

GLENORCHY PLANNING AUTHORITY AGENDA

TUESDAY, 11 JUNE 2019



GLENORCHY CITY COUNCIL

QUALIFIED PERSON CERTIFICATION

The General Manager certifies that, in accordance with section 65 of the *Local Government Act 1993*, any advice, information and recommendations contained in the reports related to this agenda have been prepared by persons who have the qualifications or experience necessary to give such advice, information and recommendations.

A handwritten signature in blue ink, appearing to read 'Tony McMullen', is positioned above a horizontal line.

Tony McMullen
General Manager

5 June 2019

- * **Aldermen with an interest or concern in relation to a particular item on this Agenda, are invited to attend the meeting.**
- * **All application information is available to Aldermen for inspection upon request to the relevant Planning Officer.**

Chairperson: Alderman K. Johnston

Hour: 5.00 p.m.

TABLE OF CONTENTS:

1.	PLANNING AUTHORITY DECLARATION	3
2.	APOLOGIES/LEAVE OF ABSENCE.....	3
3.	PECUNIARY INTERESTS.....	3
4.	CONFIRMATION OF MINUTES	3
5.	PROPOSED USE AND DEVELOPMENT - TELECOMMUNICATIONS INFRASTRUCTURE (UTILITIES) - KING GEORGE V PARK 1B ANFIELD STREET GLENORCHY.....	4
6.	PROPOSED USE AND DEVELOPMENT - CHANGE OF USE TO HIRE OF MACHINERY AND EQUIPMENT (EQUIPMENT AND MACHINERY SALES AND HIRE) - 94 GROVE ROAD GLENORCHY	34
	CLOSED TO MEMBERS OF THE PUBLIC	67
7.	APPEALS REPORT	67

1. PLANNING AUTHORITY DECLARATION

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

2. APOLOGIES/LEAVE OF ABSENCE

3. PECUNIARY INTERESTS

4. CONFIRMATION OF MINUTES

That the minutes of the Glenorchy Planning Authority Meeting held on 13 May 2019 be confirmed.

**5. PROPOSED USE AND DEVELOPMENT -
TELECOMMUNICATIONS INFRASTRUCTURE (UTILITIES) - KING
GEORGE V PARK 1B ANFIELD STREET GLENORCHY**

Author: Planning Officer (Angela Dionysopoulos)

Qualified Person: Planning Officer (Angela Dionysopoulos)

Property ID: 743175

REPORT SUMMARY:

Application No.:	PLN-19-097
Applicant:	Service Stream Limited
Owner:	Glenorchy City Council
Zone:	Recreation
Use Class	Utilities
Application Status:	Discretionary
Discretions:	18.3.1 Hours of Operation, 18.3.4 Commercial and Patron Vehicle Movements, 18.4.3 Design, 18.3.4 Commercial and Patron Vehicle Movements, 18.4.4 Passive Surveillance, E15.7.4 Riverine Inundation Hazard Areas, E19.7.1 Shared Use and Co-Location, E19.7.2 Visual Amenity (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	12 June 2019
Existing Land Use:	Sports and recreation
Proposal In Brief:	Telecommunications Infrastructure (Utilities)
Representations:	Two
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL:

PROPOSAL

The application proposes construction of telecommunications infrastructure comprising a new light pole with attached antennae, and an associated equipment shelter.

The proposed structure has a height of 42.3m. Six panel antennae, each with a length of 2.53m, are proposed to be attached to a triangular headframe at the top of the pole, along with ancillary equipment including nine Remote Radio Units, three Interface Junction Boxes and three Tower Mounted Amplifiers.

An existing light pole in proximity to the proposed development will be removed. The existing floodlights are proposed to be installed at the same height on the new light pole.

Partial excavation of an existing embankment is proposed for the site of the equipment shelter, along with minor excavations for ancillary telecommunications facilities including provision of underground power and fibre routes.

The proposed equipment shelter has horizontal dimensions of 3.56m x 2.56m and a height of 3m, and is to be located approximately 15m to the east of the proposed pole, adjacent to an existing access track. A retaining wall with a maximum height of 2.5m is proposed to retain the cut.

SITE and LOCALITY

The site is a Council-owned, 6.166Ha lot containing the King George V Park sportsground and associated facilities (Figure 1).

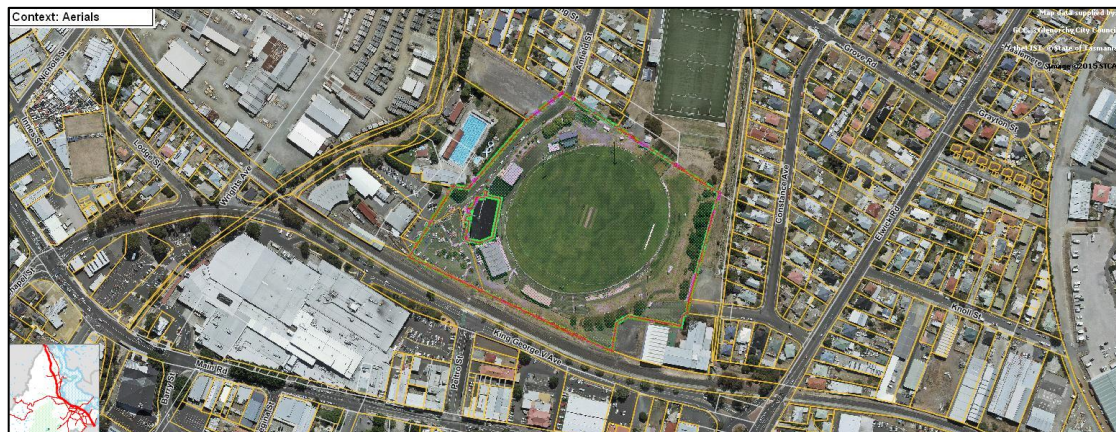


Figure 1 - Aerial photograph of the site (highlighted) and surrounds – Council database 2015

The site adjoins a railway corridor and bike path to the south, in proximity to the Glenorchy Activity Centre including Northgate to the south-west. The site shares boundaries with a Council-owned soccer ground and aquatic centre, a YMCA sports centre, the Tasmanian Transport Museum and the Barossa Creek Reserve. Residential development is located to the north and east of the site.

ZONE

The site is wholly within in the Recreation Zone (Figure 2).



Figure 2 – The site is in the Recreation Zone (lime). The site adjoins land in the Inner Residential Zone (maroon), Environmental Management Zone (teal) and Utilities Zone (yellow). Light Industrial-zoned land (fuchsia) is located to the north-west, and Central Business-zoned land (medium blue) is located to the south. – Glenorchy Interim Planning Scheme 2015

BACKGROUND

PLN-10-312.01 Permit for sportsground lighting, scoreboard, telecommunications antenna and equipment shelter approved 15/11/2010. The approved antenna had a height of 33.5m, and was to be located along with an equipment shelter at the northern end of the site.

PLN-13-074.01 Removal of 12 heritage listed trees approved 22/07/2013.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

There are no inconsistencies with any other State Policies or with the objectives of the *Land Use Planning and Approvals Act 1993* (LUPAA).

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

5.3 Minor Telecommunications

Clause 5.3 provides an exemption for certain telecommunications works, including development of low impact facilities.

The Determination states that under Schedule 3, Part 1, subsections 6 (4), (5) and (7) of the *Telecommunications Act 1997*, a tower that is not attached to a building, and new mobile telecommunications towers, are not low-impact facilities.

The proposed antenna is on a new tower that is not attached to a building, and therefore cannot be a low-impact facility in accordance with the *Telecommunications Act 1997*. The proposal does not meet any of the other criteria for exemption as minor telecommunications. The exemption does not apply.

5.7 Emergency Works

Clause 5.7 provides an exemption for certain urgent works as a result of an emergency situation. The application proposes 24x7 access for commercial vehicles for the purposes of emergency works, if required. However, the clause applies only to works required or authorised by or on behalf of the State Government, a Council, a statutory authority or a corporation all the shares of which are held by or on behalf of the State or by a statutory authority. The proponent is a private company and not a statutory authority, and the exemption does not apply.

Limited Exemptions

6.1 Minor Structures and Outbuildings

The proposed equipment shelter has a length of 3.56m, which exceeds 3m and is therefore not exempted in accordance with Clause 6.1.

Planning Scheme Operation (Does a SAP or Code override Zone provisions?)

No Specific Area Plan applies. The Parking and Access Code, Inundation Prone Areas Code and Telecommunications Code apply, and therefore prevail over the zone provisions, where there is any conflict.

Use Class Description (Table 8.2):

The use class is **Utilities**, which means use of land for utilities and infrastructure including telecommunications; electricity generation; transmitting or distributing gas, oil, or power; transport networks; collecting, treating, transmitting, storing or distributing water; or collecting, treating, or disposing of storm or floodwater, sewage, or sullage. Examples include an electrical sub-station or powerline, gas, water or sewerage main, optic fibre main or distribution hub, pumping station, railway line, retarding basin, road, sewage treatment plant, storm or flood water drain, water storage dam and weir.

Other relevant definitions (Clause 4.1):

Act means the *Land Use Planning and Approvals Act 1993*.

Building means as defined in the Act. The Act defines building to include service installations.

Gross floor area means the total floor area of the building measured from the outside of the external walls or the centre of a common wall.

Minor utilities means use of land for utilities for local distribution or reticulation of services and associated infrastructure such as a footpath, cycle path, stormwater channel, water pipes, retarding basin, telecommunication lines or electricity substation and power lines up to but not exceeding 110Kv.

The proposed telecommunications antennae and associated equipment are considered comparable in nature and scale to telecommunications lines and electricity substations, and therefore meet the definition for minor utilities, notwithstanding that they are not low-impact facilities, and therefore do not meet the exemption for minor telecommunications, as detailed above.

Use means as defined in the Act. The Act defines use, in relation to land, to include the manner of utilising land, but does not include the undertaking of development.

In accordance with Clause 4.1.1, the following terms are not defined in the Act or the Scheme, and therefore have their ordinary meaning:

ADT means average daily traffic¹.

Low-impact facilities means as defined in Part 3 of the *Telecommunications (Low-impact Facilities) Determination 1997*².

Monopole means a radio aerial made of a metal rod electrically connected at one end³. In the context of this proposal, the term refers more generally to the proposed light pole structure with attached antennae, in accordance with the use of the term in proposal documentation.

Non-habitable building is defined in the National Construction Code as follows:

- Class 10 buildings are non-habitable buildings or structures.
 - Class 10a buildings are non-habitable buildings including sheds, carports and private garages.
 - Class 10b buildings are structures such as fences, antennae, retaining walls or swimming pools.
 - Class 10c buildings are private bushfire shelters.

Statutory authority means a government agency created by an act of parliament, with the legal status of a corporate body with an independent legal existence⁴.

Tower means a tower, pole or mast⁵.

Part C: Special Provisions

No special provisions of the Scheme apply to this proposal.

Part D: Zones

The land is within the Recreation Zone and the following Scheme zone purpose statements, use table, use standards and/or development standards apply to this proposal.

¹ https://definedterm.com/average_daily_traffic_adt

² <https://www.legislation.gov.au/Details/F2012C00177>

³ 2001, Macquarie Dictionary, Revised Third Edition, Macquarie Library, N.S.W., p. 1235

⁴ 2001, Macquarie Dictionary, Revised Third Edition, Macquarie Library, N.S.W., p. 1838

⁵ <https://www.legislation.gov.au/Details/F2012C00177>

Zone Purpose Statements

The purpose of the Recreation Zone is to provide for a range of active and organised recreational use or development and complementary uses that do not impact adversely on the recreational use of the land; and encourage open space networks that are linked through the provision of walking and cycle trails.

