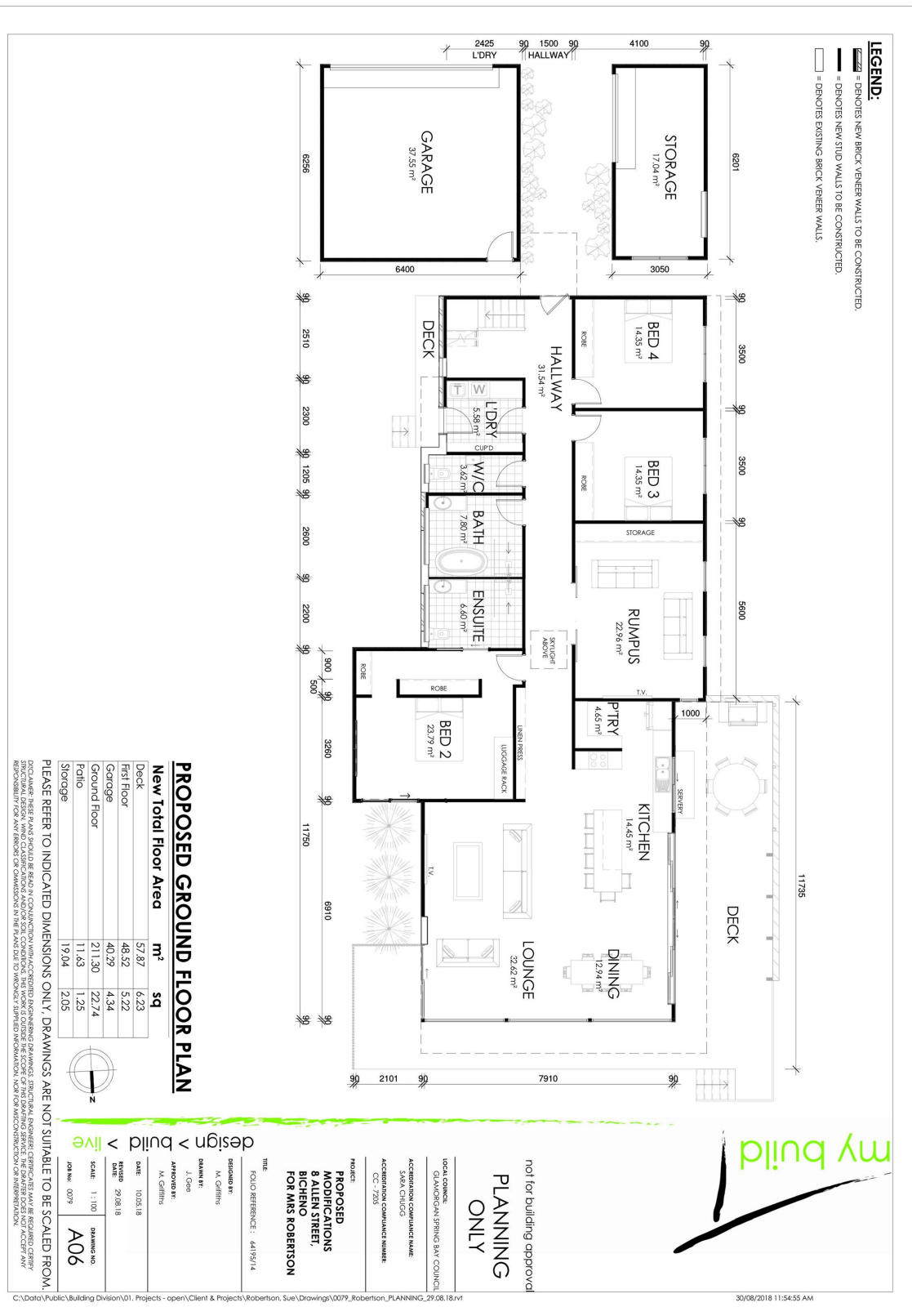
30/08/2018 11:54:54 AM

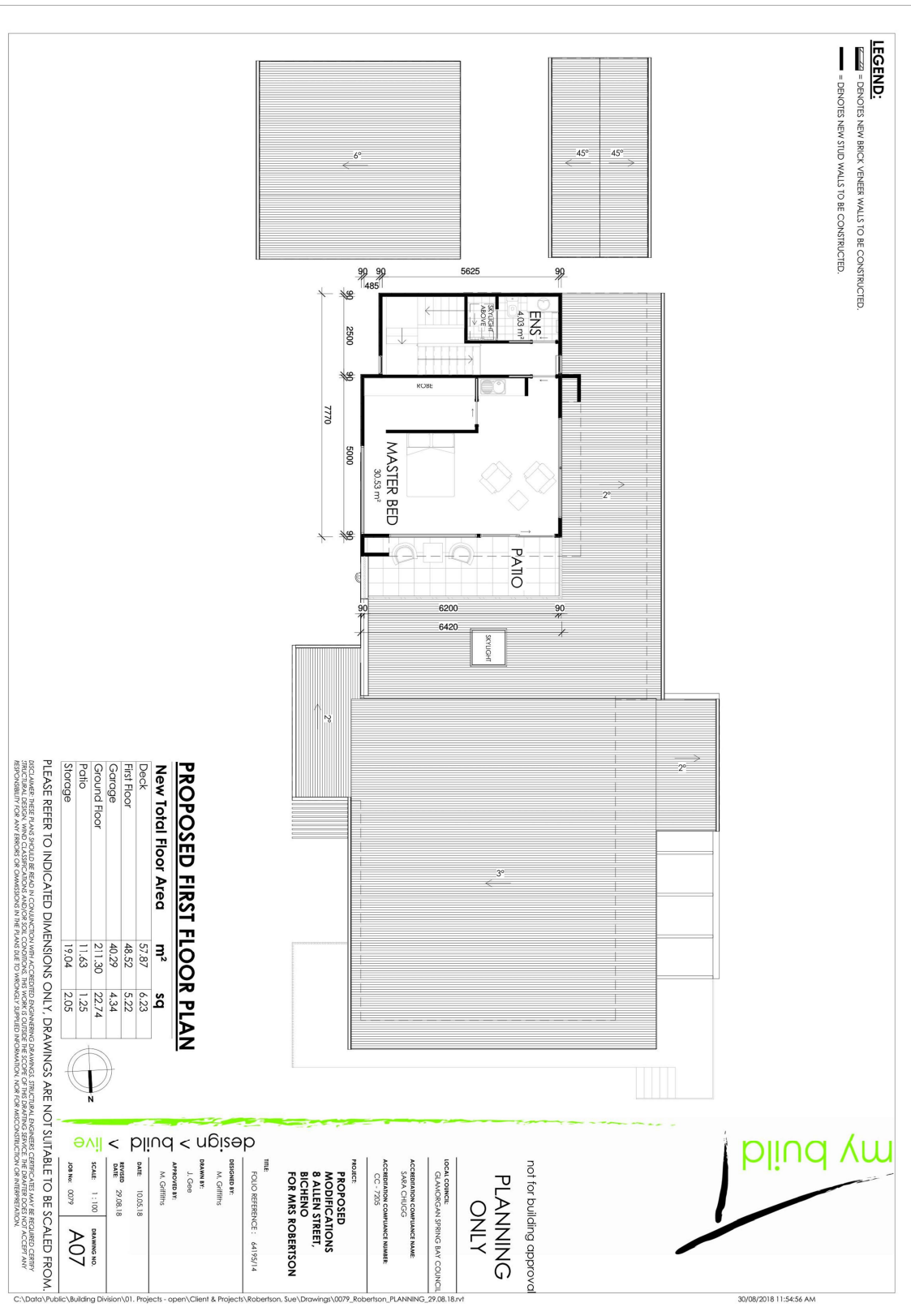






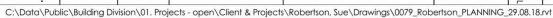








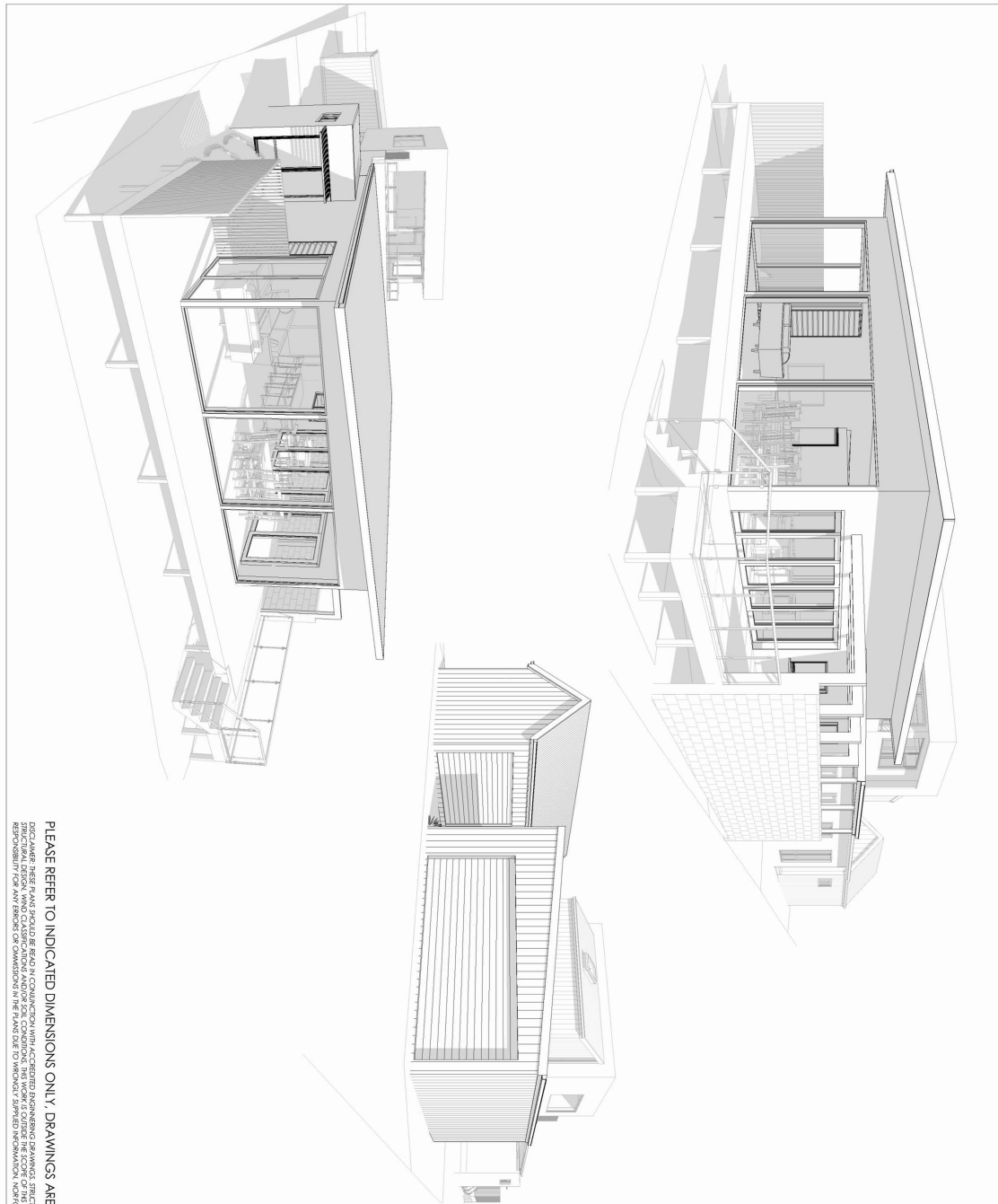












my build

not for building approval
