

GLENORCHY PLANNING AUTHORITY

MINUTES

MONDAY, 13 MAY 2019



Chairperson: Alderman K. Johnston

Hour: 5.00 p.m.

Present: Aldermen K. Johnston, J. Dunsby, S. King, G. Richardson and B. Thomas.

In attendance: Ms. V. Tomlin (Senior Statutory Planner), Ms. K. Williams (Coordinator Planning Services), Ms. S. Jeffreys (Planning Officer), Ms. C. Griffin (Planning Officer), Ms. B. Narksut (Development Engineer),

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

Alderman M Stevenson
Alderman K Sims

3. PECUNIARY INTERESTS

Alderman Johnston declared an interest in item 8.

4. CONFIRMATION OF MINUTES

Resolution:

THOMAS/DUNSBY

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

The motion was put.

FOR: Aldermen Johnston, Dunsby, King, Richardson and Thomas

AGAINST:

The motion was CARRIED.

6. PROPOSED USE AND DEVELOPMENT - SEA STONE PASSAGE - ART INSTALLATION AND ASSOCIATED WORKS (MUSEUM) - 651-655 MAIN ROAD BERRIEDALE

File Reference: 2250425

REPORT SUMMARY:

Application No.:	PLN-18-137
Applicant:	Claremont Partners (Tas) Pty Ltd Moorilla Estate
Owner:	Claremont Partners (Tas) Pty Ltd Moorilla Estate
Zone:	Environmental Management
Use Class	Community Meeting and Entertainment
Application Status:	Discretionary
Discretions:	9.9 Accretions F11.6.2 P3 Setback F11.6.3 P1 Landscaping F11.6.4 P1 Building and Works within a Waterway and Coastal Protection area F11.6.5 P1 Building and Works within an Inundation Prone Area (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	13 May 2019
Existing Land Use:	Museum
Proposal In Brief:	Sea Stone Passage - Art installation and associated works (museum)
Representations:	1 in support
Recommendation:	Approval, subject to conditions

Resolution:

KING/THOMAS

That a permit be granted for the proposed use and development of Sea Stone Passage - Art installation and associated works (museum) at 651-655 Main Road Berriedale subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-18-137 and Drawing No. P1 submitted on 14/06/18 and Drawing No. P2 submitted on 19/03/19; except as otherwise required by this permit.

Environment

2. The works are to be undertaken in accordance with the Cromer, W. C. (2019). Coastal Management Plan, proposed Sea Stone Passage Art Work, Berriedale Bay and the Pitt and Sherry 2018 Coastal Assessment for the Goldsworthy Art Installation.
3. A detailed landscape plan for the coastal foreshore stabilisation works must be submitted to the satisfaction of Council's Senior Statutory Planner, prior to commencement of any works on the site. The design must include:
 - (a) Detailed vegetation management and erosion control measures; and
 - (b) A detailed revegetation plan.
4. Works must be undertaken generally in accordance with the *Wetlands and Waterways Works Manual* (DPIWE, 2003) and the *Tasmanian Coastal Works Manual* (DPIPWE, Page and Thorp, 2010). The unnecessary use of machinery within watercourses must be avoided.
5. Environmental weeds declared under the *Weed Management Act 1999* are present on the site. Primary treatment of all weeds on the site must be undertaken prior to commencement of any works on the site.
6. To ensure environmental weeds are not spread from the site:
 - (a) Weed plant material or soil containing their seed must not be removed from the site, unless approval is obtained from State government as required under the *Weed Management Act 1999*,
 - (b) Weed plant material and topsoil containing their seed must not be stored or moved into areas containing weed-free native vegetation;
 - (c) Prior to commencement of works, a hygiene facility must be installed at the exit point which requires the cleaning of all tools, equipment, machinery and vehicles prior to leaving the site to prevent spreading weeds off site. The hygiene facility must be constructed in accordance

with the *Tasmanian Washdown Guidelines for Weed and Disease Control: Machinery, Vehicles and Equipment (2004)*.

