

**GLENORCHY PLANNING AUTHORITY
AGENDA
MONDAY, 13 AUGUST 2018**



GLENORCHY CITY COUNCIL

QUALIFIED PERSON CERTIFICATION

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

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

Tony McMullen
General Manager

8 August 2018

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

Chairperson: Alderman K. Johnston

Hour: 5.00 p.m.

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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 16 July 2018 be confirmed.

**5. PROPOSED USE AND DEVELOPMENT - PROPOSED DECKING
AND OUTBUILDING WITH RETAINING WALLS - 8 CUTLER
PLACE WEST MOONAH**

Author: Senior Statutory Planner (Vanessa Tomlin)

Qualified Person: Senior Statutory Planner (Vanessa Tomlin)

Property ID: 5421322

REPORT SUMMARY:

Application No.:	PLN-18-068
Applicant:	Precision Design & Drafting
Owner:	Apostolic Church Australia Limited
Zone:	General Residential
Use Class	Residential (single dwelling)
Application Status:	Discretionary
Discretions:	10.4.2 Setbacks and building envelopes for all dwellings (P3) 10.4.3 Site coverage and private open space for all dwellings (P2) E6.6.4 Number of Car Parking Spaces (P1) E6.7.5 Layout of Parking Areas (P1) (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	14 August 2018
Existing Land Use:	Residential (single dwelling)
Representations:	3 (including petition)
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL:**PROPOSAL**

The proposal involves the reconfiguration of rooms on the ground floor of an existing single dwelling, the addition of a covered deck to the rear of the dwelling, landscaping and a free-standing outbuilding (shed).

The reconfiguration of the ground floor rooms is to result in a kitchenette and meals area, store, living room, two bedrooms (one with ensuite), a bathroom and internal access to the first floor. As part of the proposed changes to the layout, the existing ground floor garage is to be converted to a living room. This causes the loss of one parking space onsite.

The layout of the first floor is to remain unchanged, albeit with the addition of a 10m by 4m covered deck, that is to be positioned to the rear of the dwelling. The proposed covered deck is to be accessed from the hallway of the existing dwelling and the proposed deck is to provide a link to the rear yard and the proposed shed.

The proposed shed is to be 6m by 6m by 2.98m (height) and is to have two double glass sliding doors on the norther-eastern elevation and a window on the eastern elevation, facing the rear yard of the site. The proposed shed is to be setback 1.19m from the rear boundary and 1.2m from the western side boundary. Retaining walls, no more than 1m in height are to enclose the proposed shed and are to be positioned clear of the boundaries (Fig. 1).