The proposed development accords with the zone purpose as it shares infrastructure required for the recreational use of the sports ground, and does not interfere with that use.

Use Table

Utilities use for minor utilities has 'no permit required' status in the zone. However, the proposal is discretionary owing to reliance on performance criteria for compliance with the standard for Hours of Operation, Commercial and Patron Vehicle Movements, Design, Commercial and Patron Vehicle Movements, Passive Surveillance, Riverine Inundation Hazard Areas, Shared Use and Co-Location and Visual Amenity.

Use Standards*18.3.1 Hours of Operation (A1)*

Acceptable Solution A1 requires that hours of operation of a use within 50m of a residential zone must be within:

- (a) 7.00 am to 8.00 pm Mondays to Fridays inclusive;
- (b) 8.00 am to 6.00 pm Saturdays;
- (c) 10.00 am to 5.00 pm Sundays and Public Holidays;

except for office and administrative tasks.

The site is within 50m of a residential zone, and the proposed telecommunications infrastructure will operate 24x7. The proposal relies on Performance Criterion P1 for compliance with the standard.

Performance Criterion P1 requires that hours of operation of a use within 50m of a residential zone must not have an unreasonable impact upon the residential amenity of land in a residential zone through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent.

Commercial vehicle movements are proposed to be limited to six times per annum. Visits are proposed to be undertaken in a standard 4WD vehicle. The low frequency of proposed vehicle movements, and the use of a standard vehicle, are considered not to cause an unreasonable impact on nearby residential amenity.

The proposed aerial facility is located approximately 84m from the nearest residential use, has no moving parts and will not generate any noise through its operation. The proposed equipment shelter includes an air conditioning unit which generates a similar noise level to domestic air conditioning equipment. The proposed equipment shelter is to be located within a cut in an existing embankment, which will mitigate any noise generated.

The proposal is assessed as meeting the performance criteria and complies with the standard.

18.3.4 Commercial and Patron Vehicle Movements (A1)

Acceptable Solution A1 requires that commercial and patron vehicle movements, (including loading and unloading and garbage removal), to or from a site within 50m of a residential zone must be within the hours of:

- (a) 7.00 am to 9.00 pm Mondays to Fridays inclusive;
- (b) 8.00 am to 7.00 pm Saturdays;
- (c) 10.00 am to 6.00 pm Sundays and Public Holidays.

Commercial vehicle movements for routine maintenance visits are proposed to be within these hours. No patron vehicle movements are generated by the proposal.

However, the application also proposes 24x7 access to the site for emergency works, if required, and the proposal therefore relies on Performance Criterion P1 for compliance with the standard.

Performance Criterion P1 requires that commercial and patron vehicle movements, (including loading and unloading and garbage removal), to or from a site within 50 m of a residential zone must not result in unreasonable adverse impact upon residential amenity having regard to all of the following:

- (a) *the time and duration of commercial vehicle movements;*

The vast majority of commercial vehicle movements are proposed to be during the day. The duration of the vehicle being in operation is expected to be short.

- (b) *the number and frequency of commercial vehicle movements;*

Approximately six site visits per year are proposed for maintenance visits. Potential emergency access is expected to be infrequent.

- (c) *the size of commercial vehicles involved;*

Supporting information for the application states that visits will be undertaken in a standard 4WD vehicle. Occasional use of an elevated work platform may be required.

- (d) *the ability of the site to accommodate commercial vehicle turning movements, including the amount of reversing (including associated warning noise);*

Ample onsite turning area is provided, requiring only a limited amount of reversing.

- (e) *noise reducing structures between vehicle movement areas and dwellings;*

There are no noise reducing structures identified between the area in which vehicle movements are to occur, and nearby dwellings to the east of the site. However, the YMCA building is located between the area where vehicles are likely to turn, and the nearest dwellings to the south-east of the site.

- (f) *the level of traffic on the road;*

The adjoining road, Constance Avenue, is not identified as a high-traffic volume road in Council's database. Council traffic count information indicates an ADT of 369 for the road near the site.

(g) *the potential for conflicts with other traffic.*

Supporting material for the application indicates that the proponent will seek appropriate consents and traffic management to/from site, if there is a requirement for use of an elevated work platform. Otherwise, the likelihood of traffic conflicts is low, given the low traffic volumes nearby and the infrequency of proposed vehicle movements.

The proposal is assessed as meeting the performance criteria and complies with the standard.

The proposal complies with the acceptable solutions for all the remaining applicable zone use standards, as detailed at Appendix A.

Development Standards for Buildings or Works

18.4.3 Design (A1)

Acceptable Solution A1 requires that any single expanse of blank wall in façades facing public spaces must not be greater than 50% of the length of the façade. The proposed equipment shelter is located within a public space and has blank walls extending the full length of the façade. A Planning Assessment Report⁶ for the application notes that no windows will be required for the building. The proposal therefore relies on Performance Criterion P1 for compliance with the standard.

Performance Criterion P1 requires that building design must enhance the streetscape by satisfying a range of design requirements. The proposed equipment shelter has a substantial setback from the site boundary and will not be visible from the streetscape. In addition, the proposed building is small, with a maximum horizontal dimension of 3.56m, and will be partially set into existing earth mounding, such that the building will be visible primarily only when passing through the access track to and from the south-eastern car park at the site.

The objective of the standard is to ensure that building design contributes positively to the streetscape, the amenity and safety of the public and adjoining land in a residential zone. The proposed building will not be visible from most aspects; will shield mechanical plant and miscellaneous equipment from public sight; and is to be constructed with an anti-graffiti protective coating. It is considered that the proposal meets the performance criteria and complies with the standard.

18.4.4 Passive Surveillance (A1)

Acceptable Solution A1 includes a requirement that new buildings must provide window and door openings at ground floor level in the façade of any wall which faces a public space, which amount to no less than 30% of the surface area of the ground floor level façade. The proposed equipment shelter does not have openings equating to 30% in the façade facing the public access track, and the proposal relies on Performance Criterion P1 for compliance with the standard.

⁶ Service Stream – Mobile Communications, *Planning Assessment: Proposed Telstra Mobile Telecommunications Facility at King George C Park, 1B Anfield Street, Glenorchy Tas 7010*, April 2019

Performance Criterion P1 requires that building design must provide for passive surveillance of public spaces by satisfying all of the following:

- (a) *provide the main entrance or entrances to a building so that they are clearly visible from nearby buildings and public spaces;*

The entrance to the building is located on the eastern façade, which faces onto the adjoining public access track.

- (b) *locate windows to adequately overlook the street and adjoining public spaces;*

The planning report for the proposal states that no windows are required. Considering the infrequency of anticipated access to the building (approximately than six times per annum), this is considered adequate.

- (c) *incorporate shop front windows and doors for ground floor shops and offices, so that pedestrians can see into the building and vice versa;*

Not applicable. The proposed building is not a shop or office.

- (d) *locate external lighting to illuminate any entrapment spaces around the building site;*

No external lighting of the equipment shelter is proposed. Although the proposed building includes a 3.6m long x 1m wide space out of public view, between the rear of the building and the proposed retaining wall, the space is open-ended with access from either end and is therefore not considered to be an entrapment space.

- (e) *provide external lighting to illuminate car parking areas and pathways;*

Not applicable. No new or changed car parking areas or pathways are proposed.

- (f) *design and locate public access to provide high visibility for users and provide clear sight lines between the entrance and adjacent properties and public spaces;*

Not applicable. The proposed building will not be publicly accessible.

- (g) *provide for sight lines to other buildings and public spaces.*

The obtuse angle of the return walls at each end of the alcove within which the equipment shelter is to be located will assist in providing some degree of visibility from the adjoining public access track, and may reduce the likelihood of the area being targeted by predators.

The proposal is assessed as meeting the performance criteria and complies with the standard.

The proposal complies with the acceptable solutions for all the remaining applicable zone development standards, as detailed at Appendix A.

Part E: Codes

The following codes of the Scheme apply to this proposal:

E6.0 Parking and Access Code

The Parking and Access Code applies to all use and development. However, no change to access or parking provision or requirements is proposed, and none of the standards of the code applies.

E11.0 Waterway and Coastal Protection Code

The Waterway and Coastal Protection Code applies to development on land within a Waterway and Coastal Protection Area. The site is partly within a Waterway and Coastal Protection Area (Figure 3).

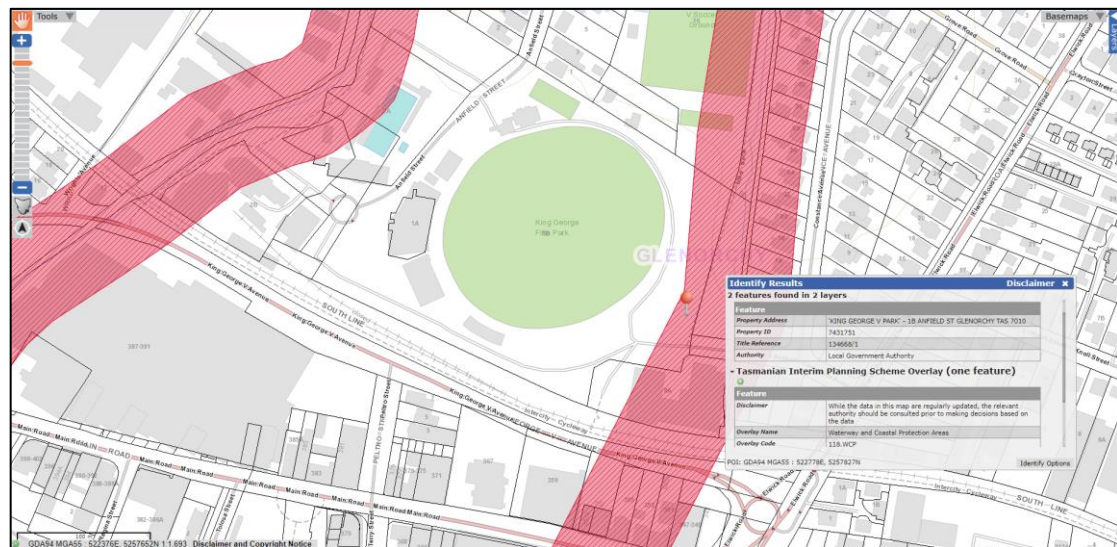


Figure 3 – The site is partly within a Waterway and Coastal Protection Area (red hatch) – Glenorchy Interim Planning Scheme 2015

However, no development within the protected area is proposed, and the code does not apply.

E15.0 Inundation Prone Areas Code

The Inundation Prone Areas Code applies to development on land subject to risk of riverine flooding of 1% AEP or more.

The site is within an area that is subject to risk of riverine flooding (Figure 4), and the code applies.