- (d) Appropriate hygiene measures must be undertaken prior to any machinery entering the site as per the *Tasmanian Washdown Guidelines for Weed and Disease Control (2004)*.
 - (e) Any imported fill materials must be sourced from a quarry that is able to provide documentation as to the weeds present on the source site to minimise introduction of new weeds and pathogens to the area.
7. A Weed and Rehabilitation Plan must be submitted to Council for approval prior to the issue of a Building approval, or the commencement of works (whichever comes first). This plan must be to the satisfaction of Council's Environment Coordinator and include:
- (a) A site plan showing the known locations of weed infestations;
 - (b) Proposed measures to control weed infestations; and a landscaping plan to reduce exposed substrate. The landscaping plan must exclusively utilise local native species, where within Environmental Management Zoned land;
 - (c) An action plan with timeframes and methods for implementation of proposed control and rehabilitation measures;
 - (d) 5-year monitoring program post construction to manage new populations of declared weeds.

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.

Crown Land

Prior to commencing any works on Crown land, separate and distinct consent from the Crown might need to be obtained.

Aboriginal Heritage Tasmania

If any Aboriginal relics or artefacts are discovered during works, please contact Aboriginal Heritage Tasmania. For more information visit the following website:

<https://www.aboriginalheritage.tas.gov.au/>

Environment Protection Biodiversity Conservation Act 1999

Please be aware that any impact on the sedgeland vegetation may require separate notification or approval under the EPBC Act. For more information visit the following website: <https://www.environment.gov.au/epbc/about>

The motion was put.

FOR: Aldermen Johnston, Dunsby, King, Richardson and Thomas

AGAINST:

The motion was CARRIED.

Reason for Decision

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

5. PROPOSED USE AND DEVELOPMENT ADDITIONS AND ALTERATIONS TO MULTIPLE DWELLINGS (RESIDENTIAL) - 3 WILLOW WALK AUSTINS FERRY

File Reference: 3490869

REPORT SUMMARY:

Application No.:	PLN-19-071
Applicant:	S M Jenkins and S K Jenkins
Owner:	S M Jenkins and S K Jenkins
Zone:	General Residential
Use Class	Residential
Application Status:	Discretionary
Discretions:	Clause 10.4.3 Site coverage and private open space for all dwellings (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	15 May 2019
Existing Land Use:	Multiple Dwellings
Proposal In Brief:	Additions and alterations to Multiple Dwellings (Residential)
Representations:	1
Recommendation:	Approval, subject to conditions

Resolution:

DUNSBY/THOMAS

That a permit be granted for the proposed use and development of additions and alterations to Multiple Dwellings (Residential) at 3 Willow Walk Austins Ferry subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-19-071 and Drawing No. P1 submitted on 25 March 2019, 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 2019/00472, dated 10 April 2019, form part of this permit.
3. Privacy screen/wall to a height of 1.7 m from finished floor level must be constructed between the south-east elevation of the deck (Unit 9) and the side boundary. The privacy screen/wall must be constructed and finished with solid or translucent materials (with uniform transparency of no more than 25%), to prevent direct overlooking of the adjacent lot. The privacy screen must remain in-situ, for the duration of the use as approved.

Advice to Applicant

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

Existing Permit

Please note this Permit operates in association to the previous Planning Permit PLN-12-014.03 and operates concurrently.

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, Dunsby, King, Richardson and Thomas

AGAINST:

The motion was CARRIED.

Reason for Decision

After seeking to further the objectives of the Land Use Planning and Approvals Act 1993; considering the matters set out in representations (if any); and reference to the current provisions of the Glenorchy Planning Scheme 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 - DEMOLITION OF EXISTING DWELLING - 26 HOMER AVENUE MOONAH

File Reference: 5430667

REPORT SUMMARY:

Application No.:	PLN-19-095
Applicant:	Potter Projects
Owner:	J Lauf
Zone:	General Residential zone
Use Class	Residential
Application Status:	Discretionary
Discretions:	Special provision 9.4 (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	24 May 2019
Existing Land Use:	Single dwelling (Residential)
Representations:	1
Recommendation:	Approval, subject to conditions

Resolution:

KING/THOMAS

That a permit be granted for the proposed use and development of Demolition of existing dwelling at 26 Homer Avenue Moonah subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-19-095 and Drawing No. P1 submitted on 10 April 2019, except as otherwise required by this permit.
2. Within three months of the commencement of demolition works, all areas of the site visible from public spaces must be free of building debris and are to be kept in a tidy, easily maintained, and secure manner to the satisfaction of the Council's Senior Statutory Planner.

