

GLENORCHY PLANNING AUTHORITY

MINUTES

MONDAY, 12 AUGUST 2019



Chairperson: Alderman K. Johnston

Hour: 5.00 p.m.

Present: Aldermen K. Johnston, M. Stevenson, J. Dunsby and S. Fraser (Proxy).

In attendance: Ms. S. Fox (Director Strategy and Development), Mr. P. Garnsey (Manager Development), Ms. V. Tomlin (Senior Statutory Planner), Ms. S. Jeffreys (Planning Officer), Ms. C. Griffin (Planning Officer), Ms. L. Byrne (Strategic Planner), Ms. B. Narksut (Development Engineer) and Mr. N. Wass (Senior Environmental Health Officer).

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

Aldermen B. Thomas and K. Sims.

3. PECUNIARY INTERESTS

None.

4. CONFIRMATION OF MINUTES

Resolution:

DUNSBY/FRASER

That the minutes of the Glenorchy Planning Authority Meeting held on Monday, 15 July 2019 be confirmed.

The motion was put.

FOR: Aldermen Johnston, Stevenson, Dunsby and Fraser.

AGAINST:

The motion was CARRIED.

5. PROPOSED USE AND DEVELOPMENT - CHANGE OF USE TO STORAGE (WAREHOUSE) AND EXTENSION OF OPERATING HOURS - 4A KNOLL STREET, GLENORCHY

File Reference: 5379339

REPORT SUMMARY:

Application No.:	PLN-19-124
Applicant:	Infinity Pacific Pty Ltd
Owner:	W H Chan and S P Yap
Zone:	Light Industrial Zone
Use Class	Storage
Application Status:	Discretionary
Discretions:	24.3.1 Hours of operation E6.6.1 Number of car parking spaces (surplus) (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	12 Aug 2019
Existing Land Use:	Warehouse
Proposal In Brief:	Change of use to Storage (warehouse) and extension of operating hours
Representations:	2
Recommendation:	Approval, subject to conditions

Resolution:

DUNSBY/STEVENSON

That a permit be granted for the proposed use and development of Change of use to Storage (warehouse) and extension of operating hours at 4a Knoll Street, Glenorchy subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-19-124 and Drawing No. P2 submitted on 25/06/2019, except as otherwise required by this permit.
2. Hours of operation must be within:
 - a) 7:00am – 7:00pm Monday to Friday inclusive;
 - b) 7:00am – 6:00pm Saturdays;
 - c) 7:00am – 6:00pm Public Holidays (except on Good Friday and Christmas Day).except for office and administrative tasks.
3. Commercial vehicle movements, (including loading and unloading and garbage removal) to or from the site must be within the hours of:
 - (a) 7.00 am to 7.00 pm Mondays to Fridays inclusive;
 - (b) 7:00am to 6:00pm Saturdays; and
 - (c) 9 am to 5.00 pm Public Holidays.

Engineering

4. Five (5) car parking spaces must be provided generally as shown on the approved plan, prior to the approved use. Car parking spaces, manoeuvring areas and aisles must be provided in accordance with the Australian Standard AS 2890.1 – 2004 Off-Street Parking and are always to be made available for this purpose. In areas set aside for carparking (excluding the jockey car parking space), securely fixed wheel stops, or kerbing must be provided to the satisfaction of Council to prevent damage to fences or landscaped areas.
5. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
6. Commercial vehicles facilities for loading, unloading and manoeuvring must be provided on-site and within the building in accordance with Australian Standard for Off-street Parking, Part 2 Commercial. Vehicle Facilities AS 2890.2:2002 prior to the approved use.
7. Lighting must be provided for the carpark in accordance with Australian Standard AS 1158.3.1 – Lighting for roads and public spaces and installed and operational prior to the commencement of the approved use.

Environmental Health

8. Noise emissions measured at the boundary of a residential zone must not exceed the following:

- (a) 55dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm;
- (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm to 7.00 am;
- (c) 65dB(A) (LAmix) at any time.

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

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

Advice to Applicant

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

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.

The motion was put.

FOR: Aldermen Johnston, Stevenson, Dunsby and Fraser.

AGAINST:

The motion was CARRIED.

Reason for Decision:

After seeking to further the objectives of the *Land Use Planning and Approvals Act 1993*; considering the matters set out in representations (if any); and reference to the current provisions of the Glenorchy Interim Planning Scheme 2015, the Glenorchy Planning Authority decides to **grant a permit** for the reasons set out in the officer's report.

**6. PROPOSED USE AND DEVELOPMENT - GARAGE
(RESIDENTIAL) - 117A TOLOSA STREET, GLENORCHY**

File Reference: 5398433

REPORT SUMMARY:

Application No.:	PLN-19-146
Applicant:	M J Johnston
Owner:	M J Johnston and K A Churchill
Zone:	General Residential Zone
Use Class	Residential
Application Status:	Discretionary
Discretions:	10.4.2 Setback and building envelope (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	13 Aug 2019
Existing Land Use:	Single dwelling (Residential)
Proposal In Brief:	Garage (Residential)
Representations:	3
Recommendation:	Approval, subject to conditions

Resolution:

STEVENSON/DUNSBY

That a permit be granted for the proposed use and development of Garage (Residential) at 117a Tolosa Street, Glenorchy subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-19-146 and Drawing No. P2 submitted on 25/06/2019, except as otherwise required by this permit.
2. The garage (outbuilding) must be used exclusively for non-habitable residential purposes.