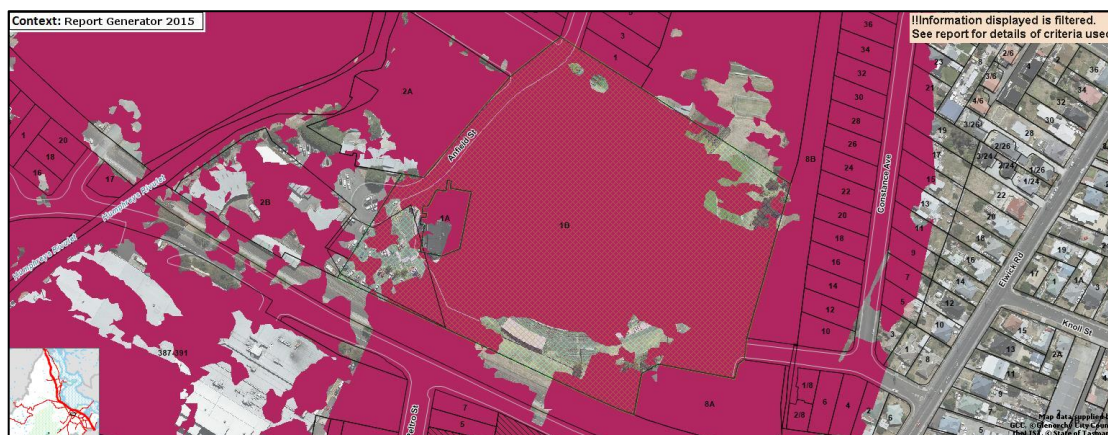


Figure 4 – Inundation map of the site – Council database 2015

E15.7.4 Riverine Inundation Hazard Areas (A3)

Acceptable Solution A3 requires that the total floor area of all non-habitable buildings on a site must be no more than 60m². The site contains more than 60m² of non-habitable buildings, with an additional 9.11m² floor area proposed for the equipment shelter. The proposal relies on Performance Criterion P3 for compliance with the standard.

Performance Criterion P3 requires that a non-habitable building must satisfy all of the following:

- (a) risk to users of the site, adjoining or nearby land is acceptable;
- (b) risk to adjoining or nearby property or public infrastructure is acceptable;
- (c) need for future remediation works is minimised;
- (d) provision of any developer contribution required pursuant to policy adopted by Council for riverine flooding protection works.

The site is large, in excess of 6Ha, and the area of non-habitable buildings on the site is a relatively small proportion of the site area. The proposed equipment shelter will rarely be attended. In the event of a flood, it is expected that any planned use of the sports field would be cancelled and the site would be unattended. The embankment on which the light pole is to be located has a northerly slope angling away from the nearest building, being the YMCA building at 8A Constance Avenue, at a distance of approximately 37m, and it is considered unlikely that the proposed development would propose a risk to that building. Finally, there is no Council policy requiring a developer contribution with respect to flooding protection works.

The objective of the standard is to ensure that risk from flooding is appropriately managed and takes into account the use of the buildings. The proposed development is not considered to cause any additional risk to nearby land, infrastructure or users in the case of a potential flood event.

The proposal is assessed as meeting the performance criteria and complies with the standard.

The proposal complies with the acceptable solutions for all the remaining applicable standards of the code, as detailed at Appendix B.

E19.0 Telecommunications Code

The Telecommunications Code applies to development for telecommunication facilities. New telecommunication facilities are proposed, and the code applies.

E19.7.1 Shared Use and Co-Location (A1)

Acceptable Solution A1 requires that a new antenna must be located on an existing tower. Six alternative sites using existing infrastructure were considered by the applicant (Figure 5).

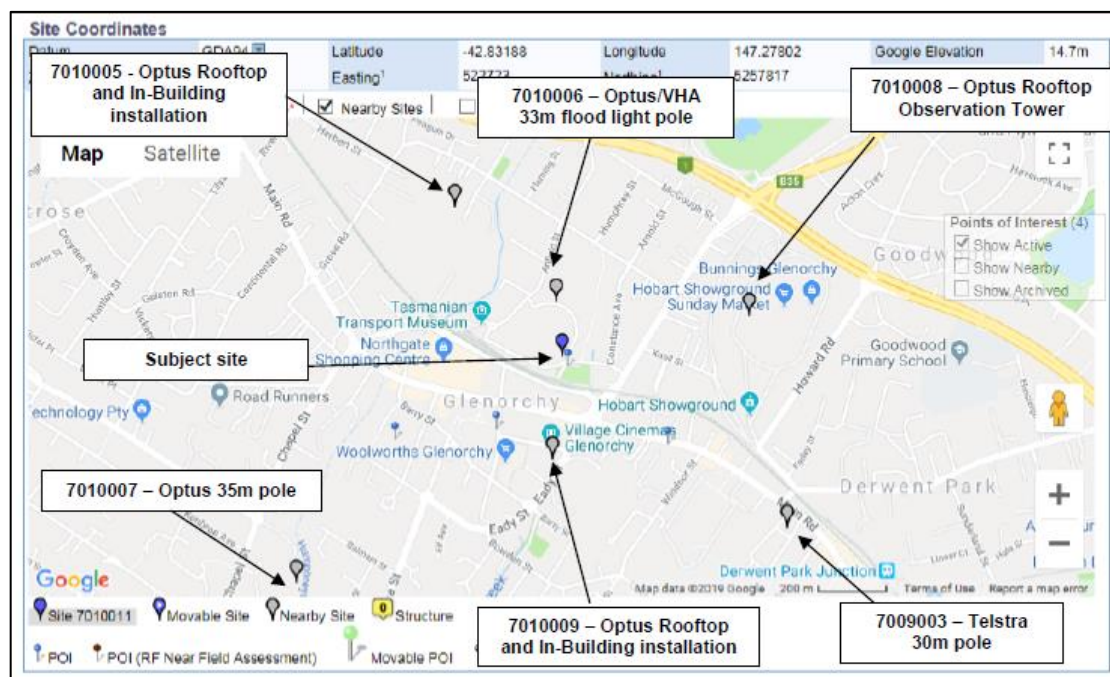


Figure 5 – Snapshot of Figure 1 from the applicant's Planning Assessment Report (p.7) showing the location of existing infrastructure considered for colocation – PLN-19-097

A new tower is proposed, and the proposal relies on Performance Criterion P1 for compliance with the standard.

Performance Criterion P1 requires that a new antenna may be located on a new tower if it is impracticable to co-locate on an existing tower, having regard to the following:

- (a) *no existing tower is located within the telecommunications network area with technical capacity to meet the requirements for the antenna;*

The Planning Assessment Report states that locations 7009003, 7010005, 7010007 and 7010009 would not achieve the required coverage.

- (b) *no existing tower is located within the telecommunications network area with sufficient height to meet the requirements of the antenna;*

The Planning Assessment Report states that location 7010008 does not have sufficient height to provide the required network capacity.

- (c) *no existing tower is located within the telecommunications network area with sufficient structural strength to support the proposed antenna and related equipment;*

The Planning Assessment Report states that location 7010006, and the existing flood light poles at the site, do not have sufficient structural strength to support the proposed antenna.

- (d) *there is risk of electromagnetic interference between the antenna and an existing antenna on an existing tower;*

No risk of electromagnetic interference between antennae was identified.

- (e) *there are other limiting factors that render existing towers unsuitable.*

A swap out of the existing 7010006 light pole facility, which hosts existing Vodafone and Optus equipment at the northern end of the site, was considered. However, additional height would be required and this was not considered to be the preferred option as it would impact on the uniformity of the existing floodlights.

In summary, existing towers in the area were assessed and were not deemed suitable for the proposed antennae. The proposal is assessed as meeting the performance criteria and complies with the standard.

E19.7.2 Visual Amenity (A1)

Acceptable Solution A1 requires that telecommunications infrastructure must be within existing utility corridors and sites and use existing infrastructure. The proposed infrastructure is not located within an existing utility corridor and does not use existing infrastructure, while proposed equipment housing is visible from public land. The proposal relies on Performance Criterion P1 for compliance with the standard.

Performance Criterion P1 requires that the location of telecommunications infrastructure not complying with A1 must ensure any detrimental impact upon visual amenity is minimised by reducing the prominence of telecommunications infrastructure, and important public views such as vistas to significant public buildings, streetscapes and heritage areas are protected.

The proposed light pole has a width of approximately 1.2m, which will not impede any views to buildings, streetscapes or heritage areas. The locality is effectively flat, with a minimal gradient of approximately 1 in 46, such that no significant views or vistas exist within the area. Further, the prominence of the proposed infrastructure is mitigated by the presence of existing light poles of a similar height at the site, one of which will be removed as part of the proposed development. Nearby existing trees on the site are not proposed to be removed.

Muted, non-reflective surfaces are proposed. A condition is recommended accordingly.

The proposal is assessed as meeting the performance criteria and complies with the standard.

E19.7.2 Visual Amenity (A2)

Acceptable solution A2 requires the height above natural ground level to be no more than 20m in the Recreation Zone. A proposed total height of 42.3m is proposed, and the proposal relies on Performance Criterion P2 for compliance with the standard.

Performance Criterion P2 requires that height above natural ground level not complying with A2 must satisfy all of the following:

- (a) *the predominant height of existing infrastructure or vegetation in the immediate vicinity is above the specified height limit;*

Existing light poles located on the site have heights well in excess of the 20m height limit for the zone.

- (b) *there is no adverse impact on heritage or ecological values, or visual amenity of the locality;*

The site is not a Heritage Place and does not contain any ecological values. The proposed structure accords with existing development at the site and is not considered to adversely impact on visual amenity.

- (c) *it is critical for the role of the facility within the telecommunications network.*

The proposal states that in order to operate optimally, a telecommunications facility must achieve line of sight; that the site selected is the most optimal location to achieve coverage to the area; and the proposed height is the minimum required to achieve the mobile coverage objectives. Further, the height provides for separation of the antennae, for safety and maintenance purposes, from the flood lights, which are to be installed at the same height as on the existing pole.

The proposal is assessed as meeting the performance criteria and complies with the standard.

The proposal complies with the acceptable solutions for all the remaining applicable standards of the code, as detailed at Appendix C.

E24.0 Significant Trees Code

The Significant Trees Code applies to the lopping, pruning, removal or destruction of listed Significant Trees.

The Scheme lists 12 Significant Trees at the site (Figure 6).

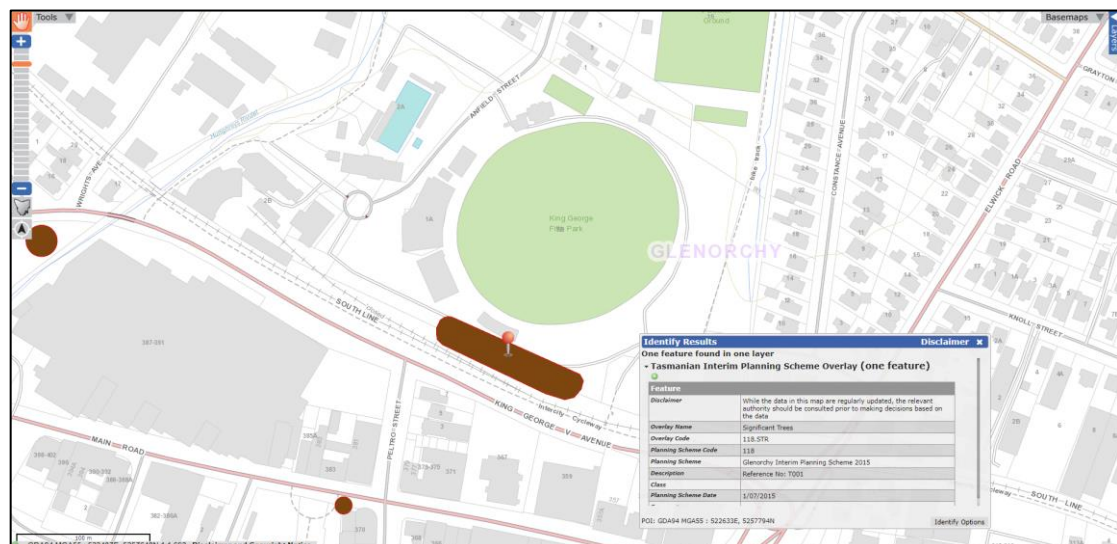


Figure 6 – Twelve Significant Trees (brown fill) are listed on the site – Glenorchy Interim Planning Scheme 2015

However, the trees were removed as approved in accordance with PLN-13-074.01; and no impacts on any trees are proposed as part of the application. The code does not apply.

