

GLENORCHY PLANNING AUTHORITY MEETING

AGENDA

MONDAY, 13 JULY 2020



GLENORCHY CITY COUNCIL

- * 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 Kristie Johnston

Hour: 5.00 p.m.

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

2. APOLOGIES/LEAVE OF ABSENCE

3. PECUNIARY INTERESTS

4. CONFIRMATION OF MINUTES

That the minutes of the Glenorchy Planning Authority Meeting held on 15 June 2020 be confirmed.

**5. PROPOSED USE AND DEVELOPMENT - EXTENSION TO
MULTIPLE DWELLING (RESIDENTIAL) - 4/23 BALMAIN STREET
GLENORCHY**

Author: Planning Officer (Angela Dionysopoulos)

Qualified Person: Planning Officer (Angela Dionysopoulos)

Property ID: 3346058

REPORT SUMMARY

Application No.:	PLN-20-189
Applicant:	M F Fahey
Owner:	M F Fahey
Zone:	Inner Residential
Use Class	Residential
Application Status:	Discretionary
Discretions:	11.4.2 Setbacks and building envelope (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	14 July 2020
Existing Land Use:	Multiple dwelling
Representations:	1
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL**PROPOSAL**

The application proposes an addition to an existing, two-bedroom multiple dwelling, to create an additional bedroom, ensuite and walk in robe.

The proposed addition has horizontal dimensions of 5.99m x 5.87m and a maximum height of 4.5m above the existing finished surface level of the ground. Minimum

setbacks of 0.66m from the south-western side boundary and approximately 0.25m from the northern-western side boundary are proposed.

An existing, 3m-long garden shed is proposed to be relocated along the south-western side of the dwelling, and extended by an additional 1.8m.

Two existing car parking spaces are to be retained.

SITE and LOCALITY

The site is a 316m² strata lot forming part of an existing, 5-unit multiple dwelling development (Figure 1). The site contains a single-storey, two-bedroom multiple dwelling.



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

The site is at the western edge of an inner residential suburb, bounded by Humphreys Rivulet to the west, and church and associated school to the north-east. Industrial uses for factories and warehouses are located to the west, beyond Humphreys Rivulet. A number of heritage places are in the locality, including part of an historic wall in proximity to the site's western boundary.

ZONE

The site is in the Inner Residential Zone (Figure 2).

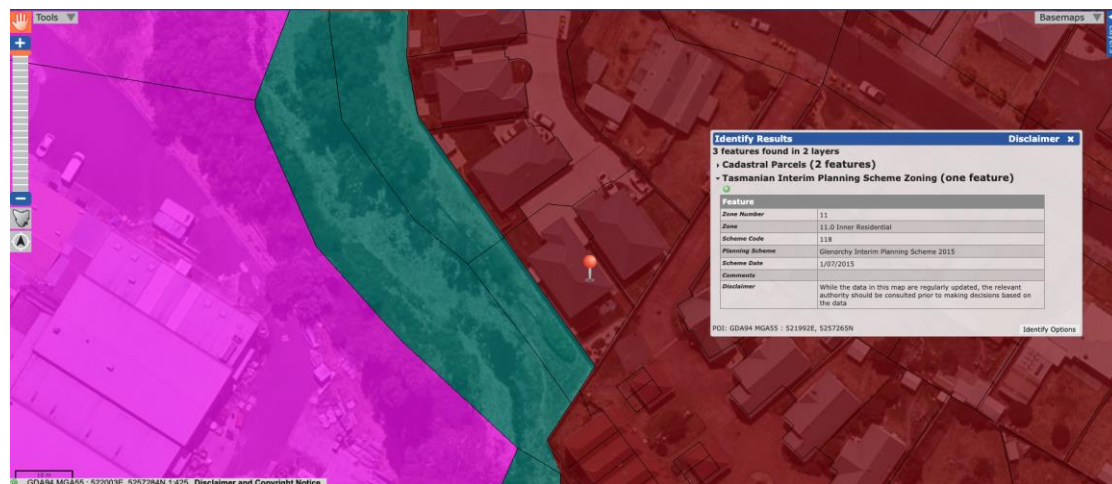


Figure 2 – The site is in the Inner Residential Zone (maroon), with an Environmental Management Zone (teal) and Light Industrial Zone (fuchsia) to the west – Glenorchy Interim Planning Scheme 2015

BACKGROUND

PLN-13-106 Five multiple dwelling units approved 5/08/2013.

PLPROP-15/005 Property creation sheet dated 11/02/2015.

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 Specific Area Plan applies. The Parking and Access Code, Stormwater Management Code and Inundation Prone Areas Code apply, and therefore prevail over the zone provisions, where there is any conflict.

Use Class Description (Table 8.2):

The use class is **Residential**, which means use of land for self contained or shared living accommodation. Examples include an ancillary dwelling, boarding house, communal residence, home-based business, hostel, residential aged care home, residential college, respite centre, retirement village and single or multiple dwellings.

Other relevant definitions (Clause 4.1):

Habitable room means any room of a dwelling other than a bathroom, laundry, toilet, pantry, walk-in wardrobe, corridor, stair, hallway, lobby, clothes drying room and other space of a specialised nature occupied neither frequently nor for extended periods.

Part C: Special Provisions

No special provisions of the Scheme apply to this proposal.

Part D: Zones

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

Zone Purpose Statements

The purpose of the Inner Residential Zone is to: provide for a variety of residential uses and dwelling types close to services and facilities in inner urban and historically established areas, which uses and types respect the existing variation and pattern in lot sizes, set back, and height; provide for compatible non-residential uses that primarily serve the local community; encourage residential development at higher densities in locations within walkable distance of services, facilities, employment and high frequency public transport corridors; and provide for a change in character from single dwellings on larger lots to alternative forms of housing such as terrace housing and apartments at greater density and with improved public open space amenity, whilst protecting amenity for existing nearby development.

The proposal accords with the zone purpose as it is for an existing multiple dwelling, is compatible with existing setbacks in the area, does not increase the building height, does not alter the lot size and does not impact on neighbouring amenity.

Use Table

Residential use for multiple dwellings has 'permitted' status in the zone. However, the proposal is discretionary owing to reliance on performance criteria for compliance with the standard for 11.4.2 Setbacks and building envelope.

Use Standards

The zone use standards relate to non-residential use, visitor accommodation and local shops, and do not pertain to the proposal.

Development Standards for Buildings or Works

11.4.2 Setbacks and building envelope (A3)

Acceptable Solution A3 requires a setback of at least 1.5m from a side boundary, for a dwelling length greater than 9m, unless it does not extend beyond a building built within 0.2m of the boundary on the adjoining lot. The proposed addition has a side boundary setback less than 1.5m for a total length greater than 9m along the south-western side boundary, and there is no corresponding building within 0.2m of the boundary on the adjoining lot. The proposal relies on Performance Criterion P3 for compliance with the standard.

Performance Criterion P3 requires that the siting and scale of a dwelling must:

(a) *not cause unreasonable loss of amenity by:*

(i) *reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or*

The site is to the south of the adjoining lot at 3/23 Balmain Road, and to the south-west of the adjoining lot at 5/23 Balmain Road, and the proposed development will not shade the dwellings on either lot.

There are no dwellings on the public land to the south-west. The south-eastern boundary of the subject site adjoins the common property of a neighbouring multiple dwelling development, but does not adjoin any of the strata lots containing dwellings.

(ii) *overshadowing the private open space of a dwelling on an adjoining lot; or*

The proposed development will not shade the private open space of the dwellings on the adjoining lots at 3/23 and 5/23 Balmain Road.

(iii) *overshadowing of an adjoining vacant lot; or*

The adjoining land at 30A Balmain Road is a Council-owned lot containing an historic structure. The proposed development will cause some additional shading of the public land during the morning; however, the affected area is a very small proportion of the public land, and the proposal will not cause any shading of the land during the afternoon.

- (iv) *visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and*

The proposed development is modest in scale and is in keeping with the proportions of other dwellings in the area. No unreasonable visual impact is considered to be caused.

- (b) *provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.*

The proposal will result in a separation distance of approximately 4.868m between the dwelling and the neighbouring dwelling at 3/23 Balmain Street. This is greater than the existing separation between the subject dwelling and that at 5/23 Balmain Street, and is compatible with the prevailing separation distance in the area, which ranges from nil (between conjoined dwellings 7/21A to 10/21A Balmain Street) to approximately 6.2m (between 12 and 14 Balmain Street).

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.

The proposed development does not propose or alter any existing parking or access, and does not generate any change in the parking or access requirements. None of the standards of the Code apply.

E7.0 Stormwater Management Code

The Stormwater Management Code applies to development requiring management of stormwater. New impervious surfaces are proposed, and the Code applies.

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

E11.0 Waterway and Coastal Protection Code

The Waterway and Coastal Protection Code applies to development within Waterway and Coastal Protection Areas.

As shown in Figure 3, the site is within a Waterway and Coastal Protection Area.

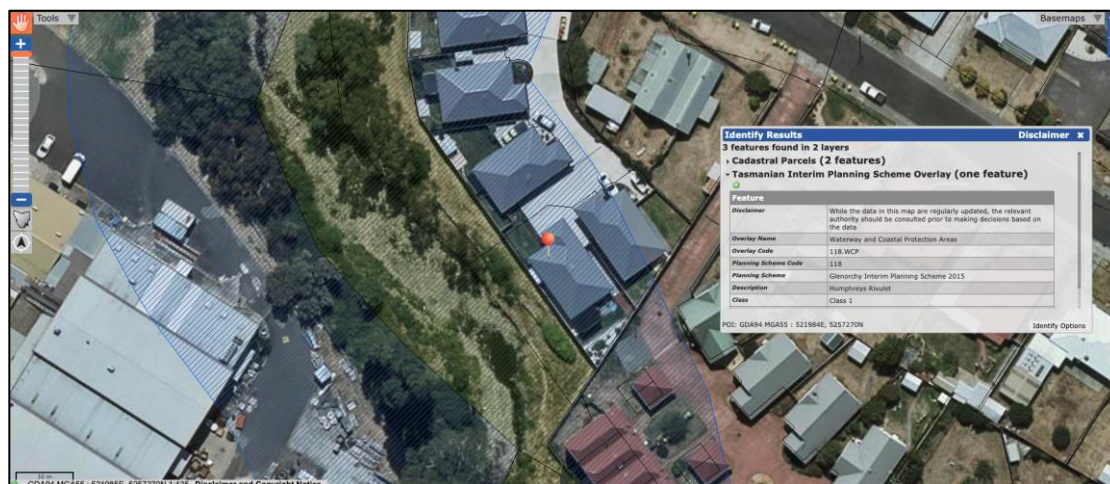


Figure 3 – The site is wholly within a Waterway and Coastal Protection Area – Glenorchy Interim Planning Scheme 2015

In accordance with clause E11.4.1(c), development involving clearing or modification of vegetation or soil disturbance within a private garden is exempted from the Code. The proposed development is within a private garden, and the proposal is therefore exempt from the Code.

E13.0 Historic Heritage Code

The Historic Heritage Code applies to development involving land defined in the code as a Heritage Place, except if the place is listed on the Tasmanian Heritage Register.

Figure 4 shows the subject site as having a heritage listing.



Figure 4 – The site is identified as having heritage listing – Council database 2015

The site is identified as being part of listing 8314 on the Tasmanian Heritage Register (Figure 5). This is because part of the site is within 2m of a heritage listed stone wall, located on the adjoining lot at 30A Balmain Street.

REF_No.	THR_No.	Heritage Listed Certificate of Title	Extent	Particular Exempt Development	Property Name	UNIT_NO	Street_No	Street	Suburb	General Description
0368	part of 8314	Part 14667/18, Part 31393/9, Part 14667/12, Part 58639/0, Part 11535/3, Part 117281/2, Part 64339/49, Part 229851/1, Part 64451/1, Part 58732/0, Part 62326/15, Part 42281/1, Part 12896/10, Part 12896/15, Part 62326/17, Part 62326/16, Part 12896/8, Part 160377/12, Part 58804/0, Part 86234/48, Part 64339/49, Part 165218/4, Part 31393/20	All of that land within a 2m offset from center of sections of stone wall located either: (a) on the Heritage listed C.T.s; or (b) located within that part of the land shown shaded and outlined with a bold line in Figure E13-0368					Humphreys Rivulet	Glenorchy	Stone wall

Figure 5 – The site is within the extent of the associated heritage listing – Glenorchy Interim Planning Scheme 2015

As the place is listed on the Tasmanian Heritage Register, 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 identified on Council maps as being in an inundation prone area (Figure 6). The Code applies.

