

# **GLENORCHY PLANNING AUTHORITY**

## **MINUTES**

### **MONDAY, 4 APRIL 2016**



**Chairperson:** Alderman K. Johnston.

**Hour:** 3.00 p.m.

**Present:** Aldermen K. Johnston, D. Pearce, M. Stevenson, H. Quick and J. Branch-Allen.

**In attendance:** Mr. P. Garnsey (Manager – Environment and Development), Mr. P. Meloy (Senior Statutory Planner), Mr. L. Meline (Acting Development Engineer) and Mr. A. Mousavi (Transport Engineer).

Mr. E. Reale (Director City Services and Infrastructure), Mr. N. Wass (Environmental Health Officer) and Ms. N. Butler (Senior Administration Officer).

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## **1. PLANNING AUTHORITY DECLARATION**

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

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## **2. APOLOGIES**

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None.

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### **3. PECUNIARY INTERESTS**

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None.

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### **4. CONFIRMATION OF MINUTES**

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#### **Resolution:**

PEARCE/QUICK

That the minutes of the Glenorchy Planning Authority Meeting held on Monday, 21 March 2016 be confirmed.

The motion was put.

**FOR:** Aldermen Johnston, Pearce, Stevenson, Quick and Branch-Allen.

**AGAINST:**

The motion was CARRIED.

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## 5. PROPOSED NEW STREET AND WALKWAY NAMES - KIEWA RISE AND SAWYER STEPS

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File Reference: PLPROP-16/001

### REPORT SUMMARY:

To seek approval to the naming of a new road and steps within a recently approved subdivision at 48A Creek Road, Lenah Valley and 221 Lenah Valley Road, Lenah Valley (see Figures 1 and 2 below).

