

GLENORCHY PLANNING AUTHORITY

AGENDA

MONDAY, 12 NOVEMBER 2018



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.



Tony McMullen
General Manager

7 November 2018

- * **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 - RESURFACING TRACK FOR RACE COURSE (SPORTS AND RECREATION) - 2-6 GOODWOOD ROAD, GOODWOOD	4
	CLOSED TO MEMBERS OF THE PUBLIC	22
6.	APPEALS REPORT	22

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 15 October 2018 be confirmed.

5. PROPOSED USE AND DEVELOPMENT - RESURFACING TRACK FOR RACE COURSE (SPORTS AND RECREATION) - 2-6 GOODWOOD ROAD, GOODWOOD

Author: Planning Officer (Chantelle Griffin)

Qualified Person: Planning Officer (Chantelle Griffin)

Property ID: 3427800

REPORT SUMMARY:

Application No.:	PLN-18-242
Applicant:	TasRacing Pty Ltd
Owner:	TasRacing Pty Ltd
Zone:	Community Purpose
Use Class	Sports and Recreation
Application Status:	Discretionary
Discretions:	Clause E16.7.1 Building and Works (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 Nov 2018
Existing Land Use:	Race Course
Proposal in Brief:	Resurfacing track for Race Course (Sports and Recreation)
Representations:	0
Recommendation:	Approval, subject to conditions

The site has a moderate slope and falls toward the north and north-west, with an average slope of 1 in 32. In addition, the slope has previously been modified to accommodate the race tracks. The land consists of the Elwick Racecourse and associated buildings. The main buildings are located along the frontage facing Goodwood Road. The existing vehicular accesses are via a Goodwood Road.

The site is located within the Community Purpose zone and adjoins the Derwent Entertainment Centre to the north-west, with the Department of Defence to the north-east. There is a small residential area to the north-east, with residential development and the Royal Hobart Showgrounds further to the south (figure 2).



Figure 2: Aerial photo of 2-6 Goodwood Road, Goodwood.

ZONE

The subject property is within the Community Purpose Zone under the Glenorchy Interim Planning Scheme 2015 (figure 3).

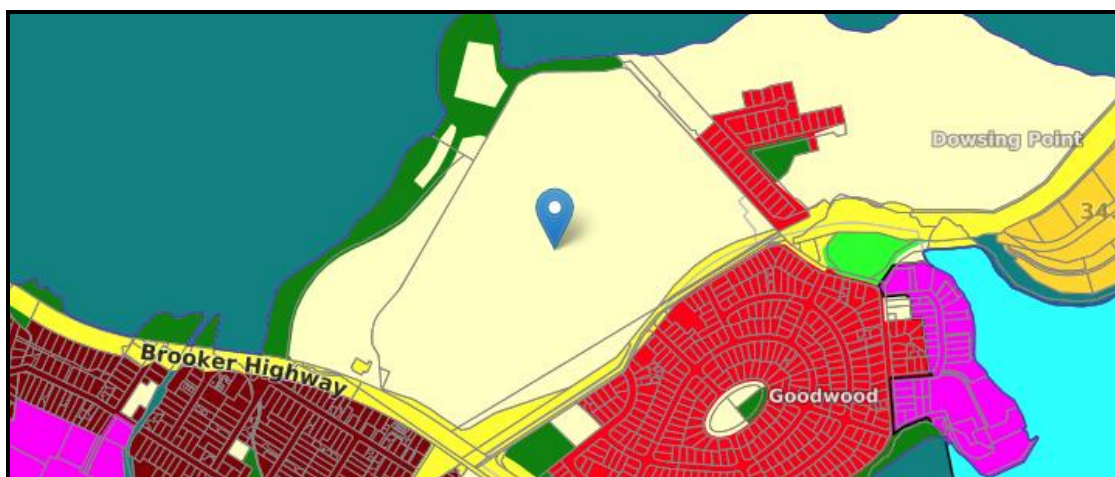


Figure 3: Community Purpose Zone over 2-6 Goodwood Road, Goodwood.