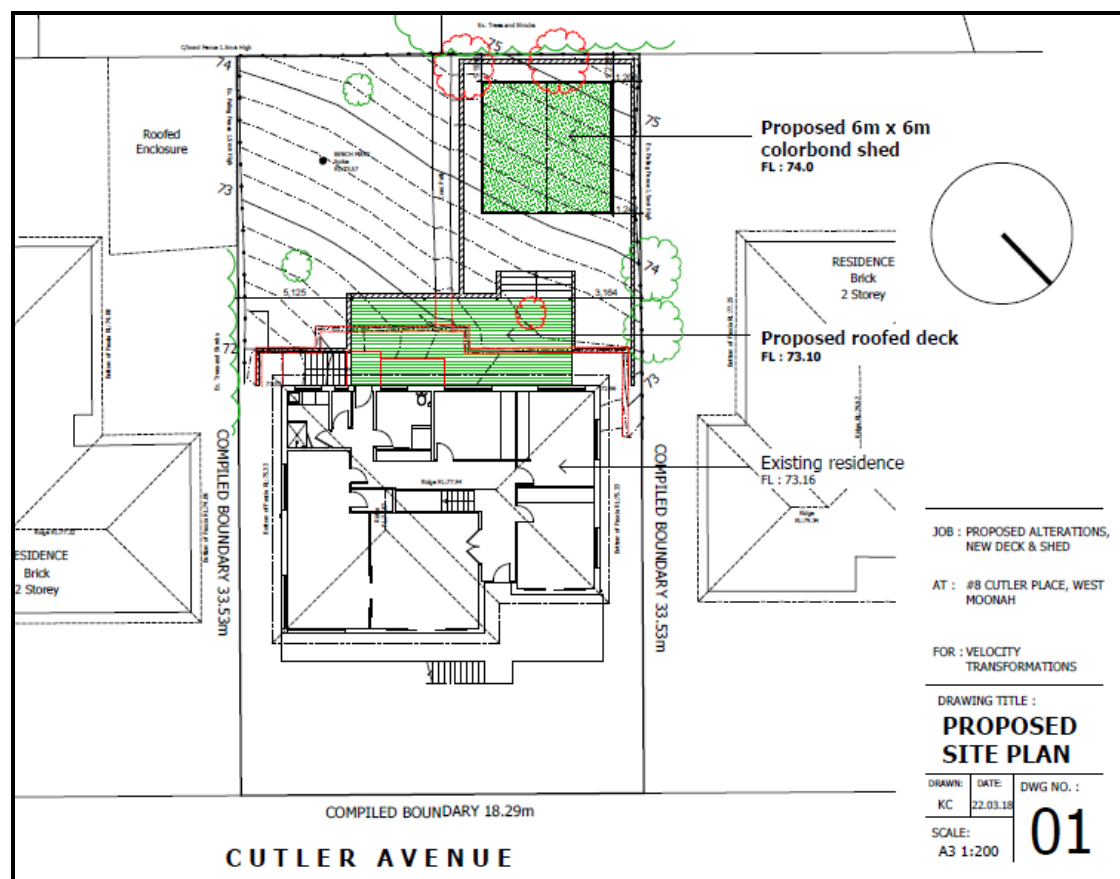


Figure 1. A site plan showing the proposed covered deck to the rear of the dwelling, the shed and retaining walls.

The proposal is relying on performance criteria to comply with the 10.4.2 Setbacks and building envelopes for all dwellings (P3), 10.4.3 Site coverage and private open space for all dwellings (P2), E6.6.1 Number of Car Parking Spaces (P1), and E6.7.5 Layout of Parking Areas (P1).

SITE and LOCALITY

The site is located on Cutler Place, approximately 68m south-east of Bermuka Street, West Moonah. The subject site has 18.29m of frontage to Cutler Place and an area of 613m². The site is currently occupied by a single dwelling with on-site two parking spaces. The site slopes down from the rear to the frontage, with a gradient of approximately 1 in 5.

The site is set amongst established residential uses, with five other single dwellings and eight multiple dwellings fronting Cutler Place (Fig. 2).



Figure 2: An aerial view of the site and locality.

ZONE

The site is located within the General Residential zone (Fig. 3).