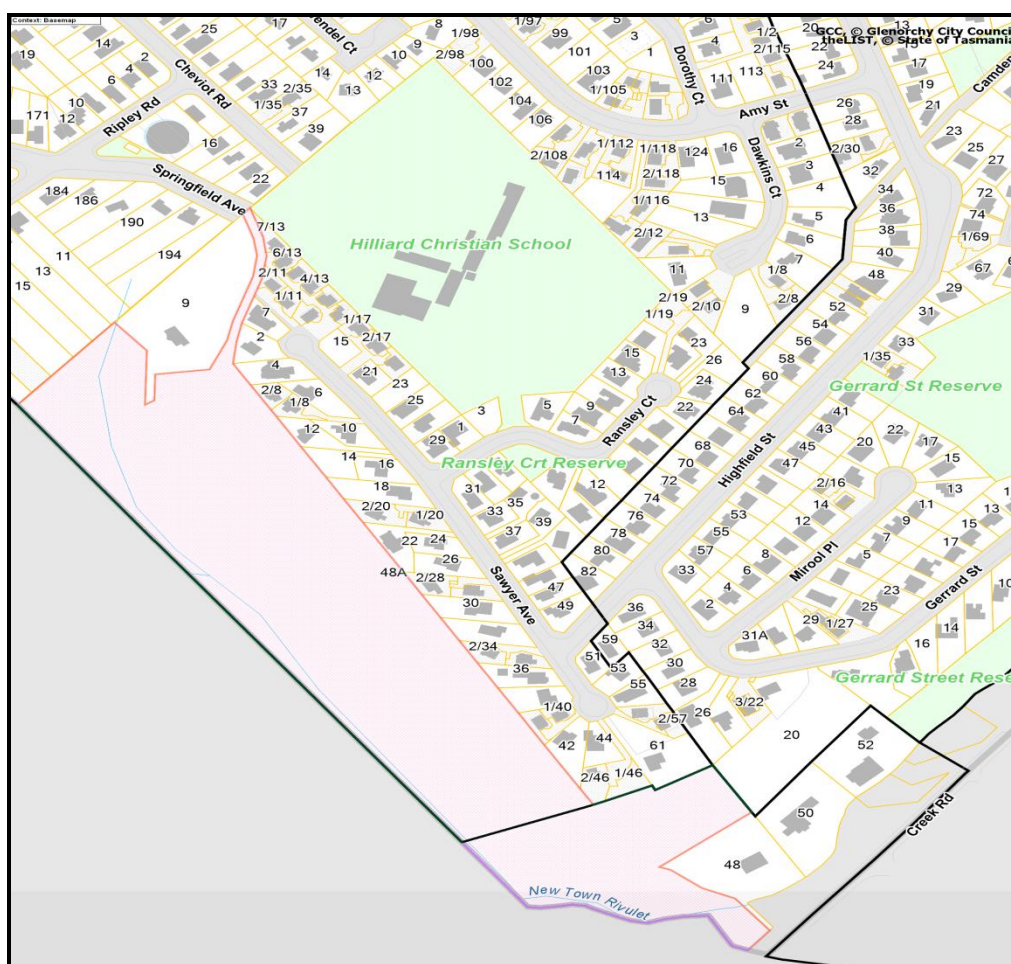


Figure 1: Location Plan of Land to be Subdivided.

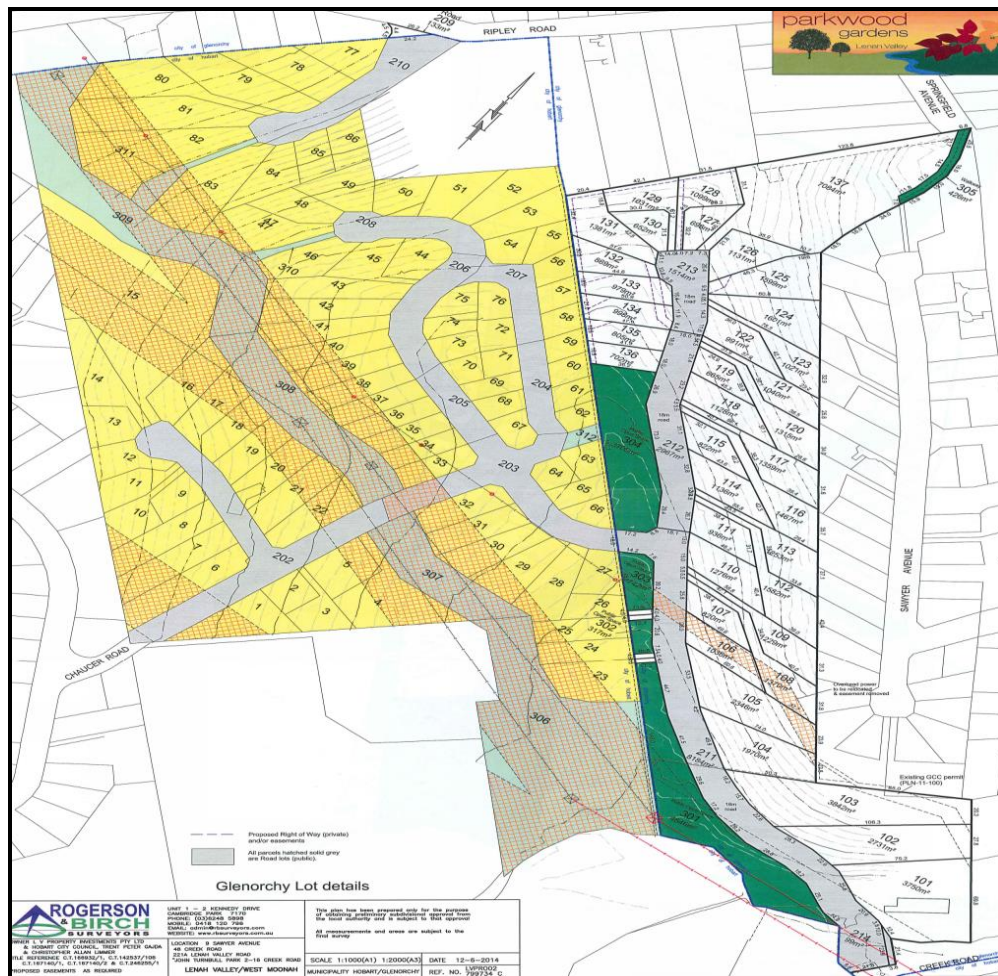


Figure 2: Location plan of road proposed to be named Kiewa Rise.

## Resolution:

PEARCE/QUICK

That the proposed street name Kiewa Rise and walkway name of Sawyer Steps, be approved.

The Nomenclature Board to be notified of the decision in accordance with Section 20E of the Survey Co-Ordination Act 1944.

The motion was put.