Engineering

2. Soil and water management is to comply with best practice to prevent any transfer of soil material outside of the area specifically and necessarily disturbed for construction. Particular attention is to be paid to ensure no soil material is tracked onto roads and footpaths or to enter the Council's stormwater system. All aspects and protection measures in connection with soil and water management are to comply with the requirements of Council's Development Engineer and be installed prior to the removal of and/or disturbance of any soil or vegetation.

Advice to Applicant

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

Please be aware that this planning permit is a planning approval issued under the Glenorchy Interim Planning Scheme 2015. You should consult with an accredited Building Surveyor and other qualified persons prior to commencing this development or works to ensure all relevant requirements of the *Building Act 2016* and other applicable legislation, such as Work Health and Safety obligations is 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 62 166 800.

The motion was put.

FOR: Aldermen Johnston, Dunsby, King, Richardson and Thomas

AGAINST:

The motion was CARRIED.

Reason for Decision

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

The motion was put for Alderman Dunsby to take the chair as Alderman Johnston declared an interest in Item 8

KING/THOMAS

The motion was put.

FOR: Aldermen Dunsby, King, Richardson and Thomas

AGAINST:

The motion was CARRIED.

Alderman Johnston declared an interest in the following item and left the meeting.

8. PROPOSED S.43A COMBINED AMENDMENT REQUEST & PLANNING PERMIT APPLICATION - TO APPLY A SITE-SPECIFIC QUALIFICATION FOR 'STORAGE' AND ALLOW FOR A HIGHER BUILDING AND PLANNING PERMIT APPLICATION FOR SELF-STORAGE FACILITY (STORAGE) AT 483-485 MAIN ROAD MONTROSE (PLS43A-18/02)

File Reference: 7581952

REPORT SUMMARY:

To seek the Planning Authority's decision on a Section 43A combined planning scheme amendment and planning permit application request number PLS43A-18/02. The request seeks to facilitate a four storey self-storage facility at 483 and 485 Main Road Montrose.

<i>Application No.:</i>	PLS43A-18/02
<i>Applicant:</i>	JMG Engineers and Planners
<i>Owner:</i>	The Trust Company Limited
<i>Existing Zoning:</i>	Commercial Zone & Light Industrial Zone
<i>Existing Land Use:</i>	Bodyworks (Service industry) and self-storage (Storage)
<i>Proposal in Brief:</i>	Planning scheme amendment to allow for a Storage use and a higher building combined with a planning permit for a self-storage facility.
<i>Representations:</i>	Not Applicable (Proposal yet to be advertised)
<i>Recommendation:</i>	Initiate amendment grant permit and advertise

Resolution:

KING/RICHARDSON

- 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-18/02 to the *Glenorchy Interim Planning Scheme 2015*, for a site-specific qualification at 483 Main Road Montrose as shown in Attachment 1.
- 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 LUPAA.
- C. That pursuant to Section 43C, former provisions, of the *Land Use Planning and Approvals Act 1993*, a permit be granted for the proposed use and development of Self-storage facility (Storage) at 483 and 485 Main Road Montrose as identified in this report, with the addition of a condition requiring the adherence of titles subject to the proposed use and development.
- 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.