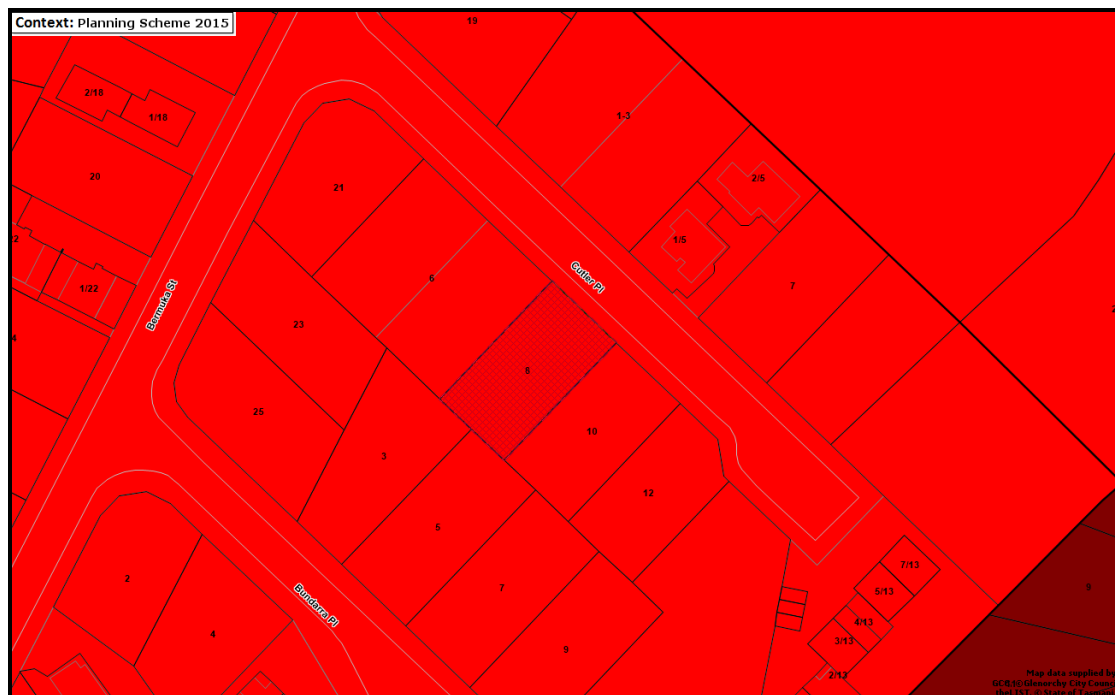


Figure 3: A snapshot of the zoning in the locality, showing the General Residential zone (red) and Inner Residential zone (maroon).

BACKGROUND

Council's records include an existing permit relating to the single dwelling. This permit was granted in 1977. Clause 7.6 Existing Permits states "Existing permits, validly issued under a planning scheme in operation prior to the making of this planning scheme, continue to have effect provided the permit has not expired in accordance with section 53(5) or (7) of the Act."

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil

Limited Exemptions

Nil

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

No SAP or Code overrides the General Residential zone provisions.

Use Class Description (Table 8.2):

The Use Class for the proposal is Residential, which is defined as: *“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”*. The proposed individual use is single dwelling.

Other relevant definitions (Clause 4.1):

Applicable standard means as defined in subclause 7.5.2, which is a standard in a zone, specific area plan or code, is an applicable standard if:

- (a) the proposed use or development will be on a site within a zone or the area to which a specific plan relates, or is a use or development to which the code applies; and
- (b) the standard deals with a matter that could affect, or could be affected by, the proposed use or development.

Standard means, in any zone, code or specific area plan, the objective for a particular planning issue and the means for satisfying that objective through either an acceptable solution or performance criterion presented as the tests to meet the objective.

Dwelling means a building, or part of a building, used as a self-contained residence and which includes food preparation facilities, a bath or shower, laundry facilities, a toilet and sink, and any outbuilding and works normally forming part of a dwelling.

Effective date means the date on which the planning scheme came into effect.

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.

Private open space means an outdoor area of the land or dwelling for the exclusive use of the occupants of the land or dwelling.

Single dwelling means a dwelling on a lot on which no other dwelling is situated, or a dwelling and an ancillary dwelling on a lot on which no other dwelling is situated.

Traffic impact assessment/statement means a study prepared by a suitably qualified person that shows the likely effects of traffic generated by use or development on the local environment and on the road or railway networks or both in terms of safety, efficiency and amenity, having regard to present and assumed future conditions. It includes recommendations on measures to be taken to maintain the safety and efficiency of the road or railway networks.

Part C: Special Provisions

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

Part D: Zones

The land is within the General 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 General Residential Zone is:

- 10.1.1.1 To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.
- 10.1.1.2 To provide for compatible non-residential uses that primarily serve the local community.
- 10.1.1.3 To provide for the efficient utilisation of services.

The proposal is consistent with the purpose of the zone, by being for an existing single dwelling use that is fully serviced.

Use Table

The individual use of single dwelling is a no permit required use within the Residential zone. However, this application is discretionary because the proposal relies on performance criteria Setbacks and building envelopes for all dwellings (P3), Site coverage and private open space for all dwellings (P2), Number of Car Parking Spaces (P1), and Layout of Parking Areas (P1).

Use Standards

Use Standards relate to non-residential use. The proposed use is residential and therefore, use standards are non-applicable.