PART F: Specific Area Plans

No Specific Area Plan applies to the site.

INTERNAL REFERRALS

Development Engineer

Council's Development Engineer has reviewed the proposal and deemed that no referral was necessary.

Environmental Health Officer

Council's Environmental Health Officer has reviewed the proposal and made the following comments.

Environmental Health has assessed this application against the relevant sections of the *Glenorchy Interim Planning Scheme 2015*.

This development is located approximately 95 metres from the boundary of the closest residential zone; based on the proposal it is expected that this development will comply with 18.3.2 noise acceptable solution A1. It is however recommended that 18.3.2 A1 be placed on the permit as a condition to ensure this remains the case.

EXTERNAL REFERRALS

TasWater

The proposal was referred to TasWater. A response was received advising that no referral was required.

TasGas (Enwave)

The proposal was referred to TasGas. A response was received advising that TasGas has no objection to the proposal and does not recommend any conditions or advice.

TasNetworks

The proposal was referred to TasNetworks. A response was received advising that TasNetworks has no objection to the proposal provided the development is constructed in accordance with the proposal plans; and that if the development is modified, a new proposal detailing the changes must be provided to TasNetworks for reassessment.

REPRESENTATIONS

The application was advertised for the statutory 14-day period with two representations being received. The issues raised are as follows.

1. Visual amenity

One representation states that the proposed structure will be unsightly and highly visible.

Planner's Comment:

This report addresses this issue under the E19.7.2 Visual Amenity standard owing to the location and height of the proposed structure. The proposal has been assessed as complying with the performance criteria for the standard, because its prominence is reduced by being consistent with the existing development at the site.

2. Potential impact on nearby residential property values

One representation is concerned that visual impacts may affect nearby property values.

Planner's Comment:

There are no applicable standards within the Scheme that relate to this issue. This issue is not a planning issue that can be considered as part of this application.

Nevertheless, the applicant has provided supporting information stating that improved mobile coverage is likely to benefit the community, for example by supporting the local economy.

3. Proximity to nearby residents and workers/concern regarding electromagnetic energy levels and potential health impacts

The representations are concerned about potential health impacts from electromagnetic energy.

Planner's Comment:

There are no applicable standards within the Scheme that relate to this issue. This issue is not a planning issue that can be considered as part of this application.

Nevertheless, the applicant has provided supporting information advising that:

- The proposed facilities must comply with the prescribed health standards developed by the Federal Government's Australian Radiation Protection and Nuclear Safety Agency (ARPANSA);
- ARPANSA uses the World Health Organisation's recommended safety standard for Radio Frequency Electro-Magnetic Emissions (RF EME);
- The safety standard is precautionary and limits the network signal to a level low enough to protect all people, animals and livestock, in all environments, 24 hours per day;
- The maximum cumulative EME level from the proposed facility would be 0.34% of the ARPANSA exposure limit.

4. Need for service/extent of local demand for 5G services

One representation questions whether there is sufficient local demand for 5G services, to justify the proposal.

Planner's Comment:

The current application proposes the installation of 4G technology, not 5G technology. The applicant states that the proposed infrastructure is an important part of the proponent's upgrade program in the area, to service increasing customer demand as urban development in the area expands. The proposal is designed to provide maximum coverage and capacity while reducing the need for multiple sites in Glenorchy and surrounds.

The performance criteria for the E19.7.2 Visual Amenity standard includes consideration of whether the height of the infrastructure is critical for the role of the facility within the telecommunications network. The proposal has been assessed in this report as complying with the performance criteria for the standard.

5. Proximity of other existing towers/consideration of alternative sites

One representation suggests that insufficient consideration has been given to alternative sites.

Planner's Comment:

This report addresses this issue under the E19.7.1 Shared Use and Co-Location standard. The proposal has been assessed as complying with the performance criteria for the standard because it is impracticable to co-locate on an existing tower.

6. Potential for radio interference to other services

One representation is concerned with whether radio interference of the planned service to other services will be caused.

Planner's Comment:

There are no applicable standards within the Scheme that relate to this issue. This issue is not a planning issue that can be considered as part of this application.

Nevertheless, the applicant has provided supporting information advising that the proposed facility will operate at a unique frequency and will not have any effect on the operation of any other transmission frequencies.

7. Potential for future expansion of the service without requiring additional approvals

One representation is concerned that there is scope for future expansion of capacity at the site without requiring further approvals.

Planner's Comment:

The E19.7.1 Shared Use and Co-Location standard requires provision for new infrastructure to accommodate comparable additional users, in order to minimise the proliferation of such structures.

The E19.0 Telecommunications Code applies to development for telecommunications facilities, and does not provide any exemptions. Any potential future development of telecommunications facilities at the site would require a planning permit, unless exempted under the general exemption 5.3 Minor Telecommunications, which provides exemption exclusively for:

Telecommunications works within the scope of any of the following:

- (a) development of low impact facilities as defined in Part 3 of the Telecommunications (Low-impact Facilities) Determination 1997;*
- (b) works involved in the inspection of land to identify suitability for telecommunications infrastructure;*
- (c) development of a facility that has been granted a facility installation permit by the Australian Communications and Media Authority;*

- (d) works involved in the maintenance of telecommunication infrastructure;*
- (e) works meeting the transitional arrangements as defined in Part 2 of Schedule 3 of the Telecommunications Act 1997;*
- (f) feeder and distribution optical fibre cables not exceeding 18mm in diameter and with attached messenger wires on existing poles; or*
- (g) the connection of a line forming part of a telecommunications network to a building, caravan or mobile home including drop cabling of optic fibre networks.*

It is noted that Part 3 of the *Telecommunications (Low-impact Facilities) Determination 1997* defines a range of low-impact facilities, including panel, yagi or other like antenna, omnidirectional antennas, and radiocommunications dishes and facilities, but does not include:

- An extension to a tower unless in an Industrial or Rural Area;
- Designated overhead lines
- A tower that is not attached to a building;
- A tower attached to a building and more than 5 metres high; or
- New mobile telecommunications towers.

8. Need for further community consultation

One representation sought community consultation on the proposal.

Planner's Comment:

The application was advertised for the statutory period of 14 days, and notification was provided to the owners/occupants of adjoining land, in accordance with the *Land Use Planning and Approvals Act 1993*.

In addition a community workshop was facilitated by Council; however this process is extraneous to the planning assessment process.

CONCLUSION

The proposal relies on performance criteria for compliance with the standards for Hours of Operation, Commercial and Patron Vehicle Movements, Design, Commercial and Patron Vehicle Movements, Passive Surveillance, Riverine Inundation Hazard Areas, Shared Use and Co-Location and Visual Amenity. The proposal is assessed as satisfying the performance criteria and complies with the standards. The proposal is assessed as complying with all other use and development standards in the Recreation zone, as well as the applicable standards of the Parking and Access Code, Inundation Prone Areas Code and Telecommunications Code. The application was publicly advertised for the statutory 14-day period and two representations were received. The representations were considered and addressed. It is concluded that the proposal is consistent with the requirements of the Scheme and is satisfactory.

Recommendation:

That a permit be granted for the proposed use and development of Telecommunications Infrastructure (Utilities) at King George V Park 1b Anfield Street Glenorchy subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-19-097 and Drawing No. P1 submitted on 10/04/2019, except as otherwise required by this permit.
2. The infrastructure must be muted in colour and must have a light reflectance value no greater than 40%.
3. The pole must be structurally and technically designed to accommodate comparable additional users.

Environmental Health

4. 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 and 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.

Other Permits

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 2016* 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.

Approved plans

The approved plans include a note stating that the drawing could be subject to change. As specified in Condition 1 of this permit, the permit is approved for use and development substantially in accordance with Drawing No. P1 submitted on 10/04/2019. Any changes to the approved plans may require a Section 56 Amendment or a new planning permit application.

APPENDIX A**18.0 Recreation Zone**

Standard	Acceptable Solution	Proposed	Complies?
18.3 Use Standards			
18.3.1 Hours of Operation	A1 Hours of operation of a use within 50m of a residential zone must be within: (a) 7.00 am to 8.00 pm Mondays to Fridays inclusive; (b) 8.00 am to 6.00 pm Saturdays; (c) 10.00 am to 5.00 pm Sundays and Public Holidays; except for office and administrative tasks.	Not applicable. The proposed development is located approximately 90m from the nearest residential zone.	NA
18.3.2 Noise	A1 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 and 7.00 am; (c) 65dB(A) (LAmax) 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.	The proposed antennae and equipment to be installed on the light pole have no moving parts and will not generate any noise. Vehicular traffic for maintenance will be no more than six times per annum and will use a standard 4WD vehicle. Council's Environmental Health Officer has reviewed the proposal and does not object on this basis.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	A2 External amplified loud speakers or music must not be used within 50 m of a residential zone, except if a school system used for school announcements.	Not applicable. No external amplified speakers or music are proposed.	NA
18.3.3 External Lighting	A1 External lighting, other than flood lighting of sport and recreation facilities, within 50 m of a residential zone must comply with all of the following: (a) be turned off between 9:00 pm and 6:00 am, except for security lighting; (b) security lighting must be baffled to ensure they do not cause emission of light outside the zone.	Not applicable. Existing, previously approved flood lighting of sport and recreation facilities will be reinstated approximately 4m to the west of its existing location, approximately 90m from the nearest residential zone.	NA
	A2 Flood lighting of sport and recreation facilities within 200 m of a residential zone must not subject nearby residential lots to obtrusive light, as defined in AS 4282-1997-1.4.7.	Existing, previously approved flood lighting will be relocated onto the proposed new light pole, which is to be located approximately 4m to the west of the existing light pole, which is to be removed. The relocation will result in a marginal change to the orientation of the lights and is not expected to impact on residential lots. Council's Environmental Health Officer has reviewed the proposal and does not object on this basis.	Yes
18.3.4 Commercial and Patron Vehicle Movements	A1 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must be within the hours of: (a) 7.00 am to 9.00 pm Mondays to Fridays inclusive; (b) 8.00 am to 7.00 pm Saturdays;	The site adjoins a residential zone, with vehicular access to the proposed development being located approximately 36m from the nearest residential use. 24x7 access for emergency works is proposed.	No

Standard	Acceptable Solution	Proposed	Complies?
	(c) 10.00 am to 6.00pm Sundays and Public Holidays.		
18.3.5 Discretionary Use	A1 No Acceptable Solution	No acceptable solution is provided for discretionary use.	No
18.4 Development Standards for Buildings and Works			
18.4.1 Building Height	A1 Building height must not be more than: (a) 10m. (b) 15m if in the KGV Sports and Community Precinct and 10m or more from that Precinct boundary other than a boundary with a residential zone.	The light pole and antenna have a proposed height of 41.7m. However, the standard conflicts with standard E19.7.2 Visual Amenity (A2) under the E19.0 Telecommunications Code. The code standard prevails, and the zone standard does not apply.	NA
	A2 Building height within 10 m of a residential zone must be no more than 8.5 m.	Not applicable. The proposed structure is not within 10m of a residential zone.	NA
18.4.2 Setback	A1 Building setback from frontage must be must be no less than: (a) 5m; (b) the alignment of adjoining buildings; whichever is the lesser.	The proposed structure is located behind the alignment of existing buildings.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	A2 Building setback from a residential zone must be no less than: (a) 3 m; (b) half the height of the wall, whichever is the greater.	The proposed structure is located approximately 100m from the nearest residential zone.	Yes
18.4.3 Design	A1 Building design must comply with all of the following: (a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site; (b) for new building or alterations to an existing facade provide windows and door openings at ground floor level in the front façade no less than 40% of the surface area of the ground floor level facade; (c) for new building or alterations to an existing facade ensure any single expanse of blank wall in the ground level front façade and facades facing other public spaces is not greater than 50% of the length of the facade; (d) screen mechanical plant and miscellaneous equipment such as heat pumps, air conditioning units, switchboards, hot water units or similar from view from the street and other public spaces; (e) incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof; (f) provide awnings over the public footpath if existing on the site or on adjoining lots; (g) not include security shutters over windows or doors with a frontage to a street or public place.	The proposed equipment shelter is located in a public space and does not have any windows.	No