**FOR:** Aldermen Johnston, Pearce, Stevenson, Quick and Branch-Allen.

**AGAINST:**

The motion was CARRIED.

**Reason for Decision:**

After seeking to further the objectives of the Land Use Planning and approvals Act 1993; considering the matters set out in representations (if any); and reference to the current provisions of the Glenorchy Planning Scheme 1992, the Glenorchy Planning Authority decides to **grant a permit** for the reasons set out in the officer's report.

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## 6. PROPOSED USE AND DEVELOPMENT - VISITOR ACCOMMODATION PARKING DISCRETION - 7 GARDEN ROAD, MOONAH

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File Reference: 5427361

### REPORT SUMMARY:

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|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application No.:</b>    | <b>PLN-16-035</b>                                                                                                                                                                                                              |
| <b>Applicant:</b>          | <b>G K Marshall</b>                                                                                                                                                                                                            |
| <b>Owner:</b>              | <b>G K Marshall</b>                                                                                                                                                                                                            |
| <b>Zone:</b>               | <b>Inner Residential</b>                                                                                                                                                                                                       |
| <b>Use Class</b>           | <b>Visitor Accommodation</b>                                                                                                                                                                                                   |
| <b>Application Status:</b> | <b>Discretionary</b>                                                                                                                                                                                                           |
| <b>Discretions:</b>        | <b>11.3.2 (b) Visitor Accommodation (parking)</b><br><b>E6.61 Number of Car Parking Spaces (discretion for 2 spaces)</b><br><br>(The proposal meets all other applicable standards as demonstrated in the attached appendices) |
| <b>Level 2 Activity?</b>   | <b>No</b>                                                                                                                                                                                                                      |
| <b>42 Days Expires:</b>    | <b>4 April 2016</b>                                                                                                                                                                                                            |
| <b>Existing Land Use:</b>  | <b>Residential – Single Dwelling</b>                                                                                                                                                                                           |
| <b>Proposal In Brief:</b>  | <b>Visitor Accommodation with parking discretion</b>                                                                                                                                                                           |
| <b>Representations:</b>    | <b>0</b>                                                                                                                                                                                                                       |
| <b>Recommendation:</b>     | <b>Approval, subject to conditions</b>                                                                                                                                                                                         |

**Resolution:**

BRANCH-ALLEN/PEARCE

That the application for the proposed use and development of Visitor Accommodation.

That a permit be granted for the proposed use and development of Visitor Accommodation with parking discretion at 7 Garden Road, Moonah subject to the following conditions:

**Planning**

1. Use and development shall be substantially in accordance with planning permit application No. PLN-16-035 and Drawing No. P1 submitted on 16/02/16, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Appendix A, form part of this permit.

**Engineering**

3. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
4. One (1) clearly marked car parking spaces must be provided on site and kept available for car parking purposes only at all times. Car parking spaces, must be provided in accordance with the Australian Standard AS 2890.1 – 2004 Off-Street Parking and must be constructed and sealed with an approved impervious surface treatment, prior to use of the development. All runoff from paved and driveway areas must be retained within site boundaries and discharged into Council's stormwater system.
5. All internal hydraulic service works required for the development shall be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor.

**Advice to Applicant**

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

- Please be aware that this planning permit is a planning approval issued under the Glenorchy Interim Planning Scheme 2015. You should consult with an accredited Building Surveyor prior to commencing this use or work to ensure all relevant requirements of the Building Act 2000 are complied with. In addition to this planning permit, a building permit and/or plumbing permit may also be required. If further clarification is required, please contact Council's Building Section on 6216 6800.
- Service of food may require a food business registration issued under the Food Act 2003. Please contact Council's Environmental health Office should the business consider providing food.

The motion was put.

**FOR:** Aldermen Johnston, Pearce, Stevenson, Quick and Branch-Allen.

**AGAINST:**

The motion was CARRIED.

**Reason for Decision:**

After seeking to further the objectives of the Land Use Planning and approvals Act 1993; considering the matters set out in representations (if any); and reference to the current provisions of the Glenorchy Planning Scheme 1992, the Glenorchy Planning Authority decides to **grant a permit** for the reasons set out in the officer's report.