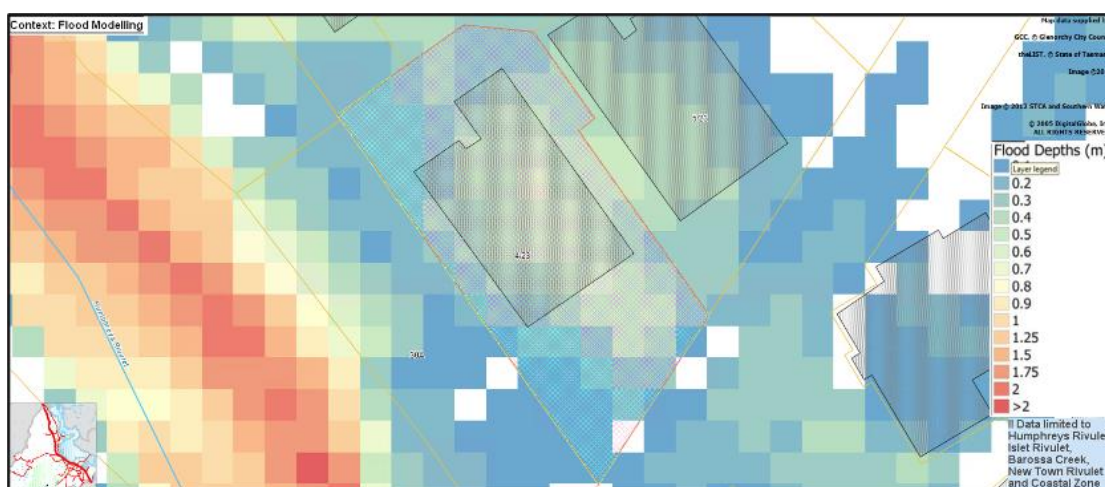


Figure 6 – The site is in a riverine inundation prone area – Council database 2019

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

PART F: Specific Area Plans

No Specific Area Plan applies.

INTERNAL REFERRALS

Development Engineer

Council's Development Engineer reviewed the proposal and made the following comments.

The extension will have no impact on any Council infrastructure.

E5.0 Road and Railway Assets Code

The development complies with Code E5 Road and Railway Assets Code; and the safety and efficiency of the road is not expected to reduce by the proposed development. The development 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 will be accessed off the existing vehicle crossing; this complies with A1 and A2 under the Clause E5.6.2.

E6.0 Parking and Access Code

The proposal does not alter the requirement for parking spaces.

E7.0 Stormwater Management Code

This code applies to development requiring management of stormwater. This code does not apply to use. The stormwater run-off from the impervious surfaces will connect by gravity to the available stormwater connection.

E3.0 Landslide Code

There are no landslide issues identified through Council's records that affect the site.

E11.0 Waterway and Coastal Protection Code (E11.7.1 A4 and P4)

There is no new stormwater point of discharge into a watercourse. Therefore, the development application complies with Acceptable Solution A4 of E11.7.1

E15.0 Inundation Prone Areas Code

The residence is within a designated inundation prone area, as the area of the proposed extension is less than 60m² the proposal complies with A2(b) under the clause E15.7.4.

EXTERNAL REFERRALS

Tasmanian Heritage Council

The proposal was referred to the Tasmanian Heritage Council, as the site is partly within the extent of listing 8314 on the Tasmanian Heritage Register.

The Tasmanian Heritage Council provided notice that it does not wish to be involved in determining the application.

Nevertheless, a Planning condition is recommended to ensure that the development does not encroach within the extent of the listed Heritage Place.

REPRESENTATIONS

The application was advertised for the statutory 14-day period with one representation being received. The following issue was raised.

1. Suitability of proposal

The representor states that they do not think the proposed addition is a good idea, and that the existing condition is right for the area.

Planner's Comment:

The representation does not identify any specific issues. It may be inferred that the concern relates to perceived visual impacts, or potentially separation distance, as the proposal does not cause any overshadowing or overlooking.

However, the proposal is assessed as meeting all the applicable standards of the planning scheme, has a compatible separation distance, and does not cause any unreasonable loss of amenity, as detailed in this report. Therefore, there is no basis for refusal or modification of the proposal in response to the representation.

CONCLUSION

The proposal relies on performance criteria for compliance with the 11.4.2 Setbacks and building envelope standard. 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 Inner Residential Zone, as well as the applicable standards of the Parking and Access Code, Stormwater Management Code and Inundation Prone Areas Code. The application was publicly advertised for the statutory 14-day period and one representation was received. 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 Extension to multiple dwelling (Residential) at 4/23 Balmain Street Glenorchy subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-20-189 and Plans submitted on 14/05/2020 (4 pages), except as otherwise required by this permit.
2. The development must be contained within the boundary of the land and no development is to be undertaken within 2m of the heritage listed stone wall located on the adjoining lot at 30A Balmain Street, Glenorchy.

Engineering

3. Prior to the issuing of a Building Approval 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, 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.

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.

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.

Covenants of Title

It is noted that the Certificate of Title for the site includes, by reference, the Schedule of Easements from the historic parent title (165218). The Schedule of Easements contains a covenant requiring that development must not be carried out within 2m of the historic stone wall located on the adjoining lot.

Attachments/Annexures

- 1 GPA Attachments - 4/23 Balmain Street



APPENDIX A**11.0 Inner Residential Zone**

Standard	Acceptable Solution	Proposed	Complies?
11.4 Development Standards for Buildings and Works			
11.4.1 Residential density for multiple dwellings	A1 Multiple dwellings must have a site area per dwelling of not less than 200m ² and not more than 400m ² .	Not applicable. No change to the existing dwelling density is proposed.	NA
11.4.2 Setbacks and building envelope	A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is: (a) at least 3m, or, if the setback from the frontage is less than 3m, not less than the setback from the frontage of any existing dwelling on the site; (b) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street.	The proposed development is not located within the frontage setback.	Yes
	A2 A garage or carport must have a setback from a frontage of at least: (a) 4m, or alternatively 1m behind the façade of the dwelling; or	Not applicable. No garage or carport is proposed.	NA

Standard	Acceptable Solution	Proposed	Complies?
	(b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.		
	A3 A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must: (a) be contained within a building envelope (refer to diagrams 11.4.2A, 11.4.2B, 11.4.2C and 11.4.2D) determined by: (i) a distance equal to the permitted frontage setback or, for an internal lot, a distance of 3m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 3m from the rear boundary; to a building height of not more than 9.5 m above natural ground level; and (b) only have a setback within 1.5 m of a side boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or	The proposed addition has a side boundary setback less than 1.5m for a length greater than 9m or one-third the length of the side boundary, and there is no corresponding building within 0.2m of the boundary on the adjoining lot.	No

Standard	Acceptable Solution	Proposed	Complies?
	(ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).		
11.4.3 Site coverage and private open space	A1 Dwellings must have: (a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and (b) for multiple dwellings, a total area of private open space of not less than 50m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and (c) a site area of which at least 25% of the site area is free from impervious surfaces.	A site coverage of 48% is proposed. The total area of private open space for the dwelling is greater than 95m ² . More than 30% of the site area remains free of impervious surfaces.	Yes
	A2 A dwelling must have an area of private open space that: (a) is in one location and is at least: (i) 24 m²; or (ii) 12 m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (b) has a minimum horizontal dimension of: (i) 3 m; or	The proposal does not impact on the dwelling's compliant area of private open space.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and (d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and (e) located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and (f) has a gradient not steeper than 1 in 10; and (g) is not used for vehicle access or parking.		
11.4.4 Sunlight and overshadowing	A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west and 30 degrees east of north (see Diagram 11.4.4A).	Not applicable. The proposal does not alter the orientation of existing windows to habitable rooms other than bedrooms.	NA
	A2 A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north	Not applicable. The dwelling is not to the north of another dwelling on the same site.	NA

Standard	Acceptable Solution	Proposed	Complies?
	(see Diagram 11.4.4A), must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 11.4.4B): (i) at a distance of 3 m from the window; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.		
	A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 11.4.3, must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 11.4.4C): (i) at a distance of 3 m from the northern edge of the private open space; and	Not applicable. The dwelling is not to the north of the private open space of another dwelling on the same site.	NA

Standard	Acceptable Solution	Proposed	Complies?
	(ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.		
11.4.5 Width of openings for garages and carports	A1 A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).	Not applicable. No garage or carport is proposed.	NA
11.4.6 Privacy for all dwellings	A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:	Not applicable. The proposal does not include any outdoor space with a floor level more than 1m above natural ground level.	NA

Standard	Acceptable Solution	Proposed	Complies?
	(a) side or rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the boundary; and (b) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m: (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.		
	A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b): (a) the window or glazed door: (i) is to have a setback of at least 3 m from a side or rear boundary; and (ii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iii) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site. (b) the window or glazed door:	Not applicable. There is no proposed window with a floor level more than 1m above natural ground level.	NA

Standard	Acceptable Solution	Proposed	Complies?
	(i) is to be offset, in the horizontal plane, at least 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.		
	A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least: (a) 2.5 m; or (b) 1 m if: (i) it is separated by a screen of at least 1.7 m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level	The proposed addition does not have any windows to habitable rooms located within 2.5m of the shared driveway or parking space.	Yes

Standard	Acceptable Solution	Proposed	Complies?
11.4.7 Frontage Fences	A1 A fence (including a free-standing wall) within 3 m of a frontage must have a height above natural ground level of not more than: (a) 1.2 m if the fence is solid; or (b) 1.5 m, if any part of the fence that is within 3m of a primary frontage has openings above a height of 1.2m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).	Not applicable. No fencing is proposed.	NA
11.4.8 Waste Storage for multiple dwellings	A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m ² per dwelling and is within one of the following locations: (a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) in a communal storage area with an impervious surface that: (i) has a setback of at least 3 m from a frontage; and (ii) is at least 5.5 m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2m above the finished surface level of the storage area.	The proposal does not impact on the area identified for waste and recycling bins in the approved plans for the existing dwelling.	Yes

APPENDIX B**E7.0 Stormwater Management Code**

Standard	Acceptable Solution	Proposed	Complies?
E7.7 Development Standards			
E7.7.1 Stormwater Drainage and Disposal	A1 Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.	Council's Development Engineer has reviewed the proposal and does not object on this basis.	Yes
	A2 A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply: (a) the size of new impervious area is more than 600 m ² ; (b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots.	Not applicable.	NA
	A3 A minor stormwater drainage system must be designed to comply with all of the following: (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed;	Council's Development Engineer has reviewed the proposal and does not object on this basis.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.		
	A4 A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.	Council's Development Engineer has reviewed the proposal and does not object on this basis.	Yes

APPENDIX C

E15.0 Inundation Prone Areas Code

Standard	Acceptable Solution	Proposed	Complies?
E15.6 Use Standards			
E15.6 Use Standards	A1 Change of use of a non-habitable building to a habitable building or a use involving habitable rooms must comply with all of the following: (a) floor level of habitable rooms is no less than the AHD level for the Coastal Inundation Low Hazard Area in Table E15.1; (b) floor level of habitable rooms is no less than the AHD level for the 1% AEP plus 300mm if in an area subject to riverine flooding.	Not applicable. No change of use is proposed.	NA

E15.7 Development Standards for Buildings and Works			
E15.7.1 Coastal Inundation High Hazard Areas	A1 For a habitable building, including extensions to existing habitable buildings, there is no Acceptable Solution.	Not applicable. The site is not in a Coastal Inundation Area.	NA
	A2 For a non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, there is no Acceptable Solution.	Not applicable. The site is not in a Coastal Inundation Area.	NA
E15.7.2 Coastal Inundation Medium Hazard Areas	A1 For a new habitable building there is no acceptable solution.	Not applicable. The site is not in a Coastal Inundation Area.	NA
	A2 Except for new rooms associated with habitable buildings other than dwellings, for which there is no acceptable solution, an extension to an existing habitable building must comply with one of the following: (a) new habitable rooms must comply with both of the following: (i) floor level no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1, (ii) floor area of the extension no more than 40 m2 from the date of commencement of this planning scheme; (b) new habitable rooms must be above ground floor.	Not applicable. The site is not in a Coastal Inundation Area.	NA