**PLANNING
ONLY**

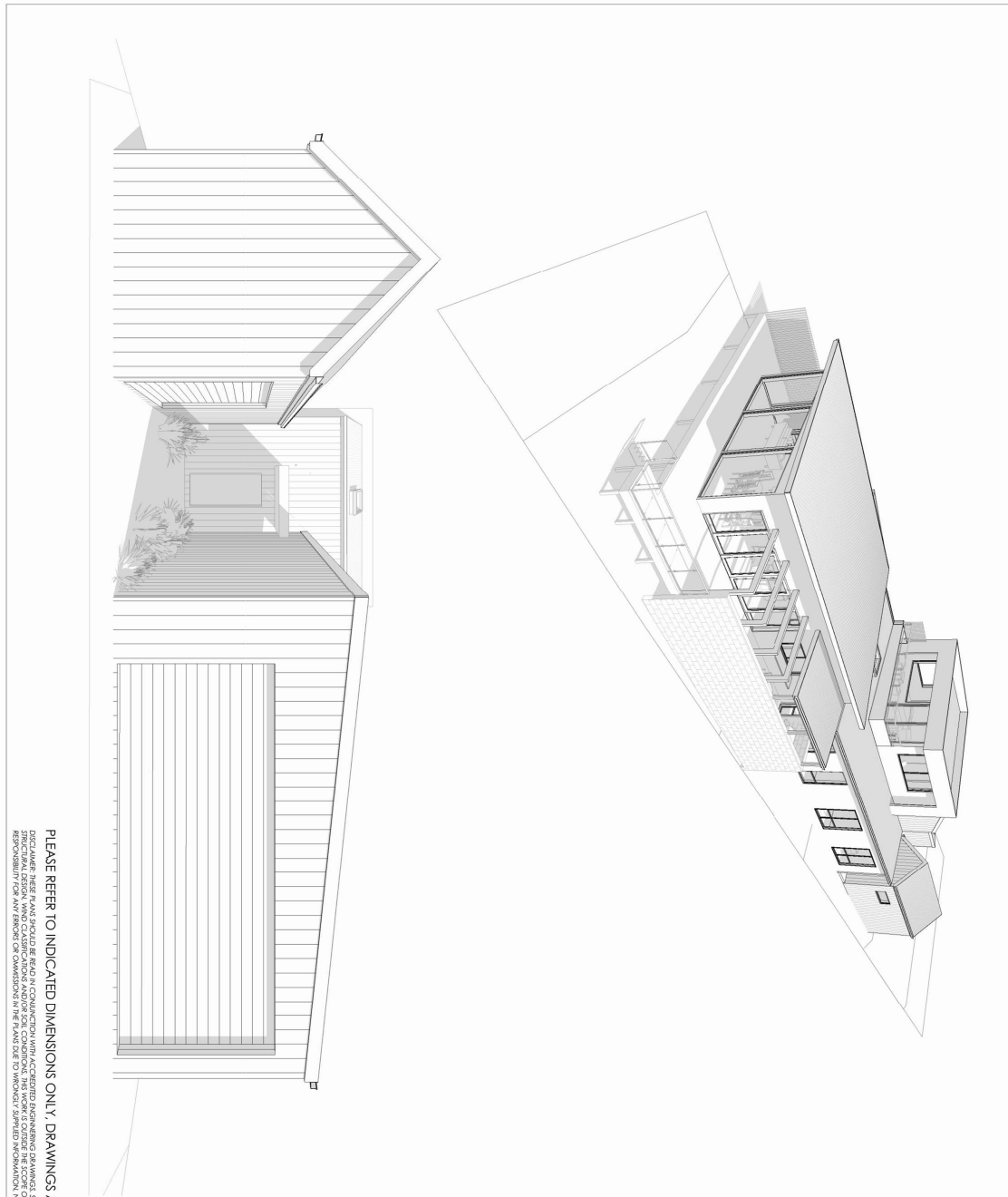
design > build > live

LOCAL COUNCIL:	GLAMORGAN SPRING BAY COUNCIL
ACCEPTING COMPLAINT NAME:	SARA CHURCH
ACCEPTING COMPLAINT NUMBER:	CS-1785
PROJECT:	PROPOSED MODIFICATIONS 8 ALLEN STREET, BICHENO FOR MRS ROBERTSON
TITLE:	FOLIO REFERENCE: 64195/14
DESIGNED BY:	M. Griffiths
DRAWN BY:	J. Gabe
APPROVED BY:	M. Griffiths
DATE:	10.05.18
REVISED DATE:	29.08.18
SCALE:	20m NGS 0079
DRAWING NO.:	A14

PLEASE REFER TO INDICATED DIMENSIONS ONLY. DRAWINGS ARE NOT SUITABLE TO BE SCALED FROM.
DRAWINGS ARE NOT TO BE USED IN CONNECTION WITH ANY OTHER PROJECTS. THE DRAWING SERVICE PROVIDER DOES NOT ACCEPT ANY
RESPONSIBILITY FOR ANY ERRORS OR OMISSIONS IN THE PLANS DUE TO WHICHEVER APPLIED INFORMATION, INADVERTENT OR OTHERWISE.