BACKGROUND

Elwick Racecourse was established in 1874 with the first Hobart Cup run in 1875. There are no restrictions to the hours of operation on file.

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 this assessment.

Use Class Description (Table 8.2):

The use of Race Course is listed within the Sports and Recreation use class description of the Glenorchy Interim Planning Scheme 2015.

The definition of Sports and Recreation use class states:

use of land for organised or competitive recreation or sporting purposes including associated clubrooms. Examples include a bowling alley, fitness centre, firing range, golf course or driving range, gymnasium, outdoor recreation facility, public swimming pool, race course and sports ground.

Other relevant definitions (Clause 4.1):

Not applicable.

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 (b) above as it relies on the Performance Criteria because it does not meet the following Acceptable Solutions:

- E16.7.1 A1 Buildings and works (reconstruction of the existing thoroughbred tracks)

Part C: Special Provisions

No Special Provisions apply.

Part D: Zones

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

Zone Purpose Statements

The Community Purpose zone purpose statements in Clause 17.1.1 are as follows:

17.1.1.1

To provide for key community facilities and services where those facilities and services are not appropriate for inclusion as an associated activity within another zone.

17.1.1.2

To ensure land required for future public use is protected from inappropriate use or development.

17.1.1.3

To encourage multi-purpose, flexible and adaptable social infrastructure to respond to changing and emerging community needs.

The proposed reconstruction of the thoroughbred tracks for the race course would be consistent with the purpose statements because it is providing for the existing community facilities and services and would encourage a social infrastructure to respond to community needs. The reconstruction would assist in ensuring the ongoing public use of the race course. Therefore, the proposal is considered to be in accordance with the zone purpose statement in Clause 17.1.1 of the Scheme.

Use Table

The proposed use of 'Race Course' is permitted, in accordance with the use table in Clause 17.2 of the Glenorchy Interim Planning Scheme 2015. However, the proposal is discretionary owing to the reliance on performance criteria for Clause E16.7.1.

Use Standards

The use standards set out in Clause 17.3 are not applicable to this application as shown in the appendix.

Development Standards for Buildings or Works

The proposal will be in accordance with the acceptable solutions of the development standards set out in Clause 17.3.

Part E: Codes

The following codes of the Scheme apply to this proposal:

E16.0 Coastal Erosion Hazard Code

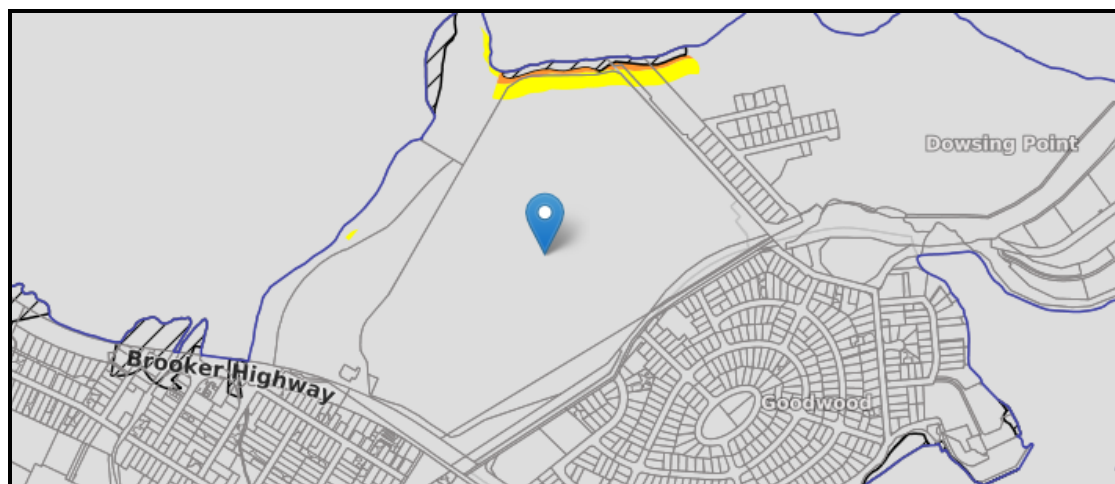


Figure 4: Coastal Erosion Hazard Area over 2-6 Goodwood Road, Goodwood.