	A3 A non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, must have a floor area no more than 40 m ² .	Not applicable. The site is not in a Coastal Inundation Area.	NA
E15.7.3 Coastal Inundation Low Hazard Areas	A1 A new habitable building must comply with the following: (a) floor level no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1.	Not applicable. The site is not in a Coastal Inundation Area.	NA
	A2 An extension to a habitable building must comply with either of the following: (a) floor level of habitable rooms is no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1; (b) floor area is no more than 60 m ² .	Not applicable. The site is not in a Coastal Inundation Area.	NA
	A3 A non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, must have a floor area no more than 60 m ² .	Not applicable. The site is not in a Coastal Inundation Area.	NA
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.	The proposed addition has a floor area of 35.16m ² , and complies with A2 (b)	Yes
	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 total proposed floor area of outbuildings on the site is approximately 8m ² .	Yes
15.7.5 Riverine, Coastal Investigation Area, Low, Medium, High Inundation Hazard Areas	A1 For landfill, or solid walls greater than 5 m in length and 0.5 m in height, there is no acceptable solution.	Not applicable. The site is not in an Investigation Area.	NA
	A2 No acceptable solution.	Not applicable. The site is not in an Investigation Area.	NA
	A3 A land application area for onsite wastewater management must comply with all of the following: (a) horizontal separation distance from high water mark or from the top of bank of a watercourse or lake must be no less than 100 m; (b) vertical separation distance from the water table must be no less than 1.5 m.	Not applicable. The site is not in an Investigation Area.	NA

E15.7.6 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. The development is not dependent on a coastal location.	NA
	A2 No acceptable solution	Not applicable. The development is not dependent on a coastal location.	NA
	A3 No Acceptable Solution for coastal protection works initiated by the private sector.	Not applicable. The development is not dependent on a coastal location.	NA

**6. PROPOSED USE AND DEVELOPMENT - DEMOLITION,
CONSTRUCTION OF WAREHOUSE (STORAGE) AND
ASSOCIATED SHOWROOM WITH SIGNAGE - 9 HOWARD ROAD
GLENORCHY**

Author: Planning Officer (Sylvia Jeffreys)

Qualified Person: Planning Officer (Sylvia Jeffreys)

Property ID: 7243224

REPORT SUMMARY

Application No.:	PLN-19-407
Applicant:	Derwent Park Plumbing Supplies P/L
Owner:	R N Murdoch and A J Hamilton
Zone:	General Industrial
Use Class	Storage
Application Status:	Discretionary
Discretions:	25.4.2 P1 Setback E5.6.2 P2 Road accesses and junctions E5.5.1 P3 Existing road accesses and junctions E6.6.1 P1 Number of Car Parking Spaces E6.7.2 P1 Design of Vehicular Accesses E17.7.1 P1 Standards for Signs E17.7.1 P2 Standards for Signs (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	13 Jul 2020
Existing Land Use:	Roofing Showroom

Representations:	0
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The application proposes the construction of a new warehouse, with ancillary showroom and signage, as well as the demolition of a roofing showroom. The proposed warehouse is to accommodate a plumbing warehouse, which is classed Storage. The proposed building would be located on a corner lot that is part of a strata title. The building would be flat roofed and constructed from pre-cast concrete panels, with windows on the southwest and north west elevations. The maximum height would be 8.5m. The warehouse area would account for an area of 819.4m² over two storeys, whilst the showroom component would be 259m². The proposal would have four accesses in total and eighteen parking spaces. The proposal also includes a 1.8m-high steel picket boundary fence. The proposed signage includes seven window signs and six wall signs, displaying a combination of logos and products. The application is discretionary for a front setback, number of accesses, a parking surplus and signage. The proposal is shown in Figure 1.

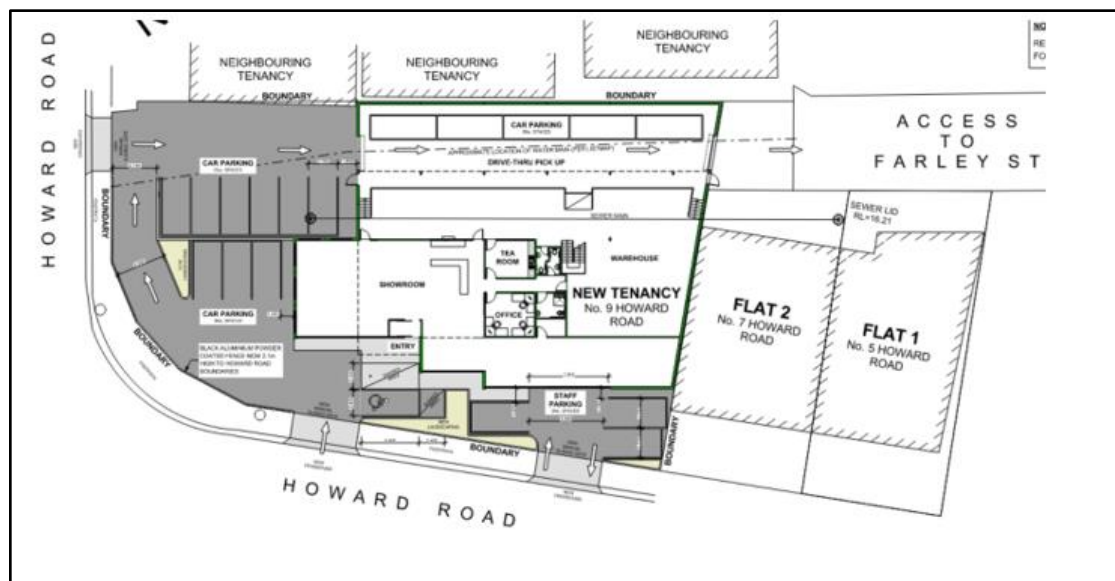


Figure 1: Proposal Plan – Shane Man and Associates

SITE and LOCALITY

The subject site is located opposite the main entrance to the showgrounds, at a ninety-degree bend of Howard Road. The property is known as 9 Howard Road and is comprised within a strata plan that also applies to 5 and 7 Howard Road. The title reference is CT 60304/3. The subject property has an irregular shape with an area of 1621m² and is near level. The property is currently occupied by a roofing materials showroom. The property is surrounded by industrial use to the south and east, the

showgrounds to the north and the rail corridor on the opposite side of Howard Road to the west. The property is shown in Figure 2.



Figure 2: Subject Site - Council Database 2019

ZONE

The property is located within the General Industrial Zone in purple, which also applies to the surrounding land. The railway corridor is within the Utilities Zone to the west in yellow and the showgrounds within the Community Purpose Zone to the north in light yellow. The zoning map is shown in Figure 3.



Figure 3: Zoning Map - GIPS 2015

BACKGROUND

Application

The application is supported by the following documents:

- Civil Drawings by Aldmark submitted on 21/05/20
- Planning submission by Ireneinc dated 30 April 2020
- Traffic Impact Statement by Milan Prodanovic dated April 2020

Permits

There is no background information relevant to this assessment.

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 Specific Area Plan applies. The following codes apply and prevail over the relevant Zone provisions if there is any conflict.

- E5.0 Road and Railway Assets Code
- E6.0 Access and Parking Code
- E7.0 Stormwater Management Code
- E17.0 Signs Code

Use Class Description (Table 8.2):

The application is for a warehouse with ancillary showroom, which fits under the use class Storage. The use is defined in Table 8.2 Use Classes as follows:

Storage

use of land for storage or wholesale of goods and may incorporate distribution. Examples include boat and caravan storage, contractors' yard, freezing and cool storage, liquid fuel depot, solid fuel depot, vehicle storage, warehouse and wood yard.

The proposed warehouse includes a showroom component which accounts for approximately 24% of the total floor area. Under clause 8.2.2 a use or development that is directly associated with and a subservient part of another use on the same site must be categorised into the same use class as that other use.

Other relevant definitions (Clause 4.1):

There are no definitions of special relevance to this application in 4.1 Planning Terms and Definitions.

Discretionary Use or Development

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 Performance Criteria as follows:

- 25.4.2 P1 Setback
- E5.6.2 P2 Road accesses and junctions
- E5.5.1 P3 Existing road accesses and junctions
- E6.6.1 P1 Number of Car Parking Spaces
- E6.7.2 P1 Design of Vehicular Accesses
- E17.7.1 P1 Standards for Signs
- E17.7.1 P2 Standards for Signs

Part C: Special Provisions

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

9.4 Demolition

9.4.1 Unless approved as part of another development or prohibited by another provision, an application for demolition may be approved at the discretion of the planning authority having regard to:

- (a) the purpose of the applicable zone;*
- (b) any relevant local area objective or desired future character statement of the applicable zone;*
- (c) the purpose of any applicable code; and*
- (d) the purpose of any applicable specific area plan.*

The proposed demolition is considered acceptable. The building is not heritage listed and there are no other codes applicable. The proposal would not be contrary to the objective of the General Industrial Zone as it would allow for a new warehouse to be constructed.

Part D: Zones

The land is within the General 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 purpose of the General Industrial Zone in 25.1 is as follows:

- To provide for manufacturing, processing, repair, storage and distribution of goods and materials where there may be impacts on neighbouring uses.
- To provide industrial activity with good access to strategic transport networks.
- To promote efficient use of existing industrial land stock.
- To restrict intensification of existing non-conforming uses.
- To provide industrial activity with good access to strategic transport networks.

Comment

The proposed warehouse is considered in accordance with the zone purpose as it would provide for storage and distribution of goods near a major road.

Use Table

The use class Storage is 'permitted' within the General Industrial Zone in 25.2 Use Table.

Use Standards

There are no use standards for this zone.

Development Standards for Buildings or Works

The proposal accords with the relevant Acceptable Solutions as demonstrated in the attached Appendix, except as follows:

25.4.2 A1 Setback

The proposal does not satisfy the Acceptable Solution in 25.4.2 A1 with respect to front setbacks. Therefore, the proposal relies on the related Performance Criteria as follows:

25.4.2 P1 Setback

Building setback from frontage must satisfy all of the following:

- (a) be consistent with any Desired Future Character Statements provided for the area;*
- (b) be compatible with the setback of adjoining buildings;*
- (c) enhance the characteristics of the site, adjoining lots and the streetscape;*
- (d) provide adequate opportunity for parking.*

Comment

The proposed building would have a setback of 17m from the primary frontage and between 4.9m and 6.7m for the secondary frontage. The Acceptable Solution requires 10m.

There are no considerations for any Desired Future Character Statement as the site is outside the Price of Wales Maritime Industrial Precinct where the character statement applies.

In terms of compatibility of setbacks, it is noted that the setback on the primary frontage complies and most of the parking is provided at that frontage. The proposed setback on the secondary frontage is considered compatible with existing setbacks of buildings adjoining to the east that have a similar alignment. The buildings at 3, 5 and 7 Howard road have setbacks between 4.5m and 4.9m.

The proposed building is considered to enhance the characteristic of the site and the streetscape, by replacing a neglected building and outdoor display with a new modern building. The new building would fit well with the streetscape through its form and fenestration that faces both frontages.

The site provides sufficient parking so that the reduced frontage is not impacting on available space.

Therefore, the proposal complies with the standard through the Performance Criteria.

Part E: Codes

The following codes of the Scheme apply to this proposal:

E5.0 Road and Railway Assets Code

The proposal accords with the relevant Acceptable Solutions as demonstrated in the attached Appendix, except as follows:

E5.5.1 A3 Existing road accesses and junctions

The proposal does not satisfy the Acceptable Solution in E5.5.1 A3 with respect to traffic increase. Therefore, the proposal relies on the related Performance Criteria as follows:

E5.5.1 P3 Existing road accesses and junctions

Any increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of more than 60km/h must be safe and not unreasonably impact on the efficiency of the road, having regard to:

- (a) the increase in traffic caused by the use;*
- (b) the nature of the traffic generated by the use;*
- (c) the nature and efficiency of the access or the junction;*
- (d) the nature and category of the road;*
- (e) the speed limit and traffic flow of the road;*
- (f) any alternative access to a road;*
- (g) the need for the use;*
- (h) any traffic impact assessment; and*
- (i) any written advice received from the road authority.*

Comment

The application was referred to Council's Traffic Engineer, who assessed that the proposal satisfies the above Performance Criteria.

For further comments, please refer to the engineering assessment under the Referrals section of this report.

E5.6.2 A2 Road accesses and junctions

The proposal does not satisfy the Acceptable Solution in E5.6.2 A2 with respect to the number of accesses. Therefore, the proposal relies on the related Performance Criteria as follows:

E5.6.2 P2 Road accesses and junctions

For roads in an area subject to a speed limit of 60km/h or less, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to:

- (a) the nature and frequency of the traffic generated by the use;*
- (b) the nature of the road;*
- (c) the speed limit and traffic flow of the road;*
- (d) any alternative access to a road;*
- (e) the need for the access or junction;*
- (f) any traffic impact assessment; and*
- (g) any written advice received from the road authority.*

Comment

The site would have four driveways. One driveway at the southern end of the site (western frontage) for staff with entry and exit. Two driveways on either side of the bend on Howard Road that will be entry only. One driveway onto Farley Street that will be exit only. Two of the driveways need to be managed with pavement arrows and signage according to the Traffic Engineer, which then satisfies the above Performance Criteria.

For further comments, please refer to the engineering assessment under the Referrals section of this report.