Standard	Acceptable Solution	Proposed	Complies?
	A2 Walls of a building facing a residential zone must be coloured using colours with a light reflectance value not greater than 40 percent.	The proposed equipment shelter does not face a residential zone and will have earth mounding to reduce its visibility. The proposed light pole will have a light reflectance value no greater than 40%.	Yes
18.4.4 Passive Surveillance	A1 Buildings design must comply with all of the following: (a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site; (b) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the front façade which amount to no less than 40 % of the surface area of the ground floor level facade; (c) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the façade of any wall which faces a public space or a car park which amount to no less than 30% of the surface area of the ground floor level facade; (d) avoid creating entrapment spaces around the building site, such as concealed alcoves near public spaces; (e) provide external lighting to illuminate car parking areas and pathways; (f) provide well-lit public access at the ground floor level from any external car park.	The proposed equipment shelter does not have openings equating to 30% of the surface area of the ground floor level façade facing the public access track.	No

18.4.5 Landscaping	A1 Landscaping must be provided along the frontage of a site (except where access is provided) unless the building has nil setback to frontage.	Not applicable. The proposal is not in proximity to the site frontage and does not impact on the existing landscaping.	NA
	A2 Along a boundary with a residential zone landscaping must be provided for a depth no less than 2 m.	Not applicable. The proposal is not in proximity to a boundary with a residential zone and does not impact on the existing landscaping.	NA
18.4.6 Outdoor Storage Areas	A1 Outdoor storage areas for non-residential uses must comply with all of the following: (a) be located behind the building line; (b) all goods and materials stored must be screened from public view; (c) not encroach upon car parking areas, driveways or landscaped areas.	Not applicable. No outdoor storage is proposed.	NA
18.4.7 Fencing	A1 Fencing must comply with all of the following: (a) fences, walls and gates of greater height than 1.5 m must not be erected within 4.5 m of the frontage; (b) fences along a frontage must be at least 50% transparent above a height of 1.2 m; (c) height of fences along a common boundary with land in a residential zone must be no more than 2.1 m and must not contain barbed wire.	Not applicable. No fencing is proposed and no walls are proposed within 4.5m of the frontage.	NA

APPENDIX B**E15.0 Inundation Prone Areas Code**

Standard	Acceptable Solution	Proposed	Complies?
E15.7 Development Standards for Buildings and Works			
E15.7.4 Riverine Inundation Hazard Areas	A1 A new habitable building must have a floor level no lower than the 1% AEP (100 yr ARI) storm event plus 300 mm.	Not applicable. No new habitable building is proposed.	NA
	A2 An extension to an existing habitable building must comply with one of the following: (a) floor level of habitable rooms is no lower than the 1% AEP (100 yr ARI) storm event plus 300 mm; (b) floor area of the extension no more than 60 m ² as at the date of commencement of this planning scheme.	Not applicable. No extension to a habitable building is proposed.	NA
	A3 The total floor area of all non-habitable buildings, outbuildings and Class 10b buildings under the Building Code of Australia, on a site must be no more than 60 m ² .	The proposed light pole/antenna is a non-habitable building, although a light pole is not considered to have a floor area. However, an equipment shelter with a floor area of 9.11m ² is proposed, and the standard applies. The total area of non-habitable buildings on the site exceeds 60m ² .	No

APPENDIX C**E19.0 Telecommunications Code**

Standard	Acceptable Solution	Proposed	Complies?
E19.7 Development Standards			
E19.7.1 Shared Use and Co-Location	A1 A new antenna must be located on an existing tower.	The proposal includes replacing an existing light pole with a new, higher light pole, on which the antenna will be located.	No
	A2 A new tower or mast must be structurally and technically designed to accommodate comparable additional users, including by the rearrangement of existing antenna and the mounting of antenna at different heights.	The planning report for the proposal states that the proposed 'monopole' will have the capacity to allow for potential additional users.	Yes
E19.7.2 Visual Amenity	A1 The location of telecommunications infrastructure must comply with all of the following: (a) be within existing utility corridors and sites and use existing infrastructure; (b) be externally finished and maintained in a neutral colour that minimises visual intrusiveness; (c) not: (i) be located on skylines that can be seen in silhouette; (ii) be aligned diagonally to the principal slope of a hill; (iii) cross at a low point of a saddle between hills; (iv) be located around the base of a hill; (v) be along the edge of an existing clearing;	The proposed infrastructure is not located within an existing utility corridor, does not use existing infrastructure, and equipment housing is visible from public land.	No

Standard	Acceptable Solution	Proposed	Complies?
	(vi) be artificially lit unless required for air navigation safety; (vii) be used for signage purposes, other than necessary warning and equipment information, (d) aerial telecommunication lines or additional supporting structures are erected and operated in residential and commercial areas only where overhead cables exist; (e) equipment housing and other visually intrusive infrastructure is screened from public view.		
	A2 Height above natural ground level must be no more than: (a) 60 metres in the Environmental Management, Rural Resource and Significant Agriculture Zones; (b) 45 metres in the General Industrial or Port and Marine Zone; (c) 40 metres in the Central Business, Commercial, Environmental Living, General Business, Major Tourism, Rural Living and Utilities Zones; (d) 20 metres in the Community Purpose, General Residential, Inner Residential, Light Industrial, Local Business, Low Density Residential, Recreation, Urban Mixed Use and Village Zones	The proposed light pole and antenna are within a Recreation Zone and have a height of 41.7m above natural ground level.	No
E19.7.3 Environmental Values	A1 Telecommunications infrastructure must not be located in an area of environmental significance.	The proposed development is not in an area of environmental significance. The Environmental Management Zone, Biodiversity Code and Waterway and Coastal Protection Code do not apply to the proposal.	Yes

Standard	Acceptable Solution	Proposed	Complies?
E19.7.4 Access	A1 Telecommunications infrastructure must not impede movement of vehicular and other modes of transport.	The proposed development has no impact on transport movement.	Yes
E19.7.5 Significant Agricultural Land	A1 Telecommunications infrastructure within the Significant Agriculture Zone must be placed on or within 2 metres of property boundaries or fence lines.	Not applicable. The site is not within the Significant Agriculture Zone.	NA

Attachments/Annexures

- 1** Attachment - 1B Anfield Street Glenorchy



6. PROPOSED USE AND DEVELOPMENT - CHANGE OF USE TO HIRE OF MACHINERY AND EQUIPMENT (EQUIPMENT AND MACHINERY SALES AND HIRE) - 94 GROVE ROAD GLENORCHY

Author: Planning Officer (Chantelle Griffin)

Qualified Person: Planning Officer (Chantelle Griffin)

Property ID: 5372647

REPORT SUMMARY:

Application No.:	PLN-19-032
Applicant:	Prime Design
Owner:	Hobart Road Pty Ltd
Zone:	Light Industrial and Inner Residential
Use Class	Equipment and Machinery Sales and Hire
Application Status:	Discretionary
Discretions:	Clause 24.3.2 Noise and Clause E6.6.3 Number of Motorcycle Parking Spaces (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	Extension granted until 12 Jun 2019
Existing Land Use:	Warehouse, Showroom, and Garden and Landscape Supplier
Proposal In Brief:	Change of use to Hire of Machinery and Equipment (Equipment and Machinery Sales and Hire)
Representations:	0
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL:

PROPOSAL

The proposal is for the change of use for the Hire of Machinery and Equipment for the main building on site. The proposed change of use will have a total floor area of 2689.13m². The use will include the large building located in the middle of the site, existing car parking and the two vehicular accesses.

The proposed use will involve “...specialist services which relate to material handling. The business rents a wide range of equipment (i.e. Forklifts, trucks, pallet jacks etc) whilst also providing servicing of all machinery onsite.

While the FRM business generally sells associated equipment as well as hiring, sales will only be conducted off site, with salesmen travelling around the state as part of the business. It is common for salesmen to prefer onsite meetings in order to give product demonstrations and meet clients at their worksites... This is different to a car yard (previous business onsite), where the public will visit the site with the intent to make a purchase."

The proposed hours of operation will be the following:

Monday to Friday 7:30am to 5pm

Saturday and Sunday Nil

Public Holidays Nil

The use will have a maximum of twenty staff and will provide fifty-five car parking spaces onsite. Commercial vehicles will include a parcel deliveries 3-4 times a day and technician vehicles (figure 1).

The proposal will include replacing the existing signage and adding internal signage that will not be visible from the street.

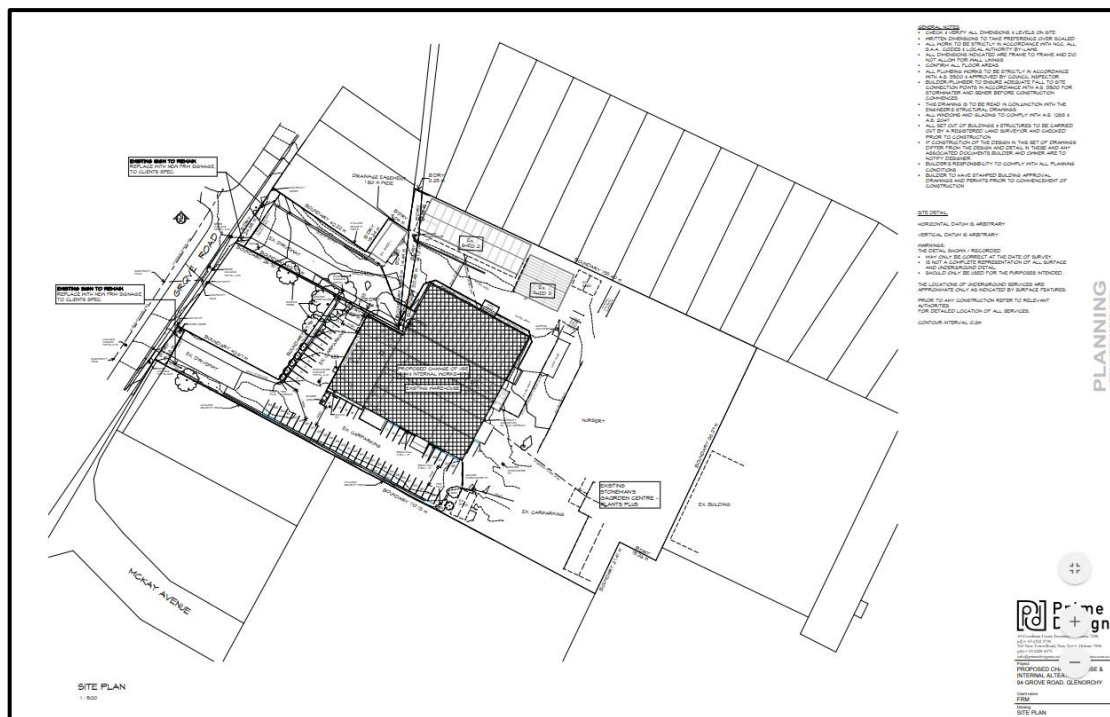


Figure 1: Site Plan for 94 Grove Road, Glenorchy.