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## 7. PROPOSED USE AND DEVELOPMENT - CHANGE TO USE TO RESTAURANT RELYING ON PERFORMANCE CRITERIA TO THE PARKING AND ACCESS STANDARDS - 437 MAIN ROAD, GLENORCHY

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File Reference: 5383127

### REPORT SUMMARY:

|                            |                                                                                                                                                                                         |
|----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application No.:</b>    | <b>PLN-15-267</b>                                                                                                                                                                       |
| <b>Applicant:</b>          | <b>Jeff Lee &amp; Associates</b>                                                                                                                                                        |
| <b>Owner:</b>              | <b>Q Tan and X Zhao</b>                                                                                                                                                                 |
| <b>Zone:</b>               | <b>Central Business</b>                                                                                                                                                                 |
| <b>Use Class</b>           | <b>Restaurant</b>                                                                                                                                                                       |
| <b>Application Status:</b> | <b>Discretionary</b>                                                                                                                                                                    |
| <b>Discretions:</b>        | <p><b>Reliant on performance criteria to the parking and access standards</b></p> <p>(The proposal meets all other applicable standards as demonstrated in the attached appendices)</p> |
| <b>Level 2 Activity?</b>   | <b>N/A</b>                                                                                                                                                                              |
| <b>42 Days Expires:</b>    | <b>15 Apr 2016</b>                                                                                                                                                                      |
| <b>Existing Land Use:</b>  | <b>Shop and Apartment</b>                                                                                                                                                               |
| <b>Proposal In Brief:</b>  | <b>Change of Use to Restaurant relying on performance criteria to the parking and access standards</b>                                                                                  |
| <b>Representations:</b>    | <b>0</b>                                                                                                                                                                                |
| <b>Recommendation:</b>     | <b>Approval, subject to conditions</b>                                                                                                                                                  |

**Resolution:**

PEARCE/

**AMENDMENT:**

STEVENSON/BRANCH-ALLEN

That a permit be granted for the proposed use and development of Change of Use to Restaurant relying on performance criteria to the parking and access standards at 437 Main Road, Glenorchy subject to the following conditions:

***Planning***

1. Use and development shall be substantially in accordance with planning permit application No. PLN-15-267 and Drawing No. P1 submitted on 10 December 2015, except as otherwise required by this permit.
2. The external car parking area is to be provided with lighting. Lighting must be designed, baffled and located to prevent any adverse effect on adjoining land. The lighting must accord to AS/NZS 1158.3.1:1999 (Category P) Lighting-Performance and Installation Design Requirements & AS 4282:1997 - Control of the Obtrusive Effects of Outdoor lighting.
3. Any conditions and/or advice as determined by TasWater, and set out in the attached Appendix A, form part of this permit.

***Engineering***

4. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
5. Driveways, car parking and turning areas must be sealed with an approved impervious surface treatment. All runoff from paved and driveway areas must be retained within site boundaries, and discharged into Council's stormwater system.
6. The driveway, parking and manoeuvring areas must be kept clear of obstructions, such as service authority infrastructure, letterboxes or bin enclosures, so that vehicle paths are not restricted.
7. Four (4) clearly marked (delineated) car parking spaces (spaces 1 to 4 shown on the approved plan – sheet 2 of P1) must be provided on site prior to use and kept available for these purposes at all times. Car parking spaces, manoeuvring areas and aisles must be provided in accordance with the Australian Standard AS 2890.1 – 2004 Off-Street Parking. In areas set aside for car parking, securely fixed wheel stops or kerbing must be provided to the satisfaction of Council to prevent damage to fences, walls or landscaped areas.

Note car parking spaces 5 to 6 and the two motorcycle parking spaces shown on sheet 2 of P1 of the approved plans do not form part of this consent and the on-site car parking spaces are required to be widened for short term higher turnover parking. Amended plans are required to be submitted for approval by Council's Development Engineer prior to Building Approval demonstrating this.

8. Of the required number of car parking spaces, one (1) car parking space shall be provided for the use of people with disabilities. The space shall be clearly marked and in accordance with the standard for disabled car parking laid down in Australian Standard AS/NZS 2890.1 - 2004 Off-Street Parking.
9. All internal hydraulic service works required for the development shall be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor.