E6.0 Access and Parking Code

The proposal accords with the relevant Acceptable Solutions as demonstrated in the attached Appendix, except as follows:

E6.6.1 A1 Number of Car Parking Spaces

The proposal does not satisfy the Acceptable Solution in E6.6.1 A1 with respect to a parking surplus. Therefore, the proposal relies on the related Performance Criteria as follows:

E6.6.1 P1 Number of Car Parking Spaces

The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:

- (a) car parking demand;*
- (b) the availability of on-street and public car parking in the locality;*

- (c) the availability and frequency of public transport within a 400m walking distance of the site;*
- (d) the availability and likely use of other modes of transport;*
- (e) the availability and suitability of alternative arrangements for car parking provision;*
- (f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;*
- (g) any car parking deficiency or surplus associated with the existing use of the land;*
- (h) any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site;*
- (i) the appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;*
- (j) any verified prior payment of a financial contribution in lieu of parking for the land;*
- (k) any relevant parking plan for the area adopted by Council;*
- (l) the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;*
- (m) whether the provision of the parking would result in the loss, directly or indirectly, of one or more significant trees listed in the Significant Trees Schedule.*

Comment

The proposal provides for eighteen parking spaces, where fifteen are required. This results in a surplus greater than 10% which causes a discretion. Nevertheless, the surplus is considered to cater for the anticipated demand according to the Traffic Engineer and satisfies the above Performance Criteria.

For further comments, please refer to the engineering assessment under the Referrals section of this report.

E6.7.2 A1 Design of Vehicular Accesses

The proposal does not satisfy the Acceptable Solution in E6.7.2 A1 with respect to the number of accesses. Therefore, the proposal relies on the related Performance Criteria as follows:

E6.7.2 P1 Design of Vehicular Accesses

Design of vehicle access points must be safe, efficient and convenient, having regard to all of the following:

- (a) avoidance of conflicts between users including vehicles, cyclists and pedestrians;
- (b) avoidance of unreasonable interference with the flow of traffic on adjoining roads;
- (c) suitability for the type and volume of traffic likely to be generated by the use or development;
- (d) ease of accessibility and recognition for users.

Comment

As mentioned earlier there would be four driveways, of which two would be located on the same frontage. The Traffic Engineer assessed that the accesses would be safe, efficient and convenient subject to management of pavement arrows and signage, controlling entry and exit. Therefore, the proposal satisfies the above Performance Criteria.

For further comments, please refer to the engineering assessment under the Referrals section of this report.

E7.0 Stormwater Management Code

The proposal accords with the relevant Acceptable Solutions as demonstrated in the attached Appendix. For further comments please refer to the Engineering Assessment under the Referrals section later in this report.

E17.0 Signs Code

The application proposes six wall signs and seven window signs, displaying a combination of logos and products. The proposed signage is shown in Figure 4.

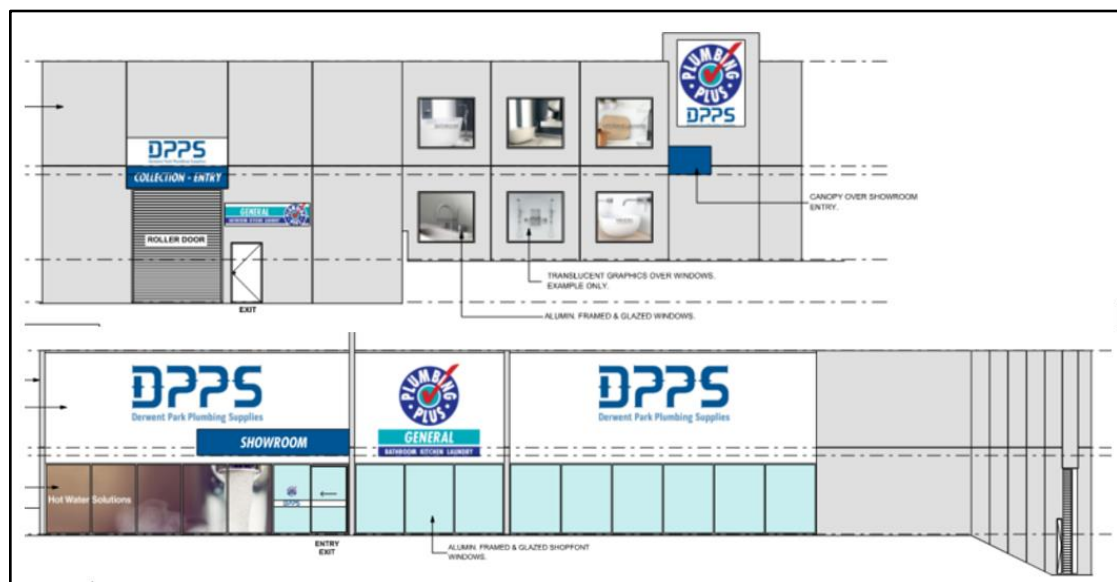


Figure 4: Proposed Signage - Shane Mann & Associates

E17.3 Definition of Terms

The proposed signs fall within the following definition:

Wall Sign	means a sign painted on or attached parallel to the wall of a building or fence surrounding a building.
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Window Sign	means a sign on the glass surface of a window or located less than 150mm behind a surface.
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E17.7.1 A1 Standards for Signs

The proposal does not satisfy the Acceptable Solution in E17.7.1 A1 with respect to sign standards in Table E17.2 as follows:

Wall Sign

- (a) Message on the front face only;*
- (b) Projection from the face of the wall or fence no more than 450mm;*
- (c) Does not extend laterally beyond the wall or above the top of the wall to which it is attached;*
- (d) Area of sign no more than 2m².*

Window Sign

- (a) Does not obscure more than 10% of the window surface.*
- (b) Must be on a ground floor level window.*

Therefore, the proposal relies on the related Performance Criteria as follows:

E17.7.1 P1 Standards for Signs

A sign not complying with the standards in Table E17.2 or has discretionary status in Table E17.3 must satisfy all of the following:

- (a) be integrated into the design of the premises and streetscape so as to be attractive and informative without dominating the building or streetscape;*
- (b) be of appropriate dimensions so as not to dominate the streetscape or premises on which it is located;*
- (c) be constructed of materials which are able to be maintained in a satisfactory manner at all times;*
- (d) not result in loss of amenity to neighbouring properties;*
- (e) not involve the repetition of messages or information on the same street frontage;*
- (f) not contribute to or exacerbate visual clutter;*
- (g) not cause a safety hazard.*

Comments

The proposed signage is considered in accordance with the above Performance Criteria for the following reasons:

- The proposed signage is in proportion to the size of the building and is integrated with the building so as not be dominating the building or the streetscape.
- The proposed signage is not considered to adversely affect the amenity of the area that is industrial in nature with corporate branding being prevalent.

- The proposed wall signage on the southwest elevation serves to identify different parts of the building, such as the entry, general logo and showroom. On the northwest elevation, the signage is a general logo and a sign that identifies a pick-up area. The window signage depicts different items on sale such as baths, sinks, showers and hot water cylinders. As such there would not be a repetition of messages or result in visual clutter.
- There would be no road safety issues with the proposed signage as it would not represent or obscure statutory signage.

Therefore, the proposal complies with the standard through the Performance Criteria.

E17.7.1 A2 Standards for Signs

The proposal does not satisfy the Acceptable Solution in E17.7.1 A2 with respect to the number of signage types per frontage. Therefore, the proposal relies on the related Performance Criteria as follows:

E17.7.1 P2 Standards for Signs

The number of signs per business per street frontage must:

- minimise any increase in the existing level of visual clutter in the streetscape; and where possible, shall reduce any existing visual clutter in the streetscape by replacing existing signs with fewer, more effective signs;*
- reduce the existing level of visual clutter in the streetscape by replacing, where practical, existing signs with fewer, more effective signs;*
- not involve the repetition of messages or information.*

Comment

There would be four wall signs and one window sign on the south-west frontage and three wall signs and six window signs on the north-west frontage. The proposed signage is for a new building but would replace some signage of the demolished building. The proposed signage is not considered to result in visual clutter as the signage is on the building and is not considered dominant or considered repetitive.

Therefore, the proposal complies with the standard through the Performance Criteria.

PART F: Specific Area Plans

No Specific Area Plan applies.

INTERNAL REFERRALS

Traffic Engineer

Introduction

The developer proposes to construct a new showroom and warehouse with 18 car parking spaces at 9 Howard Road. The site will have four driveways. One driveway at the southern end of the site (western frontage) for staff with entry and exit. Two driveways on either side of the bend on Howard Road that will be entry only. One driveway onto Farley Street that will be exit only.

The assessment below is based on the Traffic Impact Assessment (TIA) undertaken by Milan Prodanovic, dated April 2020, to address codes E5.6.2 P2, E6.5 (c), E6.7.1 P1 and E6.7.2 P1. These codes required to address the parking layout and driveway assess, particularly the two driveways near the bend in Howard Road.

Traffic Generation

The traffic generated by the development is proposed to be 16 vehicles per hour based on the New South Wales, Road Traffic Authority (RTA) document – Guide to Traffic Generating Developments for showroom and warehouse.

The current use of the site is a showroom and warehouse with about half the floor area of the proposal as the current site is one story and the proposed development is two stories. The existing driveway accesses to the site will be used and one new driveway at the northern access to the site, near the bend on Howard Road.

The TIA states that “this level of traffic activity across the proposed driveways to and from the development site will not create any operational issues.” Howard Road is a collector road carrying around 500 vehicles per hour and up to 700 vehicles per hour during the afternoon peak.

Based on the above, the Acceptable Solution is not met for clause E5.5.1 A3. The increase in traffic at an access will be more than 40 vehicles per day (or 20% of existing average annual daily traffic, whichever is the greatest). The performance criteria is triggered.

The TIA is accepted, and it can be concluded that the additional traffic should not have a significant impact on the road network. The performance criteria for E5.5.1 P3 is met.

Parking

The development is proposing 18 car parking spaces, one of which is an accessible park. The TIA calculates that 15 car parking spaces are required under the Planning Scheme code 6.6.1. This is more than what is required and as such does not meet the acceptable solution as the parking is greater than 10% required.

The additional three car parking spaces is considered acceptable due to the car parking demand of the business and limited on-street parking in the area. The performance criteria for E6.6.1 P1 is met.

Driveway Access and Car Park Layout

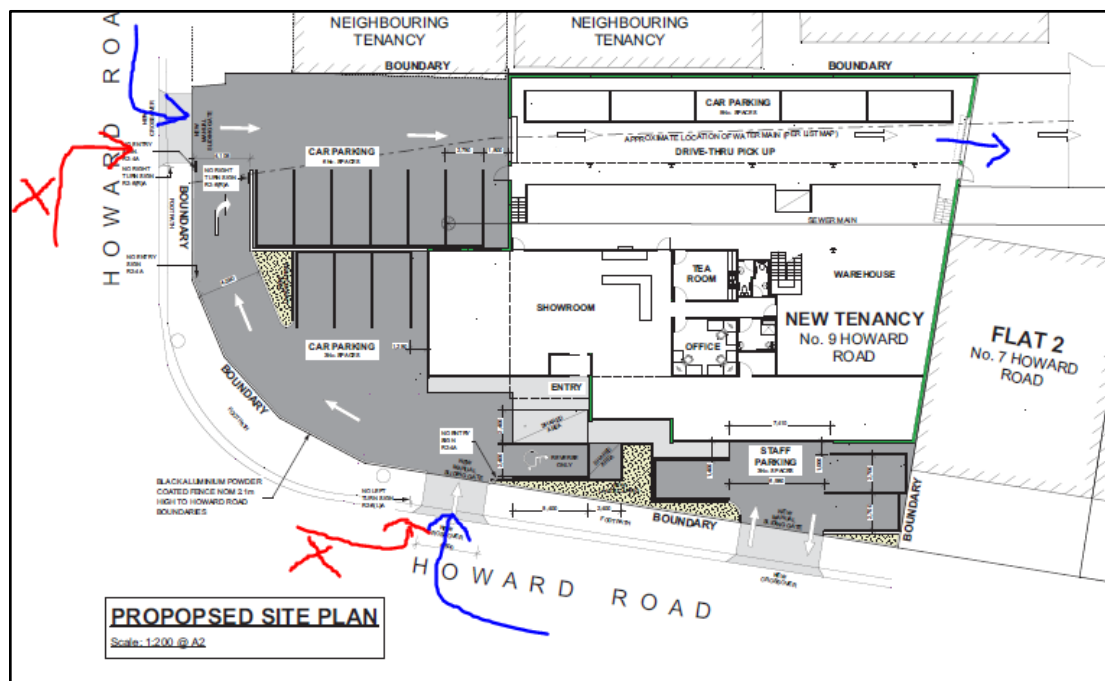
The development is proposing four accesses. The existing access at the southern end of the site (western frontage) for staff with entry / exit and the exit only onto Farley Street. These two driveway-access pose no concerns.