Permit conditions -

It is recommended that a permit be granted for the proposed use and development for a self-storage facility (Storage) at 483 and 485 Main Road Montrose, subject to the following conditions:

Planning

- 1. Use and development must be substantially in accordance with planning permit application No. S43A-18/02 and Drawing No. P3 submitted on 4/03/2019, 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 2018/01864-GCC, dated 21/11/2018, form part of this permit.
- 3. Titles for the land subject to the proposed use and development must be adhered prior to the issue of the building permit.

Lighting

- 4. External lighting, except for security lighting, must be turned off between 10:00pm and 6:00am.
- 5. Prior to commencement of the use as approved, external security lighting must be provided to illuminate car parking areas and pathways, and to provide well-lit public access at the ground floor level from all external, onsite car parking areas. The lighting must be maintained for the duration of the use as approved.

6. External security lighting must be baffled to ensure it does not cause emission of light outside the site frontage.

Commercial vehicle movements

7. There must be no commercial vehicle movements to or from the site outside the hours of 8.00am-5.00pm Monday to Friday, and 9.00am-2.00pm Saturday.

Visual screening

8. All mechanical plant and miscellaneous equipment such as heat pumps, air conditioning units, switchboards, hot water units or similar must be screened from view from the street and other public spaces.

Signs

9. All signs must be maintained in a clean and safe condition for the duration of the use.

Engineering

10. Prior to the issuing of a Building Permit or the commencement of works on site including demolition, (whichever occurs first), submit a Soil and Water Management Plan detailing proposed sediment and erosion control measures to the satisfaction of Council's Development Engineer. The approved control measures must be installed prior to any disturbance of soil or construction activity such as concrete cutting or 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

11. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
12. 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.
13. The design and construction of the driveway, parking, access and turning areas must generally comply with the Australian Standard, Parking facilities, AS 2890, to the satisfaction of the Council's Development Engineer. Drawings showing the driveway details must be in accordance with the Australian Standard and submitted with the Building Application for approval by Council's Development Engineer prior to the commencement of works on site. The proposed driveway and parking must comply with the following:-

- (a) Be constructed to a sealed finish and the finished gradient must not exceed the maximum gradient of 20%;
- (b) Thirty-three (33) clearly marked car parking spaces must be provided in accordance with the approved plan received by Council and kept available for these purposes at all times;
- (c) Of the required 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;
- (d) All runoff from paved and driveway areas must be discharged into Council's stormwater system;
- (e) Incorporate the Water Sensitive Urban Design into the parking areas of the development;
- (f) Landscaping of parking and circulation areas must be provided and must be no less than 5 percent of the area of the car park;
- (g) The gradient of any parking areas must not exceed 5%;
- (h) Minimum carriageway width is to be no less than 6.0 metres combined access;
- (i) Car parking lighting must be provided for the proposed carpark in accordance with Australian Standard AS 1158.3.1 – Lighting for roads and public spaces and completed prior to the commencement of use as approved; and
- (j) Appropriate signage at accesses to enforce clockwise circulation and the driveway line-markings must be installed to ensure the safe, efficient and convenient traffic for all users.

All works required by this condition must be installed prior to the occupancy of the building and/or the commencement of the use.

Environmental Health

14. A Noise Verification Report must be submitted to Council's Senior Environmental Health Officer within four weeks of the use commencing. The report must assess the noise generated by the use, measured at the nearby residential boundary.

The report must demonstrate and certify that the noise emissions from the use do not cause "environmental harm" (see the definition in the *Environmental Management and Pollution Control Act 1994* and Performance Criteria 23.3.2 & 24.3.2 of the *Glenorchy Interim Planning Scheme 2015*).

Should further noise mitigation treatments be required to achieve the required sound levels, these measures must be installed within eight weeks of the date of the report. A further noise verification check must be undertaken and submitted to the satisfaction of Council's Senior Environmental Health Officer. Noise mitigation treatments must be shown to be effective.