The reconstruction of the thoroughbred tracks will be partially located within the Low Coastal Hazard Area. The proposed works would be required to be located outside the Coastal Erosion Hazard Overlay, in accordance with Clause E16.7.1 – Standard A1. The proposal is considered in accordance with the performance criteria:

Buildings and works must satisfy all of the following:

- (a) not increase the level of risk to the life of the users of the site or of hazard for adjoining or nearby properties or public infrastructure;*
- (b) erosion risk arising from wave run-up, including impact and material suitability, may be mitigated to an acceptable level through structural or design methods used to avoid damage to, or loss of, buildings or works;*
- (c) erosion risk is mitigated to an acceptable level through measures to modify the hazard where these measures are designed and certified by an engineer with suitable experience in coastal, civil and/or hydraulic engineering;*
- (d) need for future remediation works is minimised;*
- (e) health and safety of people is not placed at risk;*
- (f) important natural features are adequately protected;*
- (g) public foreshore access is not obstructed where the managing public authority requires it to continue to exist;*
- (h) access to the site will not be lost or substantially compromised by expected future erosion whether on the proposed site or off-site;*
- (i) provision of a developer contribution for required mitigation works consistent with any adopted Council Policy, prior to commencement of works;*
- (j) not be located on an actively mobile landform.*

The proposed reconstruction of the thoroughbred tracks is located within a low coastal erosion hazard along the northern corner of the site. The cut and fill and retaining walls will be designed within a similar footprint to the existing tracks and will take into consideration the existing layout of the site. The extent of the reconstruction will be limited to ensuring a level track with fence line of the course proper. To achieve this, retaining walls up to height of 1.4m will be required for less than one sixth of the outer track. Earthworks will remain close to the form in topography to reduce any potential impact.

The proposal has been assessed by Council's Development Engineer and Environment Coordinator who are supportive of the proposal and have recommended conditions in relation to the low risk. The proposal will be located within an existing area for the thoroughbred tracks and will not impact on public access. Therefore, it is considered that reliance on the performance criteria to comply with the standard would be acceptable in this instance.

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:

Traffic, Access & Parking

There is no change in the current Traffic, Access and Parking arrangements. It is therefore considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected.

GCC Services (Stormwater)

There are no GCC stormwater mains affected by this application; and the stormwater can be drained via the existing public stormwater system.

Other

Geoscience issues

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

Flooding/Inundation issues

The small part of the site is over the Coastal Erosion Hazard overlay and hence Code E16 applies. The P1 (c) requires that erosion risk is mitigated to an acceptable level through structural or design methods used to avoid damage to, or loss of, buildings or works. A soil and water management plan is required to be to the satisfaction of Council's Environmental Office. This is to be included in the Permit.

Environment Co-ordinator

The proposal was referred to Council's Environment Co-ordinator who was supportive subject to conditions.

EXTERNAL REFERRALS

Department of State Growth

The application was referred to the Department of State Growth which was supportive of the proposal and no conditions were recommended.

TasWater

The application was referred to TasWater which was supportive of the proposal with recommended conditions. The *Water and Sewerage Industry Act 2008* requires the Planning Authority to include conditions from TasWater if a permit is approved.

Tasmanian Heritage Council

The application was referred to Heritage Tasmania which was supportive of the proposal. However, a notice of no interest and exemption certificate was issued on 4 October 2018 as no further Heritage assessment was required.

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 buildings and works.