The other two driveway accesses proposed are at either side of the bend on Howard Road. These driveways were reviewed in the TIA in detail due to proximity to the corner and the reduced sight distance between the driveway and the corner.

At the northern driveway (northern frontage) close to the bend in Howard Road, the TIA has recommended that right turn movements into the site is prohibited. The left-hand turn into the site is acceptable and there is no exit proposed from this driveway.

At the southern driveway (western frontage) closes to the bend in Howard Road, the TIA has recommended that left turn movements into the site is prohibited. The right-hand turn into the site is acceptable and there is no exit proposed from this driveway.

The sketch below shows the turning movements allowed in blue and the movements not allowed in red (with a cross next to them) from plan 23.19 / DA .02/B in the TIA. The car parking layout was adjusted to accommodate the driveway accesses and as stated in the TIA meets AS 2890.1.



The TIA has recommended pavement arrows within the site to guide vehicles and signage to prohibit the turning movements not allowed at the driveways, as shown on plan 23.19 / DA .02/B in the TIA. The pavement arrows and signage are accepted, apart from the location of the No Right turn sign and No Left turn sign into the site.

The TIA and subsequent letter from Milan Prodanovic, dated 17 May 2020, suggests that the No Right turn sign and No Left turn sign into the site needs to be located next to the kerb so that they are within the road reservations to be enforceable and visible. My view is that the signage should be placed on the property boundary fence so as not to be confusing to passing motorists and relevant to the driveways particularly if the gates are installed and closed after hours. The signage will still be enforceable and visible to drivers wishing to turn into the driveway.

The TIA is mostly accepted in which the installation of pavement arrows and signage for the driveways will be conditioned for on the permit along with their location. Based on the TIA it can be concluded that the proposed accesses are safe and will not unreasonable impact on the efficiency of the road, thus the following codes are met being E5.6.2 P2, E6.5 Part C, E6.7.1 P1 and E6.7.2 P1.

Conclusion

As 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 objection to the development on traffic engineering or road safety grounds subject to a recommended condition for pavement arrows and signage.

Development Engineer

Comments

The proposal is to demolish the existing building on the site and construct a new building on two levels, the lower level will accommodate a showroom/sales area and the upper level will be utilised as warehouse space. As part of the assessment process a Traffic Impact Assessment was requested to address the parking layout and driveway accesses, particularly the two driveways proposed in proximity of the bend in Howard Road. The Traffic Impact Assessment (TIA) was submitted by Milan Prodanovic Traffic Engineering & Road Safety. After a review and examination of the TIA by Council's Traffic Engineer, no objections were raised to the development on traffic engineering or road safety grounds and only minor modifications were recommended requiring the installation of pavement arrows and signage.

E5.0 Road and Railway Assets Code

The traffic generated by the development is proposed to be 16 vehicles per hour based on the New South Wales, Road Traffic Authority (RTA) document – Guide to Traffic Generating Developments for showroom and warehouse.

The current use of the site is a showroom and warehouse with about half the floor area of the proposal as the current site is one storey and the proposed development is two storeys. The existing driveway accesses to the site will be used and one new driveway at the northern access to the site near the bend on Howard Road.

The TIA states that “this level of traffic activity across the proposed driveways to and from the development site will not create any operational issues”. Howard Road is a collector road carrying around 500 vehicles per hour and up to 700 vehicles per hour during the afternoon peak.

Based on the above the Acceptable Solution is not met for clause E5.5.1 A3. The increase in traffic at an access will be more than 40 vehicles per day (or 20% of existing average annual daily traffic, whichever is the greatest).

The TIA is accepted, and it can be concluded that the additional traffic should not have a significant impact on the road network. The performance criteria for E5.5.1 P3 is met.

E6.0 Parking and Access Code

The submitted plans indicate a total of eighteen (18) parking spaces;

- Five (5) undercover in the proposed pickup area.
- One (1) space for people with a disability.
- Nine (9) spaces for customers.
- Three (3) spaces designated for exclusive use by staff.

The proposed parking allocation does not comply with Code E6.6.1 of Parking and Access Code but the three (3) additional spaces proposed are considered appropriate for this development that has the potential to generate a significant parking demand. The site is capable of being developed and the local traffic conditions are not expected to be significantly affected.

The development is proposing four accesses. The existing access at the southern end of the site (western frontage) for staff with entry / exit and the exit only onto Farley Street. These two driveway-accesses pose no concerns.

The other two driveway accesses proposed are at either side of the bend on Howard Road. These driveways were reviewed in the TIA in detail due to proximity to the corner and the reduced sight distance between the driveway and the corner.

At the northern driveway (northern frontage) close to the bend in Howard Road, the TIA has recommended that right turn movements into the site be prohibited. The left-hand turn into the site is acceptable and there is no exit proposed from this driveway.

At the southern driveway (western frontage) close to the bend in Howard Road, the TIA has recommended that left turn movements into the site be prohibited. The right-hand turn into the site is acceptable and there is no exit proposed from this driveway.

E7.0 Stormwater Management Code

This code applies to development requiring management of stormwater. This code does not apply to use. The stormwater run-off from the impervious surfaces will connect by gravity, via an on-site detention facility to the available stormwater connection.

Other

E3.0 Landslide Code

There are no landslide issues identified through Council's records that affect the site.

E11.0 Waterway and Coastal Protection Code (E11.7.1 A4 and P4)

There is no new stormwater point of discharge into a watercourse. Therefore, the development application complies with the A4 of E11.7.1

E15.0 Inundation Prone Areas Code

There are no Inundation issues identified through Council's records that affect the proposed development site.

EXTERNAL REFERRALS

TasWater

The application was referred to TasWater, which has nominated a number of conditions should the application be approved. The *Water and Sewerage Industry Act 2008* requires the Planning Authority to include conditions from TasWater, if a permit is granted.

TasGas - Enwave

Enwave Australia has no conditions or objections to the planning referral PLN-19-407 at 9 Howard Road, Glenorchy.

REPRESENTATIONS

The application was advertised for the statutory 14-day period with no representation(s) being received.

CONCLUSION

The application proposes the construction of a new warehouse, with ancillary showroom and signage, as well as the demolition of a roofing showroom. The application is discretionary for a front setback, number of accesses, a parking surplus and signage. The proposal satisfies each of the relevant Performance Criteria as outlined within the report.

There were no representations received during the statutory advertising period.

A special condition is recommended for pavement arrows and signage on the advice of the Traffic Engineer.

In conclusion, the proposal is assessed to substantially comply with the requirements of Schedule 1 of the *Land Use Planning and Approvals Act 1993* and the *Glenorchy Interim Planning Scheme 2015*, subject to the recommended conditions.

RECOMMENDATION:

That a permit be granted for the proposed use and development of Demolition, construction of warehouse (storage) and associated showroom with signage at 9 Howard Road Glenorchy, subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-19-407 and Drawings submitted on 30/04/20 (Architectural Drawings) and Drawings submitted on 15/05/20 (Civil Drawings), 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 2020/00045-GCC, dated 10/06/20, form part of this permit.
3. Any mechanical plant must be screened from view from the street and other public spaces.
4. Roof-top service infrastructure, including service plants and lift structures, must be incorporated within the design of the roof.
5. Signs must not be illuminated, contain flashing lights, moving parts or changing messages or graphics, without separate approval.

Traffic

6. Prior to commencement of use, pavement arrows and signage within the site must be installed in accordance with plan 23.19 / DA .02/B in the Traffic Impact Statement (TIA) by Milan Prodanovic, dated April 2020. Signage of the No Right turn and No Left turn as shown on plan 23.19 / DA .02/B in the TIA must not be installed alongside the kerb but instead on the property boundary where it is visible to drivers making the turn from the road.

Engineering

7. Prior to the issuing of a Building Approval 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, 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.

8. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
9. The design and construction of the 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 the Council's Development Engineer. Drawings showing the design of the driveway, parking, access and turning areas must be submitted with the Building Application or prior to the commencement of works on site (whichever comes first) for approval by Council's Development Engineer. The proposed driveway and parking area must comply with the following:-
 - a) Be constructed to a sealed finish and the finished gradient must not exceed the maximum gradient of 25%;
 - b) Eighteen (18) clearly marked car parking spaces, including a designated space for people with a disability must be provided in accordance with the approved plan and kept available for these purposes at all times;
 - c) Vertical alignment shall include transition curves (or straight sections) to the Australian Standard, Parking facilities - Part 1: Off-Street Carparking AS 2890.1 - 2004, Clause 2.5.3 (d) at all grade changes greater than 12.5%;

All works must be completed prior to occupancy of the building.

10. Adequate on-site stormwater detention must be provided so that stormwater discharged from the site does not exceed the pre-development stormwater runoff for 1 in 20 ARI (5% AEP) storm event. A detailed design must be submitted with the Building Application prepared by a qualified professional engineer for

approval by Council's Development Engineer and constructed prior to a Certificate of Occupancy being issued for the new premises.

11. 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.
12. Landscaping of parking and circulation areas must be provided. This landscaping must be no less than 5 percent of the area of the car park. A landscape design must be submitted for approval of the Development Engineer prior to commencement of any works on site. These works must be completed prior to occupancy of the new premises.
13. The property owner is to ensure that Council's Road Assets and Infrastructure are protected during the demolition and building process. The owner is to ensure that damage to road assets, footpaths, kerb and channel, drainage pits, nature strips and other services is kept to a minimum and any damaged assets are reinstated. Should damages occur, the repair costs associated with such damages are the responsibility of the property owner. If reinstatement works are not undertaken promptly or to Council's satisfaction, Council may elect to reinstate or rectify any defects and recover the expenses reasonably incurred in doing so from the property owner.

Advice to Applicant

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

Strata Plan

The strata plan must be amended by registration of an amendment in accordance with the *Strata Titles Act 1998*, to show the new building.

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.

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.

Attachments/Annexures

- 1** GPA Attachments - 9 Howard Road



APPENDIX

25.0 General Industrial

Standard	Acceptable Solution	Proposed	Complies
25.4 Development Standards for Buildings and Works			
25.4.1 Building Height	A1 Building height must be no more than: 20m.	Maximum building height: 8.5m	Yes
25.4.2 Setback	A1 Building setback from frontage must be no less than: 10m.	Primary frontage: 17m Secondary frontage: 4.9m	No – Discretion
25.4.3 Design	A1 Building design must address the street by complying with all of the following: (a) provide the main pedestrian entrance to the building at the frontage; (b) screen mechanical plant from view from the street and other public spaces; (c) incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof.	a) Main entry to Howard Street b) Condition c) Condition	Yes
24.4.4 Fencing	A1 Fencing must comply with all of the following: (a) fences, walls and gates of greater height than 2.4 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.	Fence height: 2.1m Transparency: 50%	Yes

APPENDIX**E17.0 Signs Code**

Standard	Acceptable Solution	Proposed	Complies?
E17.6 Use Standards			
E17.6.1 Use of Signs	A1 A sign must be a permitted sign in Table E17.3 General Industrial Zone	Wall signs and window signs are both permitted within the General Industrial Zone	Yes
	A2 A sign associated with the sale of goods or services must relate directly to the use of the building or site to which it is affixed.	Yes, all signage would relate to the plumbing warehouse	Yes
	A3 A sign must not contain flashing lights, moving parts or changing messages or graphics, except if a Statutory Sign	The signs would not contain lights, moving messages or parts.	Yes
	A4 An illuminated sign must not be located within 30 metres of a residential use, except if a Statutory Sign.	No illumination proposed	NA
E17.7 Development Standards			
E17.7.1 Standards for Signs	A1 A sign must comply with the standards listed in Table E.17.2 and be a permitted sign in Table E17.3.	Complies with Table 17.3 Status of Signs within Zone	No -Discretion

Standard	Acceptable Solution	Proposed	Complies?
		Does not comply with Table 17.2 Sign Standard as underlined: Wall Sign (a) Message on the front face only; (b) Projection from the face of the wall or fence no more than 450mm; (c) Does not extend laterally beyond the wall or above the top of the wall to which it is attached; <u>(d) Area of sign no more than 2m².</u> Window Sign (a) <u>Does not obscure more than 10% of the window surface.</u> (b) Must be on a ground floor level window.	
	A2 The number of signs per business per street frontage must comply with all of the following: (a) maximum of 1 of each sign type; (b) maximum of 1 window sign per window; (c) if the street frontage is less than 20 m in length, the maximum number of signs on that frontage is 3; (d) if the street frontage is 20 m in length or greater, the maximum number of signs on that frontage is 6. except for the following sign types, for which there is no limit;	North-west frontage There would be 4 wall signs and 1 window sign South-west frontage There would be 3 wall signs and 6 window signs	No – Discretion