Development Standards for Residential Buildings & Works*10.4.2 Setbacks and building envelopes for all dwellings (P3)*

The proposed shed is to be within 4m of the rear boundary. Consequently, the proposal relies on the performance criteria of this standard, which requires the siting and scale of a dwelling to:

- (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
 - (ii) overshadowing the private open space of a dwelling on an adjoining lot;
- or
- (iii) overshadowing of an adjoining vacant lot; or
- (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and

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

The proposed shed is to be in the north-western (rear) corner of the site. The proposed shed is to be immediately adjacent to the private outdoor space of 6 Cutler Place, to the north and immediately adjacent to the private outdoor space of 3 Bundarra Place, to the south-west of the site. Given the proposed shed siting and its relatively low scale, any potential shadow cast from the proposal is not expected to unreasonably overshadow or cause a reduction in sunlight to the private open space or habitable rooms of the dwellings on an adjoining lot (Fig. 4 and 5).

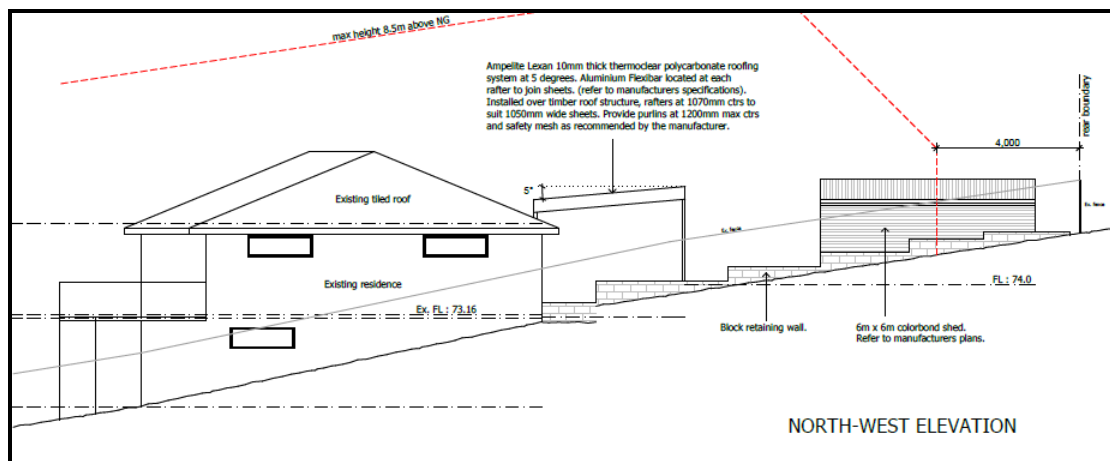


Figure 4. A view of the north-west elevation, showing the proposed shed built into the slope of the land and the covered deck to the rear of the dwelling.