Submissions:

A Traffic Impact Assessment by Midson Traffic Pty Ltd dated February 2019. An amendment was submitted on 25 March 2019.

A Noise Report by Peru Terts dated 4 February 2019. Amendments to the noise report were submitted on 25 March 2019 and 23 April 2019.

Performance Criteria:

The proposal would be reliant on performance criteria for Clause 24.3.2 for noise and Clause E6.6.3 for number of motorcycle parking spaces.

SITE and LOCALITY

The subject site is located on the south-east side of Grove Road, opposite the T-Section with Herbert Street, Glenorchy. The property is irregular in shape with two frontages and consists of three titles, one of which is located in the Inner Residential Zone. The site has a combined frontage of approximately 40.9m, an average depth of 140m, and a total area of 1.7094ha.

The site is generally flat with an average gradient of 1 in 50 falling to the north-east. The property has two main entrances onto Grove Road, with a garden centre at the rear using the south-west entrance. There are several warehouses along the north-east boundary with a large building in the middle and associated car parking. The vehicular access to the north-east is located within the Inner Residential Zone, while the remainder is within the Light Industrial Zone.

The site is located within the Light Industrial zone and the Inner Residential Zone with the Light Industrial zone south and the Inner Residential zone to the north (figure 2).



Figure 2: Aerial photo of 94 Grove Road, Glenorchy.

ZONE

The subject property is within the Light Industrial Zone and the Inner Residential Zone under the Glenorchy Interim Planning Scheme 2015 (figure 3).

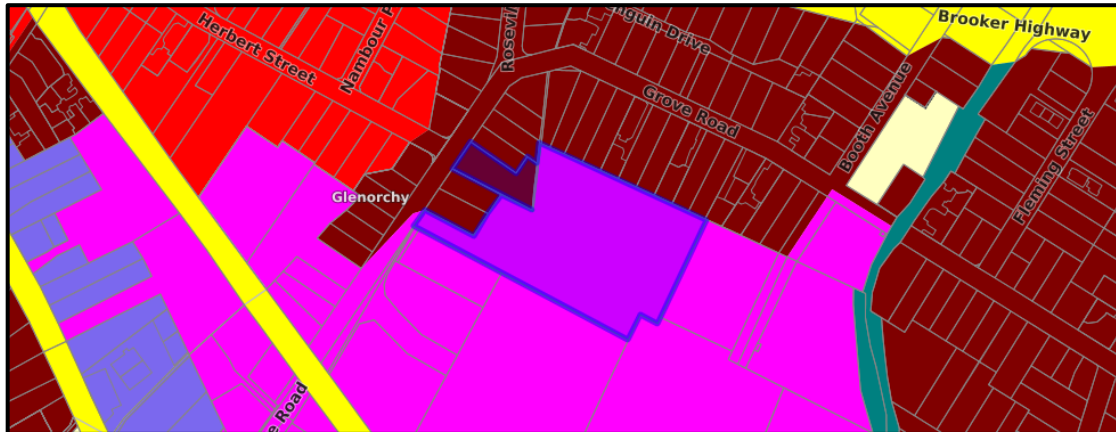


Figure 3: Light Industrial Zone and Inner Residential Zone over 94 Grove Road, Glenorchy.

BACKGROUND

A planning permit DA 39-00 was approved for a partial change of use to Showroom on 11 April 2000.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

There are no inconsistencies with any other State Policies or with the objectives of the Land Use Planning and Approvals Act 1993 (LUPAA).

A condition is recommended requiring appropriate soil and water management to prevent erosion and the transport of sediments into surface waters, consistent with the State Policy on Water Quality Management.

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil.

Limited Exemptions

Nil.

Planning Scheme Operation (Does a SAP or Code override Zone provisions?)

No SAP or Code provisions override zone provisions in the assessment.

Use Class Description (Table 8.2):

The individual use is Hire of Machinery and Equipment, which is listed within the use class of Equipment and Machinery Sales and Hire.

The definition of Equipment and Machinery Sales and Hire use class states:

use of land for displaying, selling, hiring or leasing plant, equipment or machinery, associated with, but not limited to, cargo-handling, construction, earth-moving, farming, industry and mining.

Other relevant definitions (Clause 4.1):

The definition for Access is defined as the following in Clause 4.1 of the Glenorchy Interim Planning Scheme 2015:

means land over which a vehicle enters or leaves a road from land adjoining a road.

The definition for Amenity is defined as the following in Clause 4.1 of the Glenorchy Interim Planning Scheme 2015:

means, in relation to a locality, place or building, any quality, condition or factor that makes or contributes to making the locality, place or building harmonious, pleasant or enjoyable.

The definition for Habitable Building is defined as the following in Clause 4.1 of the Glenorchy Interim Planning Scheme 2015:

means a building of Class 1 - 9 of the Building Code of Australia.

The definition for Commercial Vehicle is defined as the following in Clause E6.3 of the Glenorchy Interim Planning Scheme 2015:

means a small rigid vehicle, medium rigid vehicle, heavy rigid vehicle or articulated vehicle described in section 2 "Design Vehicles" of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.

Discretionary Use or Development (Clause 8.8):

The application is discretionary under Clause 8.8 as follows:

The planning authority has discretion to refuse or permit a use or development if:

- (a) the use is within a use class specified in the applicable Use Table as being a use which is discretionary;*
- (b) the use or development complies with each applicable standard but relies upon a performance criterion to do so; or*
- (c) it is discretionary under any other provision of the planning scheme,*
- (d) and the use or development is not prohibited under any other provision of the planning scheme.*

The proposal is discretionary under (a) and (b) above as it relies on Performance Criteria because it does not meet the following Acceptable Solutions:

- Clause 24.3.2 A1 Noise (location of building to a residential zone)
- Clause E6.6.3 A1 Number of motorcycle parking spaces (no motorcycle parking provided on site)

Part C: Special Provisions

The following special provisions of the Scheme apply to this proposal:

9.6 Access Across Land in Another Zone

The proposal includes access across another zone; therefore Clause 9.6 of the Scheme applies:

If an application for use of land includes access that runs through a different zone to the land upon which the use is proposed to take place, the use status of the application is to be determined disregarding the use status of the access in the different zone.

The proposal will involve vehicular access for the change of use to Hire of Machinery and Equipment over land within the Inner Residential Zone whereas the building and car parking will be located within the Light Industrial Zone. In this case, the access forms part of the application for Hire of Machinery and Equipment and can be assessed as though it were located within the Light Industrial Zone.

Part D: Zones

The land is within the Light Industrial zone and the following Scheme zone purpose statements, use table, use standards and/or development standards apply to this proposal.

Zone Purpose Statements

The Light Industrial zone purpose statements in Clause 24.1.1 of the Scheme are as follows:

24.1.1.1

To provide for manufacturing, processing, repair, storage and distribution of goods and materials where off-site impacts are minimal or can be managed to minimise conflict or impact on the amenity of any other uses.

24.1.1.2

To promote efficient use of existing industrial land stock.

24.1.1.3

To minimise land use conflict in order to protect industrial viability and the safety and amenity of sensitive land uses in adjacent zones.

24.1.1.4

To provide industrial activity with good access to strategic transport networks.

The proposed use for Hire of Machinery and Equipment would provide for the hire and associated servicing machinery and equipment. A noise report and subsequent amendments were provided by acoustic specialist Peru Terts to demonstrate the use would be capable of minimising potential to impact on the amenity of the surrounding residential use in the adjacent Inner Residential zone. The proposal would promote the efficient use of existing industrial land and minimise land use conflict in order to protect industrial viability. Therefore, the proposal is considered to be in accordance with the zone purpose statement in Clause 24.1.1 of the Scheme.

Use Table

The proposed use of “Hire of Machinery and Equipment” is permitted, in accordance with the use table in Clause 24.2 of the Glenorchy Interim Planning Scheme 2015. However, the proposal is discretionary owing to the reliance on performance criteria for Clauses 24.3.2 and E6.6.3.

Use Standards

Clause 24.3.2 Noise

The property for the proposed use consists of three titles, one of which is located in a residential zone. The title 7132/3 is within the Inner Residential Zone and the boundary extends up to the building in the middle of the site. In addition, the remaining two titles adjoin residences located within a residential zone.

Given that one of the titles is within a residential zone, the proposal is unable to meet the acceptable solution. A noise report and amendments were provided by acoustic specialist Peru Terts and were based on the same business for the company in Launceston. The proposal would provide the following to minimise noise for the surrounding residences within a residential zone:

- Alterations to the sliding door to provide an adequate seal when closed;
- Alterations to the wall to provide adequate lining;
- Alterations to the roof to provide adequate lining; and
- A silencer to be fitted to the rattle gun and airgun to provide a 12dB reduction for each piece of equipment, or alternatively pneumatic rattle and air guns are to be replaced with battery or electric models.

The proposed Hire of Machinery and Equipment would require the noise emissions measured at the boundary of a residential zone, to be in accordance with Clause 24.3.1 – Standard A1. However, the proposal is considered in accordance with the performance criteria:

Noise emissions measured at the boundary of a residential zone must not cause environmental harm within the residential zone.

During the application process specific details were provided to ensure that all use and activities on site would be able to provide a reasonable level of amenity to the adjoining residences. This includes internal alterations to the building, to the opening and to the devices used to minimise noise so as to avoid causing environmental harm. The combined measures showed a reasonable reduction of noise along the boundary for residential land in separate ownership. The noise report has made recommendations that would reduce the noise emissions for the surrounding residences.

Council's Environmental Health Officer is supportive of the proposal subject to recommended conditions to ensure the reduction of noise for adjoining residences. Therefore, it is considered that reliance on the performance criteria would be acceptable in this instance.

Development Standards for Buildings or Works

The proposal is for a change of use and internal works, therefore Clause 24.4 of the Scheme does not apply.

Part E: Codes

The following codes of the Scheme apply to this proposal:

E5.0 Road and Rail Asset Code

Clause E5.5.1 – Standard A3, Existing road accesses and junctions

The proposal would provide an increase the traffic movements per day of less than 40 vehicle movements, in accordance Clause E5.5.1 – Standard A3.

Clause E5.6.4 – Standard A1, Sight distances at accesses, junctions and level crossings

The existing accesses comply with acceptable solution in accordance with Clause E5.6.4 of the Scheme.

No other clauses apply to the use and development within E5.0 Road and Rail Code.

E6.0 Parking and Access Code

Clause E6.6.1 – Standard A1, Number of Car Parking Spaces

The proposal would provide for fifty-five car parking spaces which is within the range of the required number or parking space and no more than 10% (fifty-four to fifty-nine), in accordance with Clause E6.6.1 – standard A1.

The proposal complies with the remaining standards in E6.0 Parking and Access Code, with the exception of Clause E6.6.3 of the Scheme.

Clause E6.6.3 – Standard A1, Number of Motorcycle Spaces

The proposal does not provide motorcycle parking spaces. The proposal would require three motorcycle parking spaces, to be in accordance with Clause E6.6.3 – standard A1. The proposal is considered in accordance with the performance criteria:

The number of on-site motorcycle parking spaces must be sufficient to meet the needs of likely users having regard to all of the following, as appropriate:

- (a) motorcycle parking demand;*
- (b) the availability of on-street and public motorcycle parking in the locality;*
- (c) the availability and likely use of other modes of transport;*
- (d) the availability and suitability of alternative arrangements for motorcycle parking provision.*

The type of business would be for the hire and associated servicing of machinery and equipment. The transporting of goods and equipment by staff and clients is more likely to be done by larger vehicles. These vehicles range from cars to small trucks due to the nature of the use. These include commercial vehicles, a majority of which would belong to clients for transporting machinery and equipment.