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 62166800.

The motion was put.

FOR: Aldermen Johnston, Stevenson, Dunsby and Fraser.

AGAINST:

The motion was CARRIED.

Reason for Decision:

After seeking to further the objectives of the *Land Use Planning and Approvals Act 1993*; considering the matters set out in representations (if any); and reference to the current provisions of the Glenorchy Interim Planning Scheme 2015, the Glenorchy Planning Authority decides to **grant a permit** for the reasons set out in the officer's report.

7. PROPOSED USE AND DEVELOPMENT - CHANGE OF USE TO MARINA (PLEASURE BOAT FACILITY) WITH ACCESS VIA 1 GEPP PARADE - GEPP PARADE DERWENT PARK 1 GEPP PARADE DERWENT PARK

File Reference: 1993016

REPORT SUMMARY:

Application No.:	PLN-18-039
Applicant:	L R Johnston and R Johnston
Owner:	Department of Environment and Land Management
Zone:	Port and Marine Light Industrial
Use Class	Pleasure Boat Facility
Application Status:	Discretionary
Discretions:	Clause E6.1 Number of Car Parking Spaces (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	Extension of time until 13 Aug 2019
Existing Land Use:	Maintenance of Marine Vehicles (Port and Shipping)
Proposal In Brief:	Change of use to Marina (Pleasure Boat Facility) with access via 1 Gepp Parade
Representations:	3
Recommendation:	Approval, subject to conditions

Resolution:

STEVENSON/FRASER

That a permit be granted for the proposed use and development of Change of use to Marina (Pleasure Boat Facility) with access via 1 Gepp Parade at Gepp Parade and 1 Gepp Parade, Derwent Park subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-18-039 and Drawing No. P3 submitted on 20 March 2019, except as otherwise required by this permit.
2. Parking on the Crown Land Lease area is not approved as part of this permit.

Advice to Applicant

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

Owner Consent

Please be aware that this planning permit does not authorise landowner consent. Where landowner consent is required to gain access, this must be obtained separately.

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.

The motion was put.

FOR: Aldermen Johnston, Stevenson, Dunsby and Fraser.

AGAINST:

The motion was CARRIED.

Reason for Decision:

After seeking to further the objectives of the *Land Use Planning and Approvals Act 1993*; considering the matters set out in representations (if any); and reference to the current provisions of the Glenorchy Interim Planning Scheme 2015, the Glenorchy Planning Authority decides to **grant a permit** for the reasons set out in the officer's report.

8. PROPOSED USE AND DEVELOPMENT - ADDITIONS TO A SINGLE DWELLING - 176 SPRINGFIELD AVENUE, WEST MOONAH

File Reference: 5445543

REPORT SUMMARY:

Application No.:	PLN-19-031
Applicant:	Darryn White & Associates
Owner:	F G Vass and M W Vass
Zone:	General Residential
Use Class	Residential
Application Status:	Discretionary
Discretions:	10.4.2 P3 Setbacks and building envelope for all dwellings (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	12 August 2019
Existing Land Use:	Single Dwelling
Proposal In Brief:	Additions to a Single Dwelling
Representations:	1
Recommendation:	Approval, subject to conditions

Resolution:

FRASER/STEVENSON

That a permit be granted for the proposed use and development of Additions to a Single Dwelling at 176 Springfield Avenue, West Moonah subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-19-031 and Drawing No. P2 submitted on 02/07/19, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater and set out in the attached Submission to Planning Authority Notice, reference No. TWDA2019/00263-GCC, dated 06/03/1019, form part of this permit.

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 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. The approved Soil and Water Management Plan (SWMP) forms part of this permit and must be complied with.

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. All internal hydraulic service works required for the development must be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor. Any alterations or works to Council mains must be undertaken by Council at the developer's cost.

Advice: Council does not have any record of the stormwater connection to the site. Where the new stormwater connection is required, the developer must contact Council's Customer Service Centre on (03) 62166800 to organise for the stormwater connection works prior to the issuing of a Building Approval or the commencement of works on site, (whichever occurs first).

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 62166800.

Other 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.

The motion was put.

FOR: Aldermen Johnston, Stevenson, Dunsby and Fraser.

AGAINST:

The motion was CARRIED.

Reason for Decision:

After seeking to further the objectives of the *Land Use Planning and Approvals Act 1993*; considering the matters set out in representations (if any); and reference to the current provisions of the Glenorchy Interim Planning Scheme 2015, the Glenorchy Planning Authority decides to **grant a permit** for the reasons set out in the officer's report.