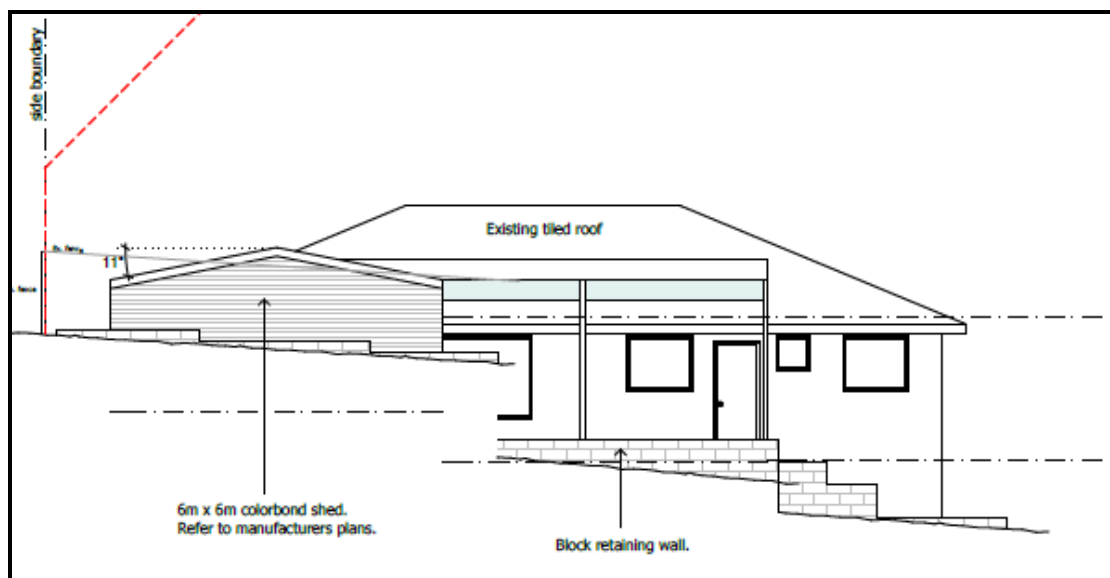


Figure 5. A snapshot of the south-western elevation, which is the view of the proposal from the dwelling to the 3 Bundarra Place.

There are several other single dwellings in the surrounding area that have sheds with similar separations between dwellings on adjoining lots. Therefore, the proposed rear boundary setback is considered to be compatible with that prevailing in the locality. The proposal satisfies the performance criteria and complies with the standard.

10.4.3 Site coverage and private open space for all dwellings (P2)

The proposed covered deck is to be the private outdoor space of the dwelling. The proposed deck is not proposed to be directly accessible from, and adjacent to, a habitable room (other than a bedroom) and is to be positioned to the south of the dwelling. As such, the proposal relies on performance criteria to comply with the standard. The performance criteria require a dwelling to have private open space that:

- (a) includes an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and that is:
 - (i) conveniently located in relation to a living area of the dwelling; and
 - (ii) orientated to take advantage of sunlight.

The proposed covered deck is assessed as being able to serve as an outdoor area for relaxation, entertaining and child's play, given to proportions of the space, with an area of 40m². The proposed deck is to be attached to the dwelling and an existing hallway is to provide a convenient link between the living areas of the dwelling and the proposed deck. The roof of the proposed deck is to include thermoclear polycarbonate roofing, designed to enable the south-west facing deck to take advantage of sunlight. In addition to the covered deck, the dwelling has access to a grassed area to the rear of the dwelling. This area is capable of serving as additional private open space, if required.

The proposal satisfies the performance criteria and complies with the standard.

Part E: Codes

The following codes of the Scheme apply to this proposal:

E6.0 Parking and Access Code

This code applies to all use and development.

E6.6.1 Number of Car Parking Spaces A1 (P1)

The existing dwelling was approved with two parking spaces on-site. One space was within the garage and the other was on the driveway. Given that the existing garage is to be converted to a living room, the proposal provides for one on-site parking space, on the driveway.

The acceptable solution of this standard requires two parking spaces to be provided for a single dwelling containing 2 or more bedrooms (including all rooms capable of being used as a bedroom). Accordingly, the proposal relies on performance criteria to comply with this standard.

It is noted that once the number of bedrooms exceeds two per single dwelling, any additional bedrooms do not equate to additional parking.

The objective of the standard is to ensure that:

- (a) there is enough car parking to meet the reasonable needs of all users of a use or development, taking into account the level of parking available on or outside of the land and the access afforded by other modes of transport.
- (b) a use or development does not detract from the amenity of users or the locality by:
 - (i) preventing regular parking overspill;
 - (ii) minimising the impact of car parking on heritage and local character.

The performance criteria require the number of on-site car parking spaces to 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.

A traffic impact statement (TIS) has been provided in support of the proposal and examines the likely effects of traffic generated by the proposal on the local environment and on the road, in terms of safety, efficiency and amenity.

The TIS argues that:

- the parking demand is likely to be in the order of one to two cars, based on research of single dwellings;
- there is a reasonably good supply of available on-street parking in Cutler Place, that appears to be associated with the residential properties of the cul-de-sac;
- the subject site is located approximately 550 to 650m from a bus route (Main Road and Walch Avenue respectively) and this is considered reasonable in the context of a residential dwelling;
- the subject site is located in a residential catchment area, with good accessibility to nearby shops and services; and
- no alternative arrangements for car parking are considered necessary.