Standard	Acceptable Solution	Proposed	Complies?
	(i) Building Site, (ii) Name Plate, (iii) Newspaper Day Bill, (iv) Open/Closed, (v) Real Estate, (vi) Street Number, (vii) Temporary Sign.		
	A3 Signs must not obscure or prevent or delay a driver from seeing a Statutory Sign or a Tourist Information Sign.	The proposed signage would be on the wall and windows and would not obstruct any statutory signage.	Yes
	A4 Signs must not resemble Statutory Signs because of the same or similar shape, size, design, colour, letter size or lighting.	The proposed signage would not resemble statutory signage.	Yes
	A5 For properties that have a common boundary with Brooker Avenue, any advertising sign must be located at least 5m from that boundary.	Not near Brooker Highway	NA
E17.7.2 Standards for signs on Heritage Places subject to the Heritage Code or within Heritage Precinct or	A1 No acceptable solution.	Not heritage listed	NA

Standard	Acceptable Solution	Proposed	Complies?
Cultural Landscape Precincts			

APPENDIX

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.		NA
	A2 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.		NA

Standard	Acceptable Solution	Proposed	Complies?
	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.	The estimated AADT is 152, The TIA is accepted, and it can be concluded that the additional traffic should not have a significant impact on the road network. The performance criteria for E5.5.1 P3 is met.	NO
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.		NA

Standard	Acceptable Solution	Proposed	Complies?
	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.		YES
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		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.	The development is proposing four accesses. The existing access at the southern end of the site (western frontage) for staff with entry / exit and the exit only onto Farley Street. These two driveway access pose no concerns. The TIA states that “this level of traffic activity across the proposed driveways to and from the development site will not create any operational issues.” Howard Road is a collector road carrying around 500 vehicles per hour and up to 700 vehicles per hour during the afternoon peak.	NO

Standard	Acceptable Solution	Proposed	Complies?
E5.6.3 New Level Crossings	A1 No Acceptable Solutions.		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.	The two driveway accesses proposed either side of the bend on Howard Road where reviewed in the TIA in detail due to proximity to the corner and the reduced sight distance between the driveway and the corner. The TIA states that "this level of traffic activity across the proposed driveways to and from the development site will not create any operational issues."	NO

APPENDIX

E6.0 Parking and Access Code

Standard	Acceptable Solution	Proposed	Complies?
E6.6 Use Standards			
E6.6.1	A1 The number of on-site car parking spaces must be:	The proposed parking allocation does not comply with Code E6.6.1 of Parking and Access Code but the three (3) additional spaces proposed are	NO

Standard	Acceptable Solution	Proposed	Complies?
Number of Car Parking Spaces	(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.	considered appropriate for this development that has the potential to generate a significant retail trade.	
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.	One space dedicated for people with a disability	YES
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.	No requirement, parking provided is less than 20	Yes

Standard	Acceptable Solution	Proposed	Complies?
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.	As the usable space (showroom) is less than 500m2 there is no requirement.	Yes
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.	The development is proposing four accesses. The existing access at the southern end of the site (western frontage) for staff with entry / exit and the exit only onto Farley Street. These two driveway access pose no concerns. The TIA states that "this level of traffic activity across the proposed driveways to and from the development site will not create any operational issues." Howard Road is a collector road carrying around 500 vehicles per hour and up to 700 vehicles per hour during the afternoon peak.	No
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	The other two driveway accesses proposed are at either side of the bend on Howard Road. These driveways were reviewed in the TIA in detail due to proximity to the corner and the reduced sight distance between the driveway and the corner. The TIA states that "this level of traffic activity across the proposed driveways to and from the	YES

Standard	Acceptable Solution	Proposed	Complies?
	AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (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.	development site will not create any operational issues."	
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.	The one-way system negates the need for passing bays.	NA
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;		YES

Standard	Acceptable Solution	Proposed	Complies?
	(b) it meets a road carrying less than 6000 vehicles per day.		
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.		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.	Concrete pavement proposed.	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.	It is not proposed to operate the business outside daylight hours.	YES YES

Standard	Acceptable Solution	Proposed	Complies?
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.	Areas for landscaping denoted on the plan, and has been conditioned	YES
E6.7.9 Design of Motorcycle Parking Areas	A1 The design of motorcycle parking areas must comply with all of the following: (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.	No requirement	YES
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.	No requirement	YES
	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.	No requirement	YES

Standard	Acceptable Solution	Proposed	Complies?
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.	No requirement	YES
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.		NA
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.	The proposed drive-thru area will be utilised for deliveries.	YES
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements of the road authority.		YES

APPENDIX

E7.0 Stormwater Management Code

Standard	Acceptable Solution	Proposed	Complies?
E7.7 Development Standards			
E7.7.1 Stormwater Drainage and Disposal	A1 Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.	Concept plan provided	YES
	A2 A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply: (a) the size of new impervious area is more than 600 m ² ; (b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots.	No requirement as new impervious area does not exceed 600m ² , Spel stormstack Gross pollutant traps proposed for stormwater run-off in carparking areas.	YES
	A3 A minor stormwater drainage system must be designed to comply with all of the following: (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed; (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.	Details of proposed detention system provided	YES

Standard	Acceptable Solution	Proposed	Complies?
	A4 A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.		NA

7. PROPOSED USE AND DEVELOPMENT - INCREASE TO HOURS OF OPERATION (MANUFACTURING AND PROCESSING) - 1 WHITESTONE DRIVE GRANTON

Author: Planning Officer (Sylvia Jeffreys)

Qualified Person: Planning Officer (Sylvia Jeffreys)

Property ID: 7613272

REPORT SUMMARY

Application No.:	PLN-20-041
Applicant:	J & R Erends Pty Ltd
Owner:	J & R Erends Pty Ltd
Zone:	Light Industrial
Use Class	Manufacturing and processing
Application Status:	Discretionary
Discretions:	24.3.1 P1 Hours of Operation 24.3.2 P1 Noise (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	03 Jul 2020
Existing Land Use:	Manufacturing and processing
Representations:	1
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The application seeks approval to extend operating hours at a profiled metal roofing manufacture and distribution business in Granton. The proposed operating hours are as follows:

Monday to Friday	05.45am – 06.45pm
Saturday	07.00am – 06.00pm
Sunday	10.00am – 06.00pm
Public Holidays	10.00am – 06.00pm



Figure 1: Site Photos 10/06/20 – Site on Left – Nearby Residential Development Opposite on Right

The use of Manufacturing and Processing is permitted within the Light Industrial Zone. The application is discretionary for operating hours and noise levels.

SITE and LOCALITY

The subject property is in a small industrial area at Granton, between the railway line and Main Road and adjoining the Derwent River. The property has an area of 9938m² and contains a large industrial building with parking at the front and a second smaller building at the rear. There is a loading and unloading area between the buildings and a storage area along the western boundary. There is an industrial property on the other side of the street and residential development behind. The residential development sits higher than the industrial land and fronts Main Road. The nearest dwelling would be approximately 130m from the loading and unloading area between the industrial buildings on the subject site. The site is shown in Figure 2.



Figure 2: Subject Site - Council Database 2019

ZONE

The subject land is situated within the Light Industrial Zone in fuchsia and adjoins the Environmental Management Zone in teal to the west and the Utilities Zone in yellow to the north. There is a buffer of Open Space zoned land in green, between residential zones to the west. The General Residential Zone is in red and the Rural Living Zone in pink. The nearest boundary of the site to the nearest part of any residential zone is approximately 51m. The zoning map is shown in Figure 3.

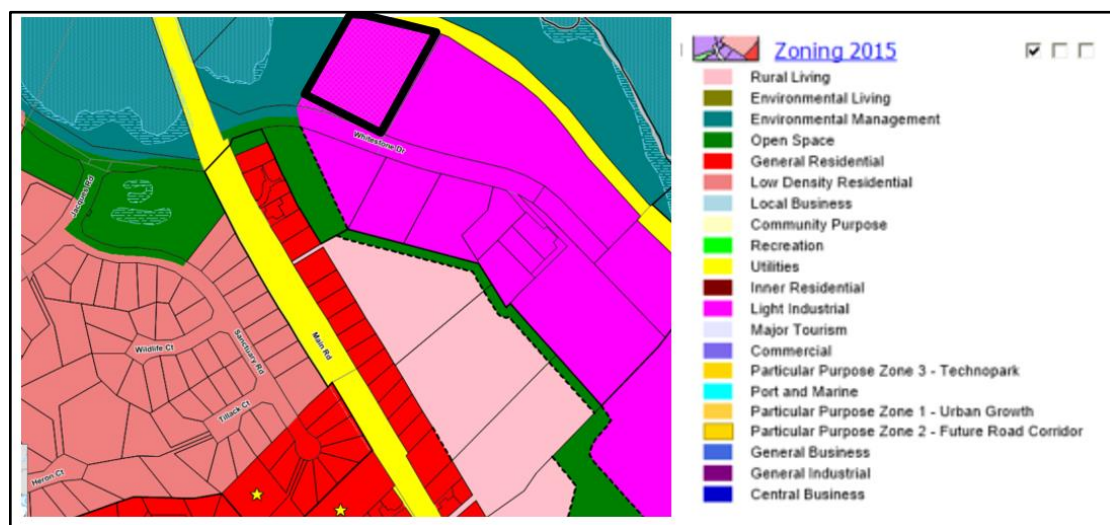


Figure 3: Zoning Map - GIPS 2015

BACKGROUND

Application

The following supporting information was submitted:

- Noise Assessment by Noise Vibration Consulting dated 25/05/20

Permits

The following permits were granted for the site;

- PLN-14-168 - A workshop addition to existing Limited Impact Industry with 15 new parking spaces and new access – 19/08/14

This permit allows for operating hours of the rear workshop of 7.00am to 6.00pm Mondays to Fridays, Saturdays 8.00am to 6.00pm and Sundays and public holidays 10.00am to 6.00pm.

- PLN-17-028- Additions and alterations to Metal Fabrication (Manufacturing and Processing) relying on performance criteria – Approved 19/06/17

This permit allows for operating hours for the front workshop between 7:30am and 5.00pm Monday to Friday inclusive.

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

Nil.

Limited Exemptions

Nil.

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

No specific areas plan or code applies.

Use Class Description (Table 8.2):

The application is for extension of operating hours of an existing use of Manufacturing and Processing. The use is defined in Table 8.2 Use Classes as follows:

Manufacturing and processing

use of land for manufacturing, assembling or processing products other than Resource processing. Examples include boat building, brick making, cement works, furniture making, glass manufacturing, metal and wood fabrication, mineral processing and textile manufacturing.

Other relevant definitions (Clause 4.1):

The following meanings in 4.1 Planning Terms and Definitions are applicable:

hours of operation

means the hours that a business is open to the public or conducting activities related to the business, not including routine activities normally associated with opening and closing for business.

Discretionary Use or Development

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 Performance Criteria as follows:

- 24.3.1 A1 Hours of Operation
- 24.3.2 P1 Noise

Part C: Special Provisions

There are no Special Provisions applicable.

Development Overhanging Land in a Different 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 purpose of the Light Industrial Zone in 24.1.1 is as follows:

- 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.
- To promote efficient use of existing industrial land stock.
- To minimise land use conflict in order to protect industrial viability and the safety and amenity of sensitive land uses in adjacent zones.
- To provide industrial activity with good access to strategic transport networks.

Comment

The application is in association with an existing use for Manufacturing and Processing, which accords with the zone objectives. The extension of operating hours are not considered to unreasonably impact on the amenity of the residential zone in the vicinity so that there would be no land use conflict.

Use Table

The use class Manufacturing and Processing is permitted within the Light Industrial Zone in 24.2 Use Table.

Use Standards

The application accords with all relevant Acceptable Solutions as demonstrated in the attached appendix, except as follows:

24.3.1 A1 Hours of Operation

The proposal does not accord with the Acceptable Solution in 24.3.1 A1 with respect to operating hours. Therefore, the application relies on the related Performance Criteria as follows:

24.3.1 A1 Hours of Operation

Hours of operation of a use within 100 m 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.

Comment

The nearest boundary of the site to the nearest part of any residential zone is approximately 51m. The nearest distance from the loading area between the two buildings to the nearest dwelling at 307 Main Road is approximately 130m. The operating hours of the acceptable solution and the proposed operating hours are shown below:

Acceptable Solution 24.3.1 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.

Proposed operating hours

Monday to Friday 05.45 am – 06.45 pm

Saturday 07.00 am – 06.00 pm

Sunday 10.00 am – 06.00 pm

Public Holidays 10.00 am – 06.00 pm

The proposed operating hours essentially would start one hour and fifteen minutes earlier on weekdays; two hours earlier on Saturdays as well as one hour later; and operating on Sundays and public holidays. The applicant submitted a noise assessment to demonstrate that the operating hours would not have any unreasonable impact upon residential amenity through vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent.