9. PROPOSED S.43A COMBINED AMENDMENT AND PLANNING APPLICATION PLS43A 19/01, TO REZONE 8-10 MAIN ROAD, CLAREMONT TO INNER RESIDENTIAL, APPLY SITE SPECIFIC QUALIFICATIONS FOR 'SERVICE INDUSTRY' AND 'VEHICLE FUEL SALES AND SERVICE' COMBINED WITH PLANNING PERMIT APPLICATION FOR CHANGE OF USE TO SERVICE INDUSTRY, WITH ANCILLARY TYRE SALES AND SIGNAGE - 8-10 MAIN ROAD, CLAREMONT

File Reference: 5329948

REPORT SUMMARY:

To seek the Planning Authority's decision on a Section 43A combined planning permit application and amendment request number PLS43A-19/01. The request seeks to legalise the operation of a Service Industry currently operating from the land.

Application No	PLS43A-19/01
Applicant	JMG Engineers and Planners
Owner	Mark G Cooper
Existing Zoning	Local Business Zone
Existing Land Use	Vehicle fuel sales and service
Proposal in Brief	Planning scheme amendment to rezone the land to Inner Residential and apply two site specific qualifications to the site and a planning permit for a change of use to service industry (motor repairs) with tyre sales and signage.
Representations	Not applicable – proposal advertised if initiated
Recommendation	Initiate amendment, grant permit and advertise

Resolution:

STEVENSON/FRASER

- A. That pursuant to Section 34(1)(a), former provisions, of the Land Use Planning and Approvals Act 1993, the Planning Authority agree to initiate Amendment PLS43A-19/01 to the Glenorchy Interim Planning Scheme 2015, to rezone 8-10 Main Road Claremont to an Inner Residential Zone and apply site specific qualifications for 'Service industry' and 'Vehicle fuel sales and service' to the site as shown in **Attachment 3**.
- B. That having decided to initiate an amendment, and having prepared that amendment, the Planning Authority certifies pursuant to Section 35, former provisions, of the *Land Use Planning and Approvals Act 1993* (LUPAA) that the draft amendment meets the requirements specified in Section 32, former provisions, of the LUPAA.
- C. That pursuant to Section 43C, former provisions, of the *Land Use Planning and Approvals Act 1993*, a permit be granted for change of use service industry (motor repairs) and signage at 8-10 Main Road Claremont subject to the conditions identified in this report.
- D. That the Planning Authority, having certified the draft amendment and granted a planning permit determines pursuant to Sections 38 and 43F, former provisions, of the Land Use Planning and Approvals Act 1993 to place the draft amendment, application documents and planning permit on public exhibition for a period of 28 days.

That a permit be granted for the proposed change of use to service industry (motor repairs) with ancillary tyre sales and signage, subject to the following conditions:

Planning

- 1. Use and development shall be substantially in accordance with planning permit application No PLS43A-19/01 and Drawing No. P1 submitted on 29/03/19 and Drawing No P2 submitted on 22/05/19 (signage plans); except as otherwise required by this permit.
- 2. Any conditions and/or advice as determined by TasWater and set out in the attached Submission to Planning Authority Notice, reference No. TWDA TWDA 2019/00571-GCC, dated 03/05/2019, form part of this permit.
- 3. The use approved herewith must not include panel beating or spray painting.
- 4. Hours of operation must be within 8.00 am to 6.00 pm, except for office and administrative tasks.

5. External lighting must comply with all of the following:
 - (a) be turned off between 6:00 pm and 8:00 am, except for security lighting;
 - (b) security lighting must be baffled to ensure they do not cause emission of light into adjoining private land.
6. Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site must be limited to 20 vehicle movements per day and be within the hours of:
 - (a) 7.00 am to 5.00 pm Mondays to Fridays inclusive;
 - (b) 9.00 am to 12 noon Saturdays;
 - (c) nil on Sundays and Public Holidays.
7. Signage must not be illuminated or contain flashing lights or changing messages.

Engineering

8. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.

Environmental Health

9. Noise emissions measured at the boundary of the site must not exceed the following:
 - (a) 55 dB(A) (LAeq) between the hours of 8.00 am to 6.00 pm;
 - (b) 65dB(A) (LAm_{ax}) 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 motion was put.

FOR: Aldermen Johnston, Stevenson, Dunsby and Fraser.

AGAINST:

The motion was CARRIED.

Reason for Decision:

After seeking to further the objectives of the *Land Use Planning and Approvals Act 1993*; considering State Policies and having regard to PLS43A-19/01 and PLANNING PERMIT, the Glenorchy Planning Authority decided to initiate and certify this draft amendment for the reasons set out in the officer's report.

STEVENSON/DUNSBY

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

The motion was put.

FOR: Aldermen Johnston, Stevenson, Dunsby and Fraser.

AGAINST:

The motion was CARRIED.

CLOSED TO MEMBERS OF THE PUBLIC

10. 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) (In relation to subregulation 15(3) only, matters relating to legal (or possible future legal) action taken (or may be taken) by or involving the Council).

The meeting closed at 6.37 p.m.

Confirmed,

CHAIRMAN