It is assessed that the one on-site parking space for the single dwelling use is sufficient to meet the reasonable needs of users, given the availability of on-street parking in the cul-de-sac, if required and the availability of public transport and other transport modes in the locality.

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

E6.7.5 Layout of Parking Areas (P1)

The driveway has a slope gradient of 20% and does not meet the requirements of the acceptable solution. The performance criteria require the layout of car parking spaces, access aisles, circulation roadways and ramps must be safe and must ensure ease of access, egress and manoeuvring on-site.

Council's Development Engineer has reviewed the TIS provided in support of the application. The TIS concludes that the driveway grade is acceptable and complies with the relevant Australian Standard and would not cause any issues with safe access and manoeuvring between the driveway and Cutler Place. Council's Development Engineer concurs with this statement and supports the proposal.

Accordingly, the proposal is assessed as satisfying the performance criteria and complies with the standard.

E7.0 Stormwater Management Code

The proposal is to be connected to existing public infrastructure and meets the requires of the acceptable solutions of this code.

PART F: Specific Area Plans

No specific area plan applies to this assessment.

INTERNAL REFERRALS

Development Engineer

Council's Development Engineer has made the following comments and recommended conditions.

The development application seeks an approval for a new shed and extensions and alterations to the existing dwelling. Part of the proposal is to convert the existing garage to living area; this will change the current parking arrangement as it reduces the number of the off-street parking to one (1) space.

Traffic, Access & Parking

The site can be accessed off the existing vehicular access onto the site. The driveway has the constant slope of 20% where a 'jockey' parking arrangement is present. The Traffic Impact Statement is submitted in supporting that the proposed parking arrangement meets the requirements of Performance Criteria P1 of clause E6.6.1 of the scheme. I agreed with the section 3 and section 4 of the submitted TIA; and conclude that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected.

GCC Services (Stormwater)

There are no GCC stormwater mains affected by this application; and the stormwater connection is available off the lot frontage. The internal drainage will be part of the plumbing application for approval.

Other

Geoscience issues

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

Flooding/Inundation issues

There are no flooding impacts identified through Council's records that affect the application.

EXTERNAL REFERRALS

TasWater

TasWater is in support of the proposal and has recommended conditions and advice.

REPRESENTATIONS

The application was advertised for the statutory 14-day period with three representations (including a petition) being received. The issues raised:

The proposed use

The representors claim that the site is to operate as a drug and rehabilitation centre. Concerns are raised about this use causing detrimental impacts to surrounding property values, safety issues and the overly busy environment in a quiet street.

Planner's comments

The applicant has provided a statement confirming that the use of the site is for a single dwelling (Residential). A recommended condition of approval specifies that the use, if approved is to be single dwelling (residential).

A separate application would need to be made if a change the use of the site to a drug and rehabilitation centre (Business and professional services – medical centre or consulting rooms) was proposed. Should such an application be made, the application would be advertised, because this use is discretionary in the zone and objections could be made at that time.

Number of residents

The representors raise concerns about the number of residents, considering the number of food preparation areas and bathrooms proposed and what renting/leasing arrangements of the property is proposed.

Planner's comments

These concerns are not planning issues because the planning scheme does not regulate the number of people occupying the site, or the number of food preparation areas and bathrooms under the residential use class.

The proposed shed

Concerns have been raised about the use of the shed, the number of window and door fitting and plumbing requirements.

Planner's comments

The proposed shed is a non-habitable class 10A building. Two double glazed sliding doors will provide access to the shed and there is to be a window on the eastern elevation. There is no plumbing, such as toilet, bathroom and washing facilities, other than stormwater management proposed.

Retaining walls

Concerns have been raised about the design of the drainage system for the proposed retaining walls.

Planner's comments

The construction of retaining walls that are less than 1m in height is not regulated by the planning scheme. Structural integrity and drainage systems are Building Code requirements, assessed when approvals are sought for that purpose.

Number of parking spaces

Concerns are raised about the number of parking spaces that will be required to service to use and how many will be provided on-site/on-street?