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 Community Purposes zone, Stormwater Management Code and Coastal Erosion Hazard Areas 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 Resurfacing track for Race Course (Sports and Recreation) at 2-6 Goodwood Road Goodwood subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-18-242 and Drawing No. P1 submitted on 14 September 2018, 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 2018/01613-GCC, dated 8 October 2018, form part of this permit.

Engineering

3. Prior to the commencement of works on site, submit a Soil and Water Management Plan detailing the proposed sediment and erosion control measures to the satisfaction of Council's Environment Officer and Council's Development Engineer.

The plan must demonstrate that the erosion risk is mitigated to an acceptable level through measures to modify the hazard, where these measures are designed and certified by an engineer with suitable experience in coastal, civil and/or hydraulic engineering.

The approved 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 reconstruction period to prevent soil and other materials entering the local stormwater system, roadways or adjoining properties. The approved 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 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**17.0 Community Purpose Zone**

Standard	Acceptable Solution	Proposed	Complies?
17.3 Use Standards			
17.3.1 Hours of Operation	A1 Hours of operation must be within: (a) 8.00 am to 8.00 pm Mondays to Fridays inclusive; (b) 9.00 am to 6.00 Saturdays; (c) 10.00am to 5.00pm Sundays and Public Holidays; except for office and administrative tasks.	Not applicable. Existing.	N/A
17.3.2 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) (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.	Not applicable. Existing.	N/A

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. Existing.	N/A
17.3.3 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.	N/A
	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.	Not applicable. Existing.	N/A
17.3.4 Commercial 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 6.00 pm Mondays to Fridays inclusive; (b) 9.00 am to 5 pm Saturdays (c) 10.00 am to 12 noon Sundays and Public Holidays.	Not applicable.	N/A
17.3.5 Discretionary Use	A1 No Acceptable Solution	Not applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
17.4 Development Standards for Buildings and Works			
17.4.1 Building Height	A1 Building height must not be more than: 10m.	Complies.	Yes
	A2 Building height within 10 m of a residential zone must be no more than 8.5 m.	Not applicable.	N/A
17.4.2 Setback	A1 Building setback from frontage must be must be no less than: (a) 5m; or (b) the alignment of adjoining buildings; whichever is the lesser.	Complies.	Yes
	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.	Complies.	Yes
	A3 Building setback for buildings for sensitive use must comply with all of the following: (a) be sufficient to provide a separation distance from land zoned Rural Resource no less than 100 m;	Not applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
	(b) be sufficient to provide a separation distance from land zoned Significant Agriculture no less than 200 m.		
17.4.3 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.	Not applicable.	N/A
	A2 Walls of a building facing a residential zone must be coloured using colours with a light reflectance value not greater than 40 percent.	Not applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
17.4.4 Passive Surveillance	A1 Buildings design must complying 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.	Complies.	Yes
17.4.5 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.	Complies. Existing.	Yes
	A2 Along a boundary with a residential zone landscaping must be provided for a depth no less than: 2 m.	Not applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
17.4.6 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
17.4.7 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.	N/A

APPENDIX 2**E16.0 Coastal Erosion Hazard Code**

Standard	Acceptable Solution	Proposed	Complies?
E16.6 Use Standards			
E16.6 Use Standards	A1 No Acceptable Solution.	Not applicable.	N/A
E16.7 Development Standards			
E16.7.1 Buildings and works	A1 No Acceptable Solution	The proposal includes works within the Low Coastal Erosion Hazard Area. Whereas compliance will require works to be outside the Coastal Erosion Hazard Area. Therefore, the proposal relies on performance criteria.	No Refer to discussion in the report.
E16.7.2 Development Dependent on a Coastal Location	A1 An extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date.	Not applicable.	N/A
	A2 No Acceptable Solution.	Not applicable.	N/A
	A3 No Acceptable Solution for coastal protection works initiated by the private sector.	Not applicable.	N/A

Attachments/Annexures

- 1** 2-6 Goodwood Road, Goodwood



CLOSED TO MEMBERS OF THE PUBLIC

6. 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 2005 Regulation 15(4).