In addition, the site is in close proximity to public transport along the Main Road. Therefore, it is considered that reliance on the performance criteria would be acceptable in this instance.

E7.0 Stormwater Management Code

The proposal is not exempt, however no standards in Section E7.0 apply because the proposal is for a change of use and internal alterations to an existing building.

E15.0 Inundation Prone Areas Code

The proposal is not exempt, however no standards in Section E15.0 apply because the proposal is for the reuse of an existing habitable building.

E17.0 Signs Code

The proposal is not exempt, however no standards in Section E15.0 apply because the proposal is for the reuse of an existing sign and for a sign that will not be visible from the site.

PART F: Specific Area Plans

No Specific Area Plans apply.

INTERNAL REFERRALS

Development Engineer

The proposal was referred to Council's Development Engineer who provided the following:

E5.0 Road and Railway Assets Code

The TIA addresses the traffic generation and concludes that the new use will not increase vehicle movements, to and from the site, over 40 vehicle movements and therefore complies with the Acceptable solution A3 of E5.5.1. The site can be accessed off the existing vehicle crossing, and no new access is proposed; this complies with A1 and A2 of the E5.6.2. Therefore, the development complies with Code E5 Road and Railway Assets Code.

E6.0 Parking and Access Code

The site can be accessed off the existing vehicular accesses onto the site. There are 55 car parking spaces existing over the existing paved area. This complies with the acceptable solution A1 (E6.6.1) requirement. Parking area is over the existing approved arrangement therefore there is no requirement to reassess the area; however, the onsite turning and passing bays are provided and considered adequate. The disable parking space is to be retained. The motorcycle parking is not part of the proposal hence the performance criteria assessment is triggered. However, due to the scope of the use it is unlikely that the parking demand will be significantly affected, furthermore, there are sufficient spaces to provide for motorcycle spaces. The TIA has been referred to Council's Traffic Engineer. The findings in the TIA and conclusion are accepted that the development application meets requirements of the Code. Therefore, the development complies with Code E6 Parking and Access Code and is considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected.

E7.0 Stormwater Management Code

There are no GCC stormwater mains affected by this application; and there is no change proposed to the existing stormwater arrangement.

Other**E3.0 Landslide Code**

There are no Geotechnical issues identified through Council's records that affect the application.

E15.0 Inundation Prone Areas Code

The site is over the 100yr flood inundation overlay of 250mm depth; however due to the scope of the development and that no significant changes to the existing building, it is unlikely that the development will cause any inundation impact.

Traffic Engineer

The proposal was referred to Council's Traffic Engineer who provided the following:

Introduction

Glenorchy City Council (GCC) has received a Development Application (DA) for a proposed change of use for an equipment and machinery hire service facility located at 94 Grove Road in Glenorchy. A Traffic Impact Assessment (TIA) prepared by Midson Traffic dated February 2019 was submitted as part of the DA. The TIA has been reviewed and the findings are presented below.

TIA Assessment**Traffic Volumes**

The TIA includes traffic volumes on Grove Road.

While it has not been identified when the traffic volumes were collected, the traffic volumes are considered to be adequately described in the TIA.

Road Safety

The TIA includes an analysis of crash history in the vicinity of the site for the past 5 years and identifies that the crash data does not provide any indication that there are any existing road safety deficiencies on Grove Road that may be exacerbated by traffic generated by the proposed development.

The assessment undertaken, and the conclusion drawn are adequate.

Proposed Traffic Generation

The methodology used in the TIA to determine the generation of the proposed development is based on the operators understanding of the business.

The traffic generation rate is considered to have been adequately calculated.

Existing Traffic Generation

The existing traffic generation of the site has been calculated using rates from the RMS Guide.

Existing traffic generation is considered to be adequately calculated.

Trip Distribution

The TIA states that the traffic accessing the site will be via Grove Road and that there will be a relatively even proportion of vehicles accessing the site to/ from the north and south of the access.

The trip distribution assumed is considered to be adequate.

Traffic Analysis (Clause E5.5.1)

The TIA includes an analysis of the traffic generation at the access and states that the traffic generation of the development is unlikely to alter significantly from the existing use and as such meets the Acceptable Solutions A3 of Clause E5.5.1 of the Planning Scheme.

The conclusion drawn is adequate.

Sight Distance (Clause E5.6.4)

The TIA includes an assessment of the sight distance at the site access against the requirements set out in Table E5.1 of the Planning Scheme. The TIA concludes that the available sight distance in both directions of the driveway exceeds the minimum SISD requirement and as such meets the Acceptable Solutions A1 of Clause E5.6.4.

The assessment has been undertaken, and the conclusion drawn is adequate.

Pedestrian Access

The TIA states that the proposed development will not generate any significant pedestrian movements external to the site due to the nature of the site.

The conclusion drawn is considered adequate.

Parking Assessment

Parking Supply

The TIA states that there is a parking supply of 54 spaces with one accessible car parking space provided immediately adjacent to the building.

The available parking is adequately described.

Parking Demand (Clause E6.6.1)

According to Clause E6.6.1 (a) of the Planning Scheme, the number of on-site car parking spaces must be no less than the number specified in Table E6.1 and no more than 10% greater than that number. Based on this, the proposed development is required to provide 54 parking spaces.

As 54 car parking spaces have been provided on site, Acceptable Solution A1 of Clause E6.6.1 has been met.

Motorcycle Parking Demand (Clause E6.6.3)

According to Clause E6.6.3, motorcycle parking spaces must be provided at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces, except if bulky goods sale. Based on this, the proposed development is required to provide 3 motorcycle parking spaces.

As the proposed development does not provide any motorcycle parking spaces, it is unable to comply with Acceptable Solutions of Clause E6.6.3. It is however noted that given the use of the proposed development (equipment and machinery hire), motorcycle parking demand is unlikely. As such, the Performance Criteria P1 requirements of the Planning Scheme are met.

Accessible Parking Demand (Clause E6.7.2)

Clause E6.7.5 of the Planning Scheme outlines requirements for accessible parking spaces. For the proposed use of the development, one accessible car parking space must be provided.

As one accessible car parking space is provided immediately adjacent to the building, requirements of Clause E6.7.2 are met.

Parking Layout (Clause E6.7.5)

The TIA states that the parking spaces comply with the parking space dimensions specified in AS2890.1.

This assessment is considered adequate and as such, Acceptable Solution A1 of Clause E6.7.5 has been met.

Conclusion

I have reviewed the TIA submitted and conclude that the proposed development is not expected to have any significant detrimental impacts on the surrounding road network in terms of traffic efficiency or road safety. I have no objections to the proposed development.

Hydraulics Engineer

The proposal was referred to Council's Hydraulics Engineer who is in support of the proposal, with no conditions recommended.

Environmental Health Officer

The proposal was referred to Council's Environmental Health Officer who provided the following:

This development is in very close proximity to the border of a residential zone. Due to the nature of the development a noise assessment was undertaken with a report provided to Council for consideration. The assessment considered the existing building at 94 Grove Road, Glenorchy and the activities that occur at the sister site in Launceston. By assessing the operations in Launceston an accurate assessment of the equipment could be undertaken, with noise modelling used to approximate the noise from Grove Road on the neighbouring residential zone.

The modelling showed that some of the typical activities, based on their approximate location within the existing structure could be undertaken and comply with 24.3.2 acceptable solution A1; this was reliant, however, on the main sliding door entry being shut at the time of their use. However, even with the door closed the rattle gun, and by the same calculations the airgun, are not expected to comply with 24.3.2 A1. It is a recommendation of the noise report that the applicant install a silencer on to the rattle gun; a further conversation with the acoustic engineer on 9/04/2019 concluded with

the same recommendation for the airgun; importantly, this is in addition to the main sliding door remaining closed at all times when these two pieces of equipment are in use. A further recommendation made in the noise report that the gap around the sliding door be sealed and the door itself insulated, in addition to lining the walls and roof.

It is recommended that the installation of silencers to the rattle gun and airgun, sealing of gaps and insulating door, lining the walls and roof and closing the door at all times when noise generating equipment is used inside the warehouse all be placed on the permit as conditions.

Due to the reliance on noise modelling for the development it is recommended that a condition for a further noise assessment to verify the claims of the noise report be placed on the permit. As this activity is not likely to meet the 23.3.2 A1, the verification report will not be required to consider the portion of 94 Grove Road, Glenorchy that lies within the residential zone; this portion does not contain a residential dwelling and is an access to the property and car parking. Thus, the likelihood of environmental harm is unlikely.

EXTERNAL REFERRALS

Enwave (formerly known as TasGas)

The application was referred to Enwave which was supportive of the proposal and did not recommend any conditions.

REPRESENTATIONS

The application was advertised for the statutory 14-day period and no representations were received.

CONCLUSION

The proposal is relying on the performance criteria to comply with the applicable standards of the Scheme in relation to; noise and the number of motorcycle parking spaces.

The proposal is assessed as satisfying the performance criteria and complies with the applicable standard(s).

The proposal is assessed as complying with all other use and development standards in the Light Industrial zone, as well as the relevant standards of the Road and Railway Assets Code, Parking and Access Code and Stormwater Management Code and Inundation Code.

The application was publicly advertised for the statutory 14-day period and no representations were received.

It is concluded that the proposal is consistent with the Scheme's zone and code purpose statements and is satisfactory.

Recommendation:

That a permit be granted for the proposed use and development of Change of use to Hire of Machinery and Equipment (Equipment and Machinery Sales and Hire) at 94 Grove Road Glenorchy subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-19-032 and Drawing No. P2 submitted on 25 March 2019, except as otherwise required by this permit.
2. The use must operate only between the hours of 7.30am to 5.00pm Monday to Friday inclusive.

Engineering

3. Prior to the issuing of a Building Approval or the commencement of works on site, (whichever occurs first), submit a Soil and Water Management Plan detailing proposed sediment and erosion control measures to the satisfaction of and to be approved by the Council's Development Engineer. The approved control measures must be installed prior to any disturbance of soil or construction activity such as concrete cutting, demolition and must be regularly inspected and maintained during the construction and demolition period to prevent soil and other materials entering the local stormwater system, roadways or adjoining properties. The approved control measures must remain in place until such time as all construction activity likely to generate sediment has been completed or all disturbed areas have been stabilised using vegetation and/or restored or sealed to the satisfaction of the Council.

Advice: For further information please refer to the Soil and Water Management Fact Sheets published by the Department of Primary Industries, Parks, Waters and Environment. These are available from Council or online at www.derwentestuary.org.au.

4. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
5. Parking, access and turning areas must generally comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004, to the satisfaction of Council's Development Engineer. The driveway and parking areas must comply with the following:-
 - a) Fifty-five (55) clearly marked car parking spaces must be provided in accordance with the approved plan and kept available for these purposes at all times;
 - b) Of the proposed number of car parking spaces, one (1) car parking space must be provided for the exclusive use of people with disabilities, clearly marked and kept available for these purposes at all times;
 - c) Be clearly line-marked or physically separated to each space in accordance with the approved plan;
 - d) The gradient of any parking areas must not exceed 5%; and

- e) Minimum carriageway width is to be no less than 3.0 metres.

All works required by this condition must be installed prior to the occupancy of the use as approved.