Planner's comments

The acceptable solution of the parking standard requires two spaces to be provided onsite. The performance criteria give an opportunity for less than that amount if the what is proposed meets that criteria. A TIS was provided and presents an argument for one space on-site. It is assessed that the proposal can satisfy the performance criteria by providing one space on-site. For further discussion, please see the comments under the relevant section of this report, E6.0 Parking and Access code and the Development Engineer's comments.

CONCLUSION

The proposal is relying on the performance criteria to comply with the applicable standards. The proposal is assessed as satisfying the performance criteria and complies with those standards. The proposal is assessed as complying with all other use and development standards in the General Residential zone, as well as the applicable standards of the Parking and Access Code and Stormwater Management Code. The application was publicly advertised for the statutory 14-day period and two representations were received. The representors raised concerns about use, number of residents, the shed, retaining walls and the number of parking spaces required. These concerns can not be given any determining weight in the assessment of the proposal.

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

Recommendation:

That a permit be granted for the proposed use and development of Proposed deckii and outbuilding with retaining walls at 8 Cutler Place West Moonah subject to tl following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-18-068 and Drawing No. P1 submitted on 04/04/2018, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2018/00626-GCC dated 01/05/2018 form part of this permit.
3. This permit allows the use of the land as a single dwelling, with a class 10a non-habitable shed.
4. A minimum of one parking space is to be provided on-site and is to remain available for these purposes at all times.

Engineering

5. Prior to the issuing of a Building Approval or the commencement of works on site, (whichever occurs first), submit a Soil and Water Management Plan detailing proposed sediment and erosion control measures, to the satisfaction of 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 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

6. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
7. 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 shall be undertaken by Council at the developer's cost.

Advice to Applicant

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

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

Other Permits

Please be aware that this planning permit is a planning approval issued under the Glenorchy Interim Planning Scheme 2015. You should consult with an accredited Building Surveyor prior to commencing this use or work to ensure all relevant requirements of the Building Act 2016 are complied with. In addition to this planning permit, a building permit and/or plumbing permit may also be required. If further clarification is required, please contact Council's Building Section on 62166800.

Attachments/Annexures

- 1 [Attachment - PLN-18-068](#)

APPENDIX 1**10.0 General Residential Zone**

Standard	Acceptable Solution	Proposed	Complies?
10.3 Use Standards			
10.3.1 Non-Residential Use	A1 Hours of operation must be within 8.00 am to 6.00 pm, except for office and administrative tasks or visitor accommodation.	NA	NA
	A2 Noise emissions measured at the boundary of the site must not exceed the following: (a) 55 dB(A) (LAeq) between the hours of 8.00 am to 6.00 pm; (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 6.00 pm to 8.00 am; (c) 65dB(A) (LAm _{ax}) at any time. Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures	NA	NA

	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.		
	A3 External lighting must comply with all of the following: (a) be turned off between 6:00 pm and 8:00 am, except for security lighting; (b) security lighting must be baffled to ensure they do not cause emission of light into adjoining private land.	NA	NA
	A4 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site must be limited to 20 vehicle movements per day and be within the hours of: (a) 7.00 am to 5.00 pm Mondays to Fridays inclusive; (b) 9.00 am to 12 noon Saturdays; (c) nil on Sundays and Public Holidays.	NA	NA
10.3.2 Visitor Accommodation	A1 Visitor accommodation must comply with all of the following:	NA	NA

	(a) is accommodated in existing buildings; (b) provides for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site; (c) has a floor area of no more than 160m².		
10.3.3 Local Shop	A1 A local shop must have a gross floor area no more than 200m².	NA	NA
10.4 Development Standards for Residential Buildings and Works			
10.4.1 Residential density for multiple dwellings	A1 Multiple dwellings must have a site area per dwelling of not less than: (a) 325m²; or (b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.	The proposal is for a single dwelling.	NA

10.4.2 Setbacks and building envelopes for all dwellings	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) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or (b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or (c) 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; or (d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.	The proposal is setback more than 4.5m fomr the frontage.	Yes
	A2 A garage or carport must have a setback from a primary frontage of at least:	NA	NA

	(a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or (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) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m 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 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by: (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m 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 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and	There is no change to the external dimensions of the existing single dwelling. The proposed deck fits within the building envelope. The proposed garage is to be within 4m of the rear boundary and so does not comply with the acceptable solution.	No