C:\Data\Public\Building Division\01. Projects - open\Client & Projects\Robertson, Sue\Drawings\0079_Robertson_PLANNING_29.08.18.rvt

30/08/2018 11:55:03 AM



my build

not for building approval
**PLANNING
ONLY**

design > build > live

LOCAL COUNCIL:	GLAMORGAN SPRING BAY COUNCIL
ACCOMMODATION COMPLAINT NAME:	SARA CHURCH
ACCOMMODATION COMPLAINT NUMBER:	CS/1265
PROJECT:	PROPOSED MODIFICATIONS 8 ALLEN STREET, BICHENO FOR MRS ROBERTSON
TITLE:	FOLIO REFERENCE: 64195/14
DESIGNED BY:	M. Griffiths
DRAWN BY:	J. Gabe
APPROVED BY:	M. Griffiths
DATE:	10.05.18
REVISED DATE:	29.08.18
SCALE:	20m 1:100
DRAWING NO.:	A15

PLEASE REFER TO INDICATED DIMENSIONS ONLY. DRAWINGS ARE NOT SUITABLE TO BE SCALED FROM.
DRAWINGS: THESE PLANS SHOULD BE READ IN CONJUNCTION WITH ACCEPTED ENGINEERING DRAWINGS. STRUCTURAL ENGINEERS: THE DRAWING CARRIES THE SIGNATURE OF THE ENGINEER WHO HAS REVIEWED THE DRAWING. THE ENGINEER DOES NOT ACCEPT ANY RESPONSIBILITY FOR ANY ERRORS OR OMISSIONS IN THE PLANS DUE TO WHICHEVER APPLIED INFORMATION, INDETERMINATE INFORMATION OR CONSTRUCTION OF INFORMATION.

C:\Data\Public\Building Division\01. Projects - open\Client & Projects\Robertson, Sue\Drawings\0079_Robertson_PLANNING_29.08.18.rvt

30/08/2018 11:55:04 AM



design > build > live

29th August 2018

Glamorgan Spring Bay Council
P.O. Box 6,
Triabunna TAS 7190

Re: 8 Allen Street, Bicheno – Further information Request.

To whom it may concern,

10.4.6 Privacy for all Dwellings

A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no 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 at least 3m from the side boundary; and**
- (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4m from the rear boundary; and**
- (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 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.**

The First Floor and Ground Floor decks both have screening with a uniform transparency of no more than 25% on the Eastern side of the dwelling, refer to drawing A08 'East Elevation'.

www.mybuildhomes.com.au

murray@mybuildhomes.com.au



'Like' us on facebook
facebook.com/residentialdesignandconstruct

Ph: (03) 6326 7686
A.B.N. 67 612 590 986

Office: 301 Invermay Rd, Invermay
Postal: PO Box 1865, Launceston, TAS 7250
Design Accreditation No. CC6580
Building Accreditation No. CC1171

A2

A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):

- (a) The window or glazed door:
- (i) is to have a setback of at least 3 m from a side boundary; and
 - (ii) is to have a setback of at least 4 m from a rear boundary; and
 - (iii) if the dwelling is a multiple dwelling, is to be at least 6 m 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 at least 6 m 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, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or
 - (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m 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 at least 1.7 m above floor level, with a uniform transparency of not more than 25%.

The window to Bedroom 2 on the Eastern side complies with acceptable solution 'b' as the sill height is 1.7m above the floor level, opaque frosted glass and is 1.6m away from a window or glazed door to a habitable room of another dwelling (see Site plan showing dimension).

We hope that this statement of design rational satisfies any queries regarding our reference to the performance criteria of the Glamorgan Spring Bay Council Planning Scheme.

Kind Regards,



Jocelyn Gee

Trainee Building Designer

www.mybuildhomes.com.au

murray@mybuildhomes.com.au



'Like' us on facebook
facebook.com/residentialdesignandconstruct

Ph: (03) 6326 7686
A.B.N. 67 612 590 986

Office: 301 Invermay Rd, Invermay
Postal: PO Box 1865, Launceston, TAS 7250
Design Accreditation No. CC6580
Building Accreditation No. CC1171