Therefore, the proposal complies with the standard through the Performance Criteria. For further comments, please refer to the assessment by the Environmental Health Officer under the Referrals section later in this report.

24. 3.2 A1 Noise

The proposal does not accord with the Acceptable Solution in 24.3.2 A1 with respect to noise. Therefore, the application relies on the related Performance Criteria as follows:

24.3.2 P1 Noise

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

Comment

According to the submitted noise assessment, noise levels at times would exceed those of the Acceptable Solution, which are measured at the nearest residential zone, rather than from the noise source to the nearest dwelling. However, predicted noise levels would comply with the Tasmanian Environmental Protection Policy (Noise) 2009. Council's Environmental Health Officer is satisfied that the proposal accords with the above Performance Criteria.

Therefore, the proposal complies with the standard through the Performance Criteria

For further comments, please refer to the assessment by the Environmental Health Officer under the Referrals section later in this report.

Development Standards for Buildings or Works

No building works are proposed so that the development standards are not applicable.

Part E: Codes

No codes apply.

PART F: Specific Area Plans

No Specific Area Plan applies.

INTERNAL REFERRALS

Environmental Health Officer

The applicant engaged Noise Vibration Consulting (NVC) to undertake a noise assessment due to the proximity to a residential zone. The noise report has tried to take a conservative approach by using what they consider to be a worst-case scenario in terms of the generation of noise; this worst-case scenario includes roller doors open, loading of trucks with forklifts, and full-scale operation occurring in both sheds simultaneously.

The report concluded that during the day the noise generated is expected to comply with the acceptable solution, so it is the early morning noise that is largely in question. The report finds that in isolation the loading of the truck would be 42dBA (2dBA above the acceptable solution) at the location of the most impacted receiver and internal shed operations 40dBA with the roller doors down. When all activities are combined this level is increased to 45dBA (5dBA above the acceptable solution).

The report refers to the Tasmanian Environment Protection Policy (Noise) 2009 (Tas EPP) which derives information regarding sleep disturbance from the World Health Organisation's Guidelines for Community Noise. The Tas EPP, as a guide, identifies 45dBA (LAeq) as the average noise level (dBA) measured over 8 hours outside of a bedroom; with a maximum noise level (LMax) of 60dBA for a noise event for non-continuous noise; it is important to limit these noise events to prevent sleep disturbance, as sleep disturbance from intermittent noise increases with the maximum noise level. Therefore, the worst-case scenario, described in the report as 45dBA, would be in line with the Tas EPP levels.

While adherence to the Tas EPP provides support for the development, the noise levels are predicated and will need to be re-assessed using a noise verification report to substantiate the report's conclusion. It is recommended that a condition requiring a noise verification report is placed on the permit.

EXTERNAL REFERRALS

TasWater

The application was not referred as it does not affect TasWater infrastructure.

REPRESENTATIONS

The application was advertised for the statutory 14-day period with one representation being received.

1. Noise and Operating Hours

The representation states that the proposed operating hours would interfere with the enjoyment and pleasure of living on the property, both inside and outside. The light industrial area has predominately been a weekday working environment with little or no work operating in the area on a weekend, and especially on a Sunday or Public Holidays. The noise report relies on the performance criteria for noise for the early hours, which should not be allowed because no noise should be heard outside the permitted hours. One could conclude that the early morning proposed starting times would be more noise intrusive because of the quietness of the area at that time of morning.

Planner's Comment

The planning standards in relation to noise and operating hours have been assessed earlier in this report. The application was also referred to Council's Environmental Health Officer for assessment, which was provided in the Referrals section earlier in this report. In summary, the predicted early morning noise levels rely on the performance criteria, as daytime operations would comply with the acceptable solution. The noise report takes into consideration the worst-case scenario which exceeds the noise limits of the acceptable solution, so that it is likely noise is less than the predictions. In any event, the predicted noise levels would be within the Tasmanian Environment Protection Policy (Noise) 2009 with respect to sleep disturbance. A condition is recommended for a noise verification report that will make recommendations for adjustments in operations, if the noise levels of the actual operations should exceed the predictions.

For more details, please refer to the assessment by the Environmental Health Officer.

CONCLUSION

The application is for the extension of operating hours at a profiled metal roofing manufacture and distribution business. The operating hours would be extended in particular early in the morning and also include operating on Sundays and public holidays. The use of Manufacturing and Processing is a permitted use within the Light Industrial Zone. The application is discretionary for operating hours and noise levels. The applicant submitted a noise assessment demonstrating that proposed operating hours would not have any unreasonable impact upon residential amenity through vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent.

In conclusion, the proposal is assessed to substantially comply with the requirements of Schedule 1 of the *Land Use Planning and Approvals Act 1993* and the *Glenorchy Interim Planning Scheme 2015*, subject to the recommended conditions.

RECOMMENDATION:

That a permit be granted for the proposed use and development of Increase to hours of operation (Manufacturing and Processing) at 1 Whitestone Drive Granton, subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-20-041, except as otherwise required by this permit.
2. Hours of operations must be within:

Monday to Friday 05.45 – 18.45 hours

Saturday 07.00 – 18.00 hours

Sunday 10.00 – 18.00 hours

Public Holidays 10.00 – 18.00 hours

Environmental Health

3. A noise verification report is required to be submitted to the satisfaction of Council's Senior Environmental Health Officer within six (6) weeks from receipt of a Planning Permit to validate the predictions of the Noise Vibration Consulting (NVC) report dated 25/05/2020. Once Council's Senior Environmental Health Officer is satisfied the noise verification report, all recommendations contained in the noise verification report must be implemented within six (6) weeks from the date of that report and must be maintained in accordance with that noise verification report.

Attachments/Annexures

- 1 GPA Attachments - 1 Whitestone Drive



APPENDIX

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.	Approximately 51m	No- Discretion
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	The proposal exceeds at time these noise limits	No - Discretionary

Standard	Acceptable Solution	Proposed	Complies?
	lower, between the hours of 7.00 pm to 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.		
	A2 External amplified loud speakers or music must not be used within 50 m of a residential zone.	Not proposed	NA
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;	No change	NA

Standard	Acceptable Solution	Proposed	Complies?
	(b) security lighting must be baffled to ensure they do not cause emission of light outside the zone.		
24.3.4 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 7.00 pm Mondays to Saturdays inclusive; (b) 9 am to 5.00 pm Sundays and public holidays.	Approximately 51m	Yes
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.	No change	NA
24.4 Development Standards for Buildings and Works No development is proposed so that these standards do not apply			

8. PLANNING SCHEME AMENDMENT REQUEST - SITE SPECIFIC QUALIFICATION TO ALLOW FOR STORAGE - 52 ALBERT ROAD MOONAH

Author: Planning Officer (Grace Paisley)

Qualified Person: Planning Officer (Grace Paisley)

Property ID: 5403773

REPORT SUMMARY

Application No.:	PLAM-20/01
Applicant:	ERA Planning and Environment
Owner:	BGHO Pty Ltd
Existing Zoning:	General Business Zone
Existing Land Use:	Sale of shopfitting and display equipment
Proposal in Brief:	Planning scheme amendment to allow for a Storage use
Representations:	Advertising occurs after amendment is initiated
Recommendation:	Initiate and certify amendment, and exhibit for 28 days

REPORT IN DETAIL

PROPOSAL:

The draft planning scheme amendment seeks to amend the Use Table of the General Business Zone to include 'Storage' as a discretionary use class with a site specific qualification limiting the use to 52 Albert Road, Moonah (CT 229113/1) only. The applicant has advised that they intend to use the site as a self-storage facility.

The draft amendment documentation is included in Attachment 1.

SITE AND LOCALITY:

The site is located on the northern side of Albert Road and is generally rectangular in shape. The site has an overall area of 716m² with a frontage of approximately 14m and a depth of approximately 55m. The site contains a large building which occupies

most of the site. The building is setback nearly 6m from the frontage. The building is currently used as a shopfront and warehouse for shopfitting and display equipment. Vehicular access is available to the site from Albert Road.



Figure 1: Aerial image of the subject site and surrounds

The subject site is located within the activity centre of Moonah which is bound by Charles Street to the west and the intercity cycleway corridor to the east. The Hopkins Street carpark is located directly north of the site with the Valern Hotel carpark adjoining to the west at 44 Albert Road. The site shares an eastern boundary with 24 and 26 Station Street and 54 Albert Road which all contain commercial uses. Examples of land uses in the area include offices, gym, and bulky goods sales. Directly opposite the site are two commercial uses with a restaurant and bar located 40m to the southeast. All adjoining land within the immediate area is zoned General Business with General Residential and Light Industrial zoned land approximately 100m to the east of the site.

BACKGROUND:

Introduction of the Local Provisions Schedule

The *Draft Glenorchy Local Provisions Schedule* (Draft Glenorchy LPS) was submitted to the Tasmanian Planning Commission (the Commission) on 19 December 2018 to seek approval for exhibition. The Draft Glenorchy LPS seeks to translate the subject properties (and the surrounding area) into similar zones available under the *State Planning Provisions* (SPPs). In this instance, land in a General Business Zone under the *Glenorchy Interim Planning Scheme 2015* (the Scheme) will be in a General Business Zone under the Draft Glenorchy LPS.

Under the SPPs General Business Zone, Storage is a 'discretionary' use class. Should the draft amendment be approved, the site-specific qualifications would only be required while the current Scheme is in operation (i.e. the proposed amendments are in keeping with the future planning provisions of the SPPs).

STATUTORY REQUIREMENTS:

Matters for consideration under the Land Use Planning and Approvals Act 1993 (LUPAA)

Section 20(1), former provisions, of LUPAA is relevant in that a planning scheme amendment is also considered to be the making of a planning scheme. Under this provision, the amendment must, in the opinion of the planning authority:

- Seek to further the objectives set out in Schedule 1 of LUPAA.
- Be prepared in accordance with State Policies made under [section 11](#) of the [State Policies and Projects Act 1993](#).
- Have regard to the strategic plan of a council referred to in Division 2 of Part 7 of the [Local Government Act 1993](#) as adopted by the council at the time the planning scheme is prepared.
- Have regard to the safety requirements set out in the standards prescribed under the [Gas Pipelines Act 2000](#).

Section 33(2B), former provisions, of LUPAA requires that before making a decision as to whether or not to initiate an amendment of the planning scheme, the planning authority must consider: -

- whether the requested amendment is consistent with the requirements of section 32, former provisions; i.e.
 - Must as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area.
 - Must not conflict with the requirements of section 30O, former provisions, (i.e., be to a local provision of the scheme, not conflict with a planning directive, and be, as far as practicable, consistent with the regional strategy).
 - Must have regard to the impact that the use and development permissible under the amendment will have on use and development of the region as an entity in environmental, economic and social terms.
- Any representation made under [section 30I](#), former provisions, and any statements in any report under [section 30J](#), former provisions, as to the merit of a representation, that may be relevant to the amendment.
- The advice of a person with the necessary qualifications and experience (section 65 of the Local Government Act 1993).

ASSESSMENT OF AMENDMENT REQUEST

Merits of the amendment:

The draft amendment is for a site specific qualification and therefore only relates to 52 Albert Road, Moonah, with respect to allowing the new use of Storage. The draft amendment is considered to have strategic merit based on the following discussion.

The Storage use class is generally consistent with the purpose statements of the General Business Zone as follows:

- 21.1.1.1 *To provide for business, community, food, professional and retail facilities serving a town or group of suburbs.*
- 21.1.1.2 *To ensure the major centres provide for a range of convenience and goods and services as well as some community services and facilities for the municipal area and surrounds.*
- 21.1.1.3 *To provide a focus for employment at the municipal level primarily in retailing, but complemented by a range of office based employment mainly in professional and personal services.*
- 21.1.1.4 *To facilitate residential use above ground floor level.*
- 21.1.1.5 *To ensure development is highly accessible by public transport, walking and cycling.*
- 21.1.1.6 *To provide a safe, comfortable and pleasant environment for workers, residents and visitors through the provision of high quality urban spaces and urban design.*

The use class of Storage is defined as *use of land for storage or wholesale of goods, and may incorporate distribution. Examples include boat and caravan storage, contractors yard, freezing and cool storage, liquid fuel depot, solid fuel depot, vehicle storage, warehouse and wood yard.*

It is acknowledged that not all the above uses could be considered consistent with the purpose statements of the General Business Zone. For example, vehicle storage or a wood yard may not achieve a safe, comfortable, and pleasant environment through high quality urban spaces and urban design, or provide for business, community, food, professional and retail facilities.