Environmental Health

6. An activity carried out in accordance with a permit associated with the land, must not exceed 55dB(A) in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management. When measured at the boundary of the surrounding residential zone, in other ownership.
7. An activity carried out in accordance with a permit associated with the land, must show on the plan the following measures to achieve the required noise level and be submitted prior to building approval:
 - (a) The 30 mm gap where the sliding door meets the floor and the walls must be sealed; this could be achieved by fastening a conveyor belt to the edges of the sliding door.
 - (b) The walls and the sliding door to be lined on the inside with plaster board and mineral or glass wool in the cavity.
 - (c) Installation of Sisalation or similar material, under the metal roof.
8. An activity carried out in accordance with a permit associated with the land, must have the following measures implemented to achieve the required noise level prior to commencement of the use:
 - (a) The 30 mm gap where the sliding door meets the floor and the walls must be sealed; this could be achieved by fastening a conveyor belt to the edges of the sliding door.
 - (b) The walls and the sliding door to be lined on the inside with plaster board and mineral or glass wool in the cavity.
 - (c) Installation of Sisalation or similar material, under the metal roof.
 - (d) The rattle gun and airgun are to be fitted with a silencer that provides at least a 12dB reduction for each piece of equipment; or alternatively pneumatic rattle and air guns are to be replaced with battery or electric models.

The noise reducing measures must remain in-situ, for the duration of the use.

9. Within 3-months after the commencement of the approved use a noise verification assessment must be undertaken to assess the validity of the noise modelling. The assessment is to include the use of the rattle gun, airgun and grinder undertaking the intended purpose onsite. The acoustic noise report must also include recommendations in the event that 55dB(A) is exceeded at the boundary of the surrounding residential zone, with the exception of the residential component of 94 Grove Road, Glenorchy. The report must be submitted within three (3) working days to Council's Senior Statutory Planner.

Any changes must be implemented and installed one (1) month from the date of the acoustic noise report.

Advice to Applicant

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

Underground Services

The designer must ensure that the needs of all providers including TasWater, TasGas, TasNetworks, and Telstra are catered for both in the design and construction of the works. Underground service providers should be contacted for line marking of their services and any requirements or conditions they may have prior to commencing any works on site. Phone 1100, Dial Before You Dig or visit www.dialbeforeyoudig.com.au for information on the location of underground services and cables in relation to the proposed development prior to commencing any works on site.

Other Permits

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 2016* 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 62166800.

APPENDIX 1

24.0 Light Industrial Zone

Standard	Acceptable Solution	Proposed	Complies?
24.3 Use of Standards			
24.3.1 Hours of Operation	A1 Hours of operation of a use within 100 m of a residential zone must be within: (a) 7.00 am to 7.00 pm Mondays to Fridays inclusive; (b) 9.00 am to 5.00 pm Saturdays; (c) nil Sundays and Public Holidays. except for office and administrative tasks.	7:30am to 5:00pm.	Yes
24.3.2 Noise	A1 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) (LAm _{ax}) at any time.	The proposal will be unable to meet the acceptable solution for noise emissions measured at the boundary of a residential zone. Therefore, the proposal relies on performance criteria.	No Refer to discussion in the report.

Standard	Acceptable Solution	Proposed	Complies?
	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.		
	A2 External amplified loud speakers or music must not be used within 50 m of a residential zone.	Complies.	Yes
24.3.3 External Lighting	A1 External lighting within 50 m of a residential zone must comply with all of the following: (a) be turned off between 10:00 pm and 6:00 am, except for security lighting; (b) security lighting must be baffled to ensure they do not cause emission of light outside the zone.	Complies.	Yes
24.3.4 Commercial Movements Vehicle	A1 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must be within the hours of: (a) 7.00 am to 7.00 pm Mondays to Saturdays inclusive; (b) 9 am to 5.00 pm Sundays and public holidays.	Complies.	Yes

Standard	Acceptable Solution	Proposed	Complies?
24.3.5 Outdoor Work Areas	A1 Outdoor work areas and noise-emitting services such as air conditioning equipment, pumps and ventilations fans must not be located within 50 m of a residential zone.	Complies.	Yes
24.4 Development Standards for Buildings and Works			
24.4.1 Building Height	A1 Building height must be no more than: 9m.	Not applicable.	N/A
	A2 Building height within 10 m of a residential zone must be no more than 8.5 m.	Not applicable.	N/A
24.4.2 Setback	A1 Building setback from frontage must be parallel to the frontage and must be no more than: (a) 10 m; or (b) the alignment of the adjoining buildings whichever is the lesser.	Not applicable.	N/A
	A2 Building setback from a residential zone must be no less than:	Not applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
	(a) 10m; or (b) half the height of the wall, whichever is the greater.		
24.4.3 Design	A1 Building design must comply with all of the following: (a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site; (b) for new building or alterations to an existing facade provide windows and door openings at ground floor level in the front façade no less than 40% of the surface area of the ground floor level façade; (c) for new building or alterations to an existing facade ensure any single expanse of blank wall in the ground level front façade and facades facing other public spaces is not greater than 50% of the length of the facade;	Not applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
	(d) screen mechanical plant and miscellaneous equipment such as heat pumps, air conditioning units, switchboards, hot water units or similar from view from the street and other public spaces; (e) incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof; (f) provide awnings over the public footpath if existing on the site or on adjoining lots; (g) not include security shutters over windows or doors with a frontage to a street or public place.		
	A2 Walls of a building facing a residential zone must comply with all of the following: (a) be coloured using colours with a light reflectance value not greater than 40 percent: (b) if within 50m of a residential zone, must not have openings in walls facing the residential zone, unless the line of sight to the building is blocked by another building.	Not applicable.	N/A

24.4.4 Passive Surveillance	A1 Building design must comply with all of the following: (a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site; (b) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the front façade which amount to no less than 20 % of the surface area of the ground floor level facade; (c) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the façade of any wall which faces a public space or a car park which amount to no less than 10% of the surface area of the ground floor level facade; (d) avoid creating entrapment spaces around the building site, such as concealed alcoves near public spaces; (e) provide external lighting to illuminate car parking areas and pathways; (f) provide well-lit public access at the ground floor level from any external car park.	Not applicable.	N/A
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24.4.5 Landscaping	A1 Landscaping must be provided along the frontage of a site (except where access is provided) unless the building has a nil setback to frontage.	Not applicable.	N/A
	A2 Along a boundary with a residential zone landscaping must be provided for a depth no less than: 10m.	Not applicable.	N/A
24.4.6 Outdoor Storage Areas	A1 Outdoor storage areas for non-residential uses must comply with all of the following: (a) be located behind the building line; (b) all goods and materials stored must be screened from public view; (c) not encroach upon car parking areas, driveways or landscaped areas.	Not applicable.	N/A
24.4.7 Fencing	A1 Fencing must comply with all of the following: (a) fences, walls and gates of greater height than 2.1 m must not be erected within 10 m of the frontage; (b) fences along a frontage must be at least 50% transparent above a height of 1.2 m; (c) height of fences along a common boundary with land in a residential zone must be no more than 2.1 m and must not contain barbed wire.	Not applicable.	N/A

APPENDIX 2

E5 Road and Railway Assets Code

Standard	Acceptable Solution	Proposed	Complies?
5.5 Use Standards			
E5.5.1 Existing road accesses and junctions	A1 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.	Not applicable.	NA
	A2 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.	Not applicable.	NA
	A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.	Complies.	Yes

Standard	Acceptable Solution	Proposed	Complies?
E5.5.2 Exiting Level Crossings	A1 Where use has access across part of a rail network, the annual average daily traffic (AADT) at an existing level crossing must not be increased by greater than 10% or 10 vehicle movements per day, whichever is the greater.		NA
5.6 Development Standards			
E5.6.1 Development adjacent to roads and railways	A1.1 Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h: (a) new buildings; (b) other road or earth works; and (c) building envelopes on new lots.	Not applicable.	NA
	A1.2 Buildings, may be: (a) located within a row of existing buildings and setback no closer than the immediately adjacent building; or (b) an extension which extends no closer than: (i) the existing building; or (ii) an immediately adjacent building.	Not applicable.	NA

Standard	Acceptable Solution	Proposed	Complies?
E5.6.2 Road accesses and junctions	A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h	Not applicable.	NA
	A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.	Complies.	Yes
E5.6.3 New Level Crossings	A1 No Acceptable Solutions.	Not applicable.	NA
E5.6.4 Sight distance at accesses, junctions and level crossings	A1 Sight distances at: (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.	Complies.	Yes

APPENDIX 3

E6.0 Parking and Access Code

Standard	Acceptable Solution	Proposed	Complies?
E6.6 Use Standards			
E6.6.1 Number of Car Parking Spaces	A1 The number of on-site car parking spaces must be: (a) no less than the number specified in Table E6.1 and no more than 10% greater than that number; except if: (i) 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; (ii) this provision was not used in this planning scheme.	Complies. The proposal will provide the fifty-four required car parking spaces, plus one additional space.	Yes
E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability	A1 Car parking spaces provided for people with a disability must: (a) satisfy the relevant provisions of the Building Code of Australia; (b) be incorporated into the overall car park design; (c) be located as close as practicable to the building entrance.	Complies.	Yes

Standard	Acceptable Solution	Proposed	Complies?
E6.6.3 Number of Motorcycle Parking Spaces	A1 The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.	The proposal will provide no motorcycle parking spaces on site. Compliance will require three motorcycle parking spaces. There the proposal relies on performance criteria for a shortfall of three motorcycle parking spaces.	No Refer to discussion in the report.
E6.6.4 Number of Bicycle Parking Spaces	A1 The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.	Not applicable.	N/A
E 6.7 Development Standards			
E6.7.1 Number of Vehicle Accesses	A1 The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.	Complies.	Yes
E6.7.2 Design of Vehicular Accesses	A1 Design of vehicle access points must comply with all of the following: (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;	Complies.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.		
E6.7.3 Vehicular Passing Areas Along an Access	A1 Vehicular passing areas must: (a) be provided if any of the following applies to an access: (i) it serves more than 5 car parking spaces; (ii) is more than 30 m long; (iii) it meets a road serving more than 6000 vehicles per day; (b) be 6 m long, 5.5 m wide, and taper to the width of the driveway; (c) have the first passing area constructed at the kerb; (d) be at intervals of no more than 30 m along the access.	Complies.	Yes
E6.7.4 On-Site Turning	A1 On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following: (a) it serves no more than two dwelling units; (b) it meets a road carrying less than 6000 vehicles per day.	Complies.	Yes

E6.7.5 Layout of Parking Areas	A1 The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 "Design of Parking Modules, Circulation Roadways and Ramps" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 "Headroom" of the same Standard.	Complies.	Yes
E6.7.6 Surface Treatment of Parking Areas	A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following; (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.	Complies.	Yes
E6.7.7 Lighting of Parking Areas	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.	Complies.	Yes
E6.7.8 Landscaping of Parking Areas	A1 Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.	Complies.	Yes
E6.7.9 Design of Motorcycle Parking Areas	A1 The design of motorcycle parking areas must comply with all of the following:	Not applicable.	N/A

	(a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) be located within 30 m of the main entrance to the building.		
E6.7.10 Design of Bicycle Parking Facilities	A1 The design of bicycle parking facilities must comply with all the following; (a) be provided in accordance with the requirements of Table E6.2; (b) be located within 30 m of the main entrance to the building.	Not applicable.	N/A
	A2 The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.	Not applicable.	N/A
E6.7.11 Bicycle End of Trip Facilities	A1 For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.	Not applicable.	N/A
E6.7.12 Siting of Car Parking	A1 Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.	Complies.	Yes

E6.7.1.13 Facilities for Commercial Vehicles	A1 Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless: (a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site; (b) the use is not primarily dependent on outward delivery of goods from the site.	Complies.	Yes
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements of the road authority.	Complies.	Yes

Attachments/Annexures

1 Attachment - 94 Grove Road Glenorchy



CLOSED TO MEMBERS OF THE PUBLIC

7. APPEALS REPORT

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 Regulation 15(4).