15. The discharge of liquids, other than unpolluted rainwater, to Council's stormwater system, receiving water bodies or water courses is strictly prohibited.
16. Any area where liquid wastes (including spills) are generated must be suitably graded and bunded to direct the liquid waste to sewer.
 - a) All solid wastes must be managed in accordance with the hierarchy of waste management summarised below, unless otherwise approved in writing by Council's Senior Environmental Health Officer;
 - b) Waste must be minimised, that is, the generation of waste must be reduced to the maximum extent that is reasonable and practicable, having regard to best practice environmental management;
 - c) Waste must be re-used or recycled to the maximum extent that is reasonable and practicable; and
 - d) Any residual waste must be disposed of only at a site and in a manner approved by Council's Senior Environmental Health Officer.

Traffic

17. Vegetation along the side boundary must be kept at a height of less than 1.0m.
18. 'No-entry' signage must be installed at the northwest corner of the building identified on the plans as 'Existing Storage (979m²)', facing north in order to enforce clockwise circulation around the building.

Hydraulics

19. The detailed design of the approved development must be engineered to withstand extreme flood events from a structural and safety perspective. The design and construction of the approved development must be certified by a suitably qualified structural engineer with hydraulics expertise. The design must be certified prior to the issuing of a Building Permit, and the construction must be certified prior to commencement of the approved use.
20. The recommendations set out in the '*MRMNS. Montrose NS – Flood Risk Report*' authored by SMEC Holdings Pty Ltd, dated 18th April 2019, (the Flood Report) form part of this permit and must be adhered to, as follows:
 - (a) All design elements relied on in the Flood Report, as follows, must be incorporated into plans submitted for Building Permit approval, and must be implemented prior to the issuing of a Certificate of Occupancy:
 - (i) All habitable parts of the building and all office related activities must have floor levels above the 1 in 100 AEP flood level;
 - (ii) The lift/hoist to the lower ground floor must include a switch which will detect water in the shaft sump. Once the water level reaches a nominated depth, the hoist must be unable to access the lower ground floor and must only operate for flood free floors;

- (iii) The lower floor must include an access door out to the ramp/driveway, providing for pedestrian egress from the building; and
 - (iv) The lower ground floor must incorporate four stairwells capable of being used to exit to a level out of the flood zone.
- (b) Procedures to minimise the impact of flood risk to individuals must be developed, documented, and submitted to the satisfaction of Council's Hydraulics Engineer before the issuing of a Certificate of Occupancy, and must incorporate all the procedures recommended in the Flood Report.

The procedures must be implemented at the site for the duration of the approved use. Training of staff must be provided such that at any time for the duration of the use, there is an appointed officer who is capable of actioning the procedures at the site.

- (c) The following policies referenced in the Flood Report must be implemented at the site for the duration of the approved use:
- (i) In the event of a flood, no customer access to the flood affected portions of the site is to be allowed;
 - (ii) No wheelchair access is to be allowed to the lower ground floor unless that person is accompanied by a staff member. A staff member must be made available for this purpose as reasonably required; and
 - (iii) No children are to be allowed access to the lower ground floor unless accompanied by an adult.

A copy of the policies must be provided to Council prior to the issuing of a Certificate of Occupancy.

21. The development must incorporate the nominated Water Sensitive Urban Design (WSUD) elements or equivalent presented in the *J173106PH National Storage 485 Main Road Montrose Stormwater and Concept Services Report* received 4/03/2019, showing that Total Suspended Solids, Total Phosphorous and Total Nitrogen are reduced by 84.6%, 71.8% and 53.1% respectively. All WSUD elements are required to achieve the designed pollutant removal rates, and must be implemented by the applicant prior to the issuing of a Certificate of Occupancy;
22. Prior to the issuing of a Building Permit, a WSUD Maintenance Scheme must be submitted for approval, to the satisfaction of Council's Senior Civil Engineer, defining the maintenance method and frequency for each WSUD element incorporated in the development. The Owner and all successors in title must ensure ongoing compliance with the approved WSUD Maintenance Scheme for the duration of the approved use. Any changes to the approved WSUD Maintenance Scheme must first be approved by Council's Senior Civil Engineer.