In response to concerns that use of the land for storage could potentially result in a proposal with adverse impacts on streetscape amenity or the activity centre, the applicant advised it was their intention to use the site as a self-storage facility. The applicant suggested a further qualification for the site which would mean the subject site would only be able to be used as a self-storage facility under the current Scheme. This qualification is considered to address the concerns as a self-storage facility is similar in nature to existing uses in Albert Road such as offices and bulky goods sales. It is unlikely to result in any unreasonable amenity impacts if meeting the standards of the Scheme, noting that if the site were to be developed any amenity impacts would be able to be addressed at the planning permit application stage through the standards of the General Business Zone. Considering the nature of a self-storage facility being similar to the surrounding uses and the standards of the General Business Zone

adequately addressing any future amenity impacts associated with a self-storage use, the qualification is considered appropriate to ensure the amendment is generally consistent with the purpose statements of the General Business Zone.

The qualification to only allow a self-storage facility is at odds with the SPPs which includes storage as discretionary use with no qualification. The additional qualification forming part of this amendment is considered appropriate as the current Scheme does not include the additional standards included in the SPPs which would manage impacts on amenity and activity centres associated with potential storage uses.

A self-storage facility would be generally consistent with the purpose statements of the General Business Zone as it would provide a service to the municipal area and surrounds, create additional office type jobs through employment at the facility and would be at a site which is highly accessible by public transport, walking and cycling. The site is currently fully developed; however, any potential future redevelopment of the site would be subject to a planning permit application which through the applicable standards of the General Business Zone would ensure the self-storage facility provided a safe, comfortable and pleasant environment.

As identified in the background section of this report, if the zoning proposed under the Draft Glenorchy LPS is approved, a permit could be sought to operate a Storage use. It is therefore considered that the amendment is consistent with the future land use objectives for the site.

As the draft amendment is considered to have merit, an assessment against the statutory requirements is provided below.

Consistency with the Objectives of Schedule 1 of LUPAA

The “Part 1” objectives of the resource management and planning system of Tasmania are –

- (a) *to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity;*

The site is clear of all vegetation and is fully sealed. The amendment will have no impact with regards to ecological processes and genetic diversity, and, by making use of existing developed land, is consistent with this objective.

- (b) *to provide for the fair, orderly and sustainable use and development of air, land and water;*

The site is located on an arterial road (Albert Road) and is serviced with mains sewer and water infrastructure. In making use of existing developed land, the amendment promotes orderly use of the land.

- (c) *to encourage public involvement in resource management and planning;*

The statutory process for a s. 33, former provisions, amendment request involves a public notification period. Any representations received will be considered by the Planning Authority. The Planning Authority is required to report on any representations to the Tasmanian Planning Commission (TPC), which in turn may hold public hearings into representations.

- (d) *to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c);*

If approved, the amendment would create the opportunity for an application to allow the site to be used for a self-storage facility. This would generate employment and economic stimulation in the local community in the short term through any associated development. In the long-term, employment will be created through on-site staff members.

- (e) *to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State;*

The draft amendment was referred to TasWater. TasWater have no objection to the amendment.

The “Part 2” objectives of the resource management and planning system of Tasmania are –

- (a) *to require sound strategic planning and co-ordinated action by State and local government;*

The proposal is considered to be consistent with the *Southern Tasmania Regional Land Use Strategy 2010-2035* and relevant State Policies, which is discussed in more detail later in this report. The site is within the Urban Growth Boundary and the proposed amendment will facilitate the reuse of an already developed site in an area with existing services and public infrastructure.

- (b) *to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land;*

A site-specific qualification is a tool available under the planning scheme which, when appropriate, can have minimal impacts on surrounding land as compared to application of a specific area plan or a rezoning. The draft amendment allows for a minor departure to the current provisions of the Scheme through making a self-storage facility discretionary at the subject site. The proposed changes are also consistent with the SPPs where Storage is a discretionary land use in the General Business Zone.

An assessment on the impact of the draft amendment on the Scheme is considered later in this report; however, the use of a site-specific control is consistent with this objective.

- (c) *to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land;*

The site is serviced by reticulated water and sewer infrastructure. The proposal will not result in the clearance of any vegetation. If the draft amendment is approved, potential redevelopment and use of the site will create jobs and will stimulate the local economy. The draft amendment is considered to generate positive economic and social outcomes without causing negative environmental impacts.

- (d) *to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels;*

The draft amendment is consistent with State Policies and municipal policy (see discussion below), noting that the proposal is site-specific, and its impacts will be localised. The draft amendment will not conflict with neighbouring planning schemes.

(e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals;

The amendment would enable a planning permit application to be considered for a self-storage facility at the site.

(f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation;

The draft amendment seeks a minor departure from the Scheme through a site-specific qualification. Should the amendment be approved, a planning permit application would need to be submitted. The application would consider issues such as noise and traffic management, along with other amenity issues. A review of the amendment by Council's Traffic Engineer, Development Engineer and Environmental Health Officer raised no concerns over the capability of the site to be used for storage.

(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;

There are no buildings of historical significance on the site.

(h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community;

The site is a fully developed and serviced lot. The amendment was referred to TasWater and internally to Council's Traffic Engineer and Development Engineer. The responses identified that there are no major constraints with the site which would impact the ability for it to be used for storage. Further consideration of servicing and traffic related issues would be addressed at the planning permit application stage.

(i) to provide a planning framework which fully considers land capability.

The site is located within an existing urban area, with access to Albert Road, infrastructure services and has previously been developed.

Consistency with State Policies

State Policy on Water Quality Management 1997

The proposed amendment *per se* would not result in an increase in sediment transport to surface waters.

State Policy on the Protection of Agricultural Land 2000.

The proposal does not involve the conversion of prime agricultural land to non-agricultural use.

State Coastal Policy 1996.

The subject land lies more than 1km from the high water mark and is therefore outside of the coastal zone.

National Environmental Protection Measures

National Environment Protection Measures (NEPM) are automatically adopted as State Policies under section 12A of the *State Policies and Projects Act 1993* and are administered by the Environment Protection Authority.

Principle 5 of the NEPM states that planning authorities *'that consent to developments, or changes in land use, should ensure a site that is being considered for development or a change in land use, and that the authorities ought reasonably know if it has a history of use that is indicative of potential contamination, is suitable for its intended use.*

The site was historically used as for a service station or old bulk fuel storage systems and is potentially contaminated. However, the draft amendment does not seek to allow sensitive uses on the site (only the non-sensitive use of Storage). Therefore, there are no National Environmental Protection Measures relevant to the assessment of the draft amendment.

Subject to approval of the draft amendment, any excavation work on site would be subject to E2.0 Potentially Contained Land Code and considered as part of a planning permit application.

Consistency with the Glenorchy City Council Strategic Plan 2016-2025

The amendment is consistent with the following objectives of Council's strategic plan:

Open for Business

Objective 2.1 Stimulate a prosperous economy:

- *Strategy 2.1.1: Foster an environment that encourages investment and jobs.*

Gas Pipelines Act 2000

The site is not located in the vicinity of the gas secondary distributor pipeline.

Potential for Land Use Conflict with Adjacent Planning Scheme Areas

The subject site is not on the boundary of the planning scheme area so direct land use conflicts with adjacent municipalities are unlikely to occur.

Consistency with the requirements of Section 300 of the Act

The amendment is considered to be consistent with the requirements of Section 300 of the Act as it:

- Involves a change to the local content of the planning scheme as it seeks a site-specific qualification.
- Is consistent with the *Southern Tasmanian Regional Land Use Strategy, 2010-2035*, (refer to discussion above) as the change is consistent with the surrounding land use and is appropriate at a local level. The amendment promotes the following strategies of the STRLUS:
 - *Part 13 land use and transport integration*
LUTI 1.5 local major trip generating activities in close proximity to existing transport routes and existing higher order activities centres.

The site is located in the Moonah major activity centre and has access to Albert Road which is an arterial road serviced by public transport. No changes to existing transport infrastructure are required.

- *Part 18 Activity Centres*

The key objective for Activity Centres in the STRLUS is to provide the focus for services, employment, and social interaction in cities and towns. The subject land is within the Moonah activity centre, the role of which is to serve the surrounding district and provide a range of convenience goods and services as well as some community services and facilities.

Facilitating a self-storage facility use in the General Business Zone will not compromise the viability of the Moonah activity centre with the use generally consistent with the purpose statements of the General Business Zone. The use would serve the surrounding district without detracting from amenity of the activity centre, whilst also providing employment. In this regard, the draft amendment is consistent with the objectives of the STRLUS.

Impact of Permissible Use and Development on the Region

The draft amendment seeks to change the Scheme for a specific site, so its impacts can be considered to be localised. Noting the draft amendment is consistent with the STRLUS (see above), it is unlikely to have a significant impact on permissible use and development in the region.

Consideration of any representation under section 30I and statements under section 30J of the Act

No representations were made regarding the subject land, and no statements as to the operation of the proposed zone, relevant to the site, were made during the exhibition and assessment of the Glenorchy Interim Planning Scheme 2015.

Consistency with the Glenorchy Interim Planning Scheme 2015

- Is the draft amendment clear and concise and will it achieve its intended purpose?

The draft amendment provides a site-specific qualification to identify the site to which the changes apply. The new use class is a defined use class in Table 21.2 Use Classes. A site-specific qualification is considered the most effective means of achieving the required change.

- Is the draft amendment consistent with the strategy, intent and all relevant objectives and provisions of the planning scheme?

The key objectives in Part 3.0 of the Scheme relevant to the proposal are:

- *Activity Centres: Regional Objectives: To create a network of vibrant and attractive activity centres.*
- *Activity Centres: Local Objectives: To support a network of vibrant, accessible, liveable, and well-designed activity centres that create prosperity and bring services within easy reach of the Glenorchy community.*

- *Economic Infrastructure: Local Objectives: To maintain Glenorchy's position as the industrial hub of the Southern region for export industry, service industry and road freight, storage and distribution.*

Whilst the site is located within the Moonah major activity centre, it is noted the site is located within an area which is characterised by larger footprint commercial and business uses such as bulky goods sales, gym, and offices. The proposed use of a self-storage facility is considered to be in keeping with these types of uses as it would require a front of house/office component which would operate similar to the surrounding uses. Facilitating a self-storage facility within a General Business Zone would have limited impacts on the operation of the Moonah activity centre with any potential impacts manageable through the planning permit application. It is considered the use would add to the activity centre by adding to the range of services available and contribute to the economic sustainability of the area.

The Storage use class is compatible with the purpose statements of the General Business Zone as detailed in the *Merits of the amendment* section of this report. The proposed amendment is unlikely to have a negative impact on the amenity and operation of the activity centre given the existing use of the site and nearby uses located in the vicinity of the site.

The amendment would also enable the site to potentially be used for a self-storage facility adding to storage facilities in the Glenorchy municipality in accordance with the local objective for economic infrastructure.

- What is the effect of the proposed amendment on the status of use and development?

The draft amendment seeks to introduce Storage as a discretionary use class for the subject site. As discussed above, the impacts are minor and localised.

- What is the effect of the proposed amendment on any specific land and adjacent land?

The draft amendment is site-specific, so its impacts are limited to adjacent land. However, given the adjoining uses are also commercial uses with the nearest residential zone 100m to the east, the impacts of the draft amendment are likely to be minimal.

THE PROCESS FROM HERE:

Draft amendments to the Glenorchy Interim Planning Scheme 2015, once initiated by the Planning Authority, require public notification in accordance with the requirements of the *Land Use Planning and Approvals Act 1993* – which includes advertising in *The Mercury* on two occasions, one of which is to be on a Saturday and letters to adjoining owners and occupiers of land – where the proposed amendment is site specific.

Any representations received would be reported to a future meeting of the Glenorchy Planning Authority for consideration, as the Planning Authority is required to report to the Tasmanian Planning Commission as to the public notification outcomes and any recommendations leading out of them.

If no representations are received, the senior planning staff have delegation to forward a report to that effect to the Commission.

The Commission would then assess and decide upon the draft amendment and planning permit application, after taking into account the outcomes of any hearings it may hold.

CONCLUSION

It is assessed that the draft amendment has merit and is consistent with the objectives and other requirements of the *Land Use Planning and Approvals Act 1993*, the tenor of the *Glenorchy Interim Planning Scheme 2015* and is not contrary to any State Policies or the Southern Tasmania Regional Land Use Strategy.

RECOMMENDATION:

- 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 PLAM-20/01 to the Glenorchy Interim Planning Scheme, to apply a site specific qualification to allow for a self-storage facility at 52 Albert Road Moonah, 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, in accordance with Section 38, former provisions, of the *Land Use Planning and Approvals Act 1993*, the Planning Authority places the amendment on public exhibition for a period of 28 days.

Attachments/Annexures

- 1** GPA Attachments - 52 Albert Road Moonah