### ***Environmental Health***

10. All solid wastes must be managed in accordance with the hierarchy of waste management summarised below, unless otherwise approved in writing by the Senior Environmental Health officer:
  - waste must be minimised, that is, the generation of waste must be reduced to the maximum extent that is reasonable and practicable, having regard to best practice environmental management;
  - waste must be re-used or recycled to the maximum extent that is reasonable and practicable; and
  - any residual waste must be disposed of only at a site and in a manner approved by the Senior Environmental Health Officer.
11. The discharge of liquids, other than unpolluted rainwater, to Council's stormwater system, receiving water bodies or water courses is strictly prohibited.  
Any area where liquid wastes (including spills) are generated must be suitably graded and bunded to direct the liquid waste to sewer.
12. Hours of operation are:  
Monday to Sunday, including public holidays, 10.00am to 11.00pm.
13. The loading and unloading of vehicles on the land and the transportation of any materials to or from the land must only take place between the following hours:
 

|                            |                  |
|----------------------------|------------------|
| Monday through to Saturday | 7.00am to 6.00pm |
| Sunday and Public Holidays | 7.00am to 6.00pm |
14. Noise emissions measured at the boundary of a residential zone must not exceed the following:
  - (a) 55dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm;
  - (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm to 7.00 am;
  - (c) 65dB(A) (LAmix) at any time.

Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness.

Noise levels are to be averaged over a 15 minute time interval.

***Advice to Applicant***

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

- The proponent's Building Surveyor must forward copies of the following documents to the Senior Environmental Health Officer prior to any works being undertaken on site (including the installation of fixtures and fittings) that relate to the proposed food premises:
  - a. a request in an approved form (Form 42) for an Environmental Health Officer report;
  - b. any relevant drawings, specifications or other documents submitted with the application; and
  - c. details provided by the owner of the nature of the foods to be prepared, handled, stored or sold and the types of manufacturing processes to be undertaken on the premise
  - d. Council's Senior Environmental Health Officer may require the premises to meet equipment and fit out specifications which exceed those required by the *National Construction Code 2014*, before the premises can be registered and the food business licensed pursuant to the *Food Act 2003*.
- If asbestos is identified during demolition/renovation then removal must be undertaken in accordance with the *Building Regulations 2014*. The regulations outline a number of mandatory requirements covering the removal of asbestos this includes ensuring that all practicable steps are taken before a demolition occurs to identify the presence of asbestos and only permits waste asbestos to be disposed of at an approved waste management facility.
- Food businesses must contract their own waste management service as Council does not collect food business waste in their usual service.

The motion was put.

**FOR:** Aldermen Johnston, Pearce, Stevenson, Quick and Branch-Allen.

**AGAINST:**

The motion was CARRIED.

**Reason for Decision:**

After seeking to further the objectives of the Land Use Planning and Approvals Act 1993; considering the matters set out in representations (if any); and reference to the current provisions of the Glenorchy Planning Scheme 1992, the Glenorchy Planning Authority decides **to grant a permit** for the reasons set out in the officer's report, except that two amendments were made to the Permit as follows:

1. Deleted Condition 14 (cash-in-lieu).
2. Added a new planning condition in regards to external lighting, which will become Planning Condition 2 and all following conditions be renumbered accordingly. The new condition to read:

*The external car parking area is to be provided with lighting. Lighting must be designed, baffled and located to prevent any adverse effect on adjoining land. The lighting must accord to AS/NZS 1158.3.1:1999 (Category P) Lighting-Performance and Installation Design Requirements & AS 4282:1997 - Control of the Obtrusive Effects of Outdoor lighting.*

The reason for the amendment to the recommendation is "To improve customer safety at night time."

PEARCE/QUICK

That the meeting be closed to the public pursuant to Regulation 15(4) of the Local Government (Meeting Procedures) Regulations 2015.

The motion was put.

**FOR:** Aldermen Johnston, Pearce, Stevenson, Quick and Branch-Allen.

**AGAINST:**

The motion was CARRIED.

# CLOSED TO MEMBERS OF THE PUBLIC

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## 8. APPEALS REPORT

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*This item is to be considered at a closed meeting of the Glenorchy Planning Authority by authority of the Local Government (Meeting Procedures) Regulations 2015 Section 15(4).*

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## 9. COMPLIANCE REPORT

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*This item is to be considered at a closed meeting of the Glenorchy Planning Authority by authority of the Local Government (Meeting Procedures) Regulations 2015 Section 15(4).*

The meeting closed at 3.36 p.m.

Confirmed,

**CHAIRMAN**