23. Upon approval of the WSUD Maintenance Scheme, and prior to the issuing of a Building Permit, the applicant must enter into a registered agreement with Council, at the sole expense of the applicant, pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993*, for the area which is subject to this permit. The Part 5 agreement shall require the Owner and all successors in title to covenant and agree with Council the following:
- (a) Acknowledge that the site and the approved development are subject to flooding and inundation risk;
 - (b) Agree to not to hold Council liable for any damage or inconvenience arising from the erection of the building or structures within the flood prone area determined by Council in its 2018 Glenorchy CBD Stormwater System Management Plan;
 - (c) Agree that the Owner will indemnify and agree to keep indemnified the Council, without limiting any other right of the Council, from and against any claim, loss or damage (including legal costs on a full indemnity basis) arising out of any damage caused to the building or structures as a result of flooding or flood flows through the site;
 - (d) All works outlined in the WSUD Maintenance Scheme submitted by the applicant and approved by Council, including the maintenance method and frequency for individual Water Sensitive Urban Design (WSUD) elements, must be implemented and managed by the Owner and all successors in title at their sole expense;
 - (e) The Owner must keep the maintenance records in an accessible form (either printed or electronic) for five years from the date of the work was carried out to prove that the maintenance of each WSUD element has been conducted in accordance with the WSUD Maintenance Scheme;
 - (f) Repair and replace all the WSUD elements at the sole expense of the Owner and all successors in title so that the WSUD functions (removing pollutants from stormwater runoff) in a safe and efficient manner;
 - (g) Permit the Council from time to time and upon giving reasonable notice (but in the case of an emergency, at any time and without notice) to enter and inspect the WSUD elements for compliance with the requirements of this agreement;
 - (h) Comply with the terms of any written notice issued by the Council in respect of the requirements of this agreement within the time stated in the notice;
 - (i) In the event that Owner fails to comply with its obligations under this Agreement, Council may arrange for its employees, agents or contractors to enter upon the Land and undertake all works necessary to ensure that the obligations of this Agreement are met, and all required works are performed in full;

- (j) The reasonable costs of all works undertaken pursuant to the clause above (including GST) will constitute a debt due and owing to the Council immediately upon demand, by the owner of the land upon which such works were undertaken and, if not paid to Council within 14 days of receipt of a demand for payment by Council, are recoverable by Council in a court of competent jurisdiction along with interest calculated;
- (k) All debts due and payable to Council will accrue interest at Council's published Interest Rate compounding monthly until the relevant debt and all accrued interest is paid to Council in full; and
- (l) The Owner and all successors in title must advise any subsequent successor in title of the existence of the Agreement and its terms and conditions.

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.

Noise

It is recommended that any onsite vehicles, such as fork lifts, should have "low frequency sound" reverse indicators to minimise acoustic impact.

It is recommended that fork lifts and other onsite vehicles have broad band reverse indicators to minimise noise intrusion on nearby residences.

Soil Contamination

Low levels of site soil contamination were reported. The applicant is reminded of their obligations under the *Environmental Management and Pollution Control (Waste Management) Regulations 2010 Information Bulletin 105: Classification and Management of Contaminated Soil for Disposal*.

Flood Risk

The hydraulics conditions in this permit do not constitute a comprehensive site wide flood response plan. It is the responsibility of the operator to ensure compliance with all relevant Work Health and Safety legislation.

Engineering

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 Dunsby, King, Richardson and Thomas

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 the application for planning permit for the proposed use and development of Self-storage facility (Storage) at 483 and 485 Main road Montrose, the Glenorchy Planning Authority decided to initiate and certify this draft amendment for the reasons set out in the officer's report.

Alderman Johnston returned to the meeting.

KING/RICHARDSON

That the meeting be closed to the public pursuant to Regulation 15(4) of the Local Government (Meeting Procedures) Regulations 2005.

The motion was put.

FOR: Aldermen Johnston, Dunsby, King, Richardson and Thomas

AGAINST:

The motion was CARRIED.

CLOSED TO MEMBERS OF THE PUBLIC

9. 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).

The meeting closed at 7.03 p.m.

Confirmed,

CHAIRMAN