	(b) only have a setback within 1.5 m of a side boundary if the dwelling: (ii) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or (iii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).		
10.4.3 Site coverage and private open space for all dwellings	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 60 m² associated with each dwelling, unless the dwelling has 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) a site area of which at least 25% of the site area is free from impervious surfaces.	a) The site is 613m², the site coverage is to be 224.65 which is approximately 36% of the site. b) NA c) The most of the rear yard, areas along site the dwelling and front yard are to be free of impervious surfaces, totally more than 25% of the site area.	Yes
	A2 A dwelling must have an area of private open space that:	a) The proposed deck is to be 40m²; b) With minimum 4m width; c) Is accessible from a non-habitable	No

	(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) 4 m; or (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) is 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	room; d) Is located to the south-east and is expected to receive less than 3 hours of sunlight to 50% of the area b/w 9am-3pm on 21 June; e) Not located in the frontage; f) Gradient is not steeper than 1 in 10; and g) Is not to be used for parking.	
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	(f) has a gradient not steeper than 1 in 10; and (g) is not used for vehicle access or parking.		
10.4.4 Sunlight and overshadowing of all dwellings	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 of north and 30 degrees east of north (see Diagram 10.4.4A).		Yes
	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 (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B): (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.	NA	NA

	(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 10.4.3, must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C): (i) at a distance of 3 m from the northern edge of the private open space; 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 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:	NA	NA

	(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.		
10.4.5 Width of openings for garages and carports for all dwellings	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).	NA	NA
10.4.6 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 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary; and (b) rear boundary, unless the balcony, deck, roof terrace,	The proposed dec is more than 3m setback from each side boundary and more than 4m from the rear boundary.	Yes

	parking space, or carport has a setback of at least 4 m from the rear boundary; and (c) 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 boundary; and (ii) is to have a setback of at least 4 m from a rear boundary; and (iii) 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	No change to existing windows that are more than 1m above natural ground level and less than 3m from the side boundaries.	Yes

	(iv) 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: (i) is to be offset, in the horizontal plane, at least 1.5 m 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 (c) 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;	NA	NA

	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.		
10.4.7 Frontage Fences for all dwellings	A1 A fence (including a free-standing wall) within 4.5 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) 1.8 m, if any part of the fence that is within 4.5 m of a primary frontage has openings above a height of 1.2 m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).	Non proposed.	NA
10.4.8 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 m² 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	NA	NA

	that: (i) has a setback of at least 4.5 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 1.2 m above the finished surface level of the storage area.		
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APPENDIX 2

E6.0 Parking and Access Code

Standard	Acceptable Solution	Proposed	Complies?
E6.6 Use Standards			
E6.6.1 Number of Car Parking Spaces	A1 The number of on-site car parking spaces must be: (a) no less than the number specified in Table E6.1 and no more than 10% greater than that number; except if: (i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision	One parking space is proposed, when two are required to meet the acceptable solution.	No

Standard	Acceptable Solution	Proposed	Complies?
	(spaces or cash-in-lieu) must be in accordance with that plan; (ii) this provision was not used in this planning scheme.		
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.	NA	NA
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.	NA	NA

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.	NA	NA
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.	1	Y
E6.7.2 Design of Vehicular Accesses	A1 Design of vehicle access points must comply with all of the following: (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (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		Yes

Standard	Acceptable Solution	Proposed	Complies?
	facilities Part 2: Off-street commercial vehicle facilities.		
E6.7.3 Vehicular Passing Areas Along an Access	A1 Vehicular passing areas must: (a) be provided if any of the following applies to an access: (i) it serves more than 5 car parking spaces; (ii) is more than 30 m long; (iii) it meets a road serving more than 6000 vehicles per day; (b) be 6 m long, 5.5 m wide, and taper to the width of the driveway; (c) have the first passing area constructed at the kerb; (d) be at intervals of no more than 30 m along the access.	No vehicular passing areas proposed	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; (b) it meets a road carrying less than 6000 vehicles per day.	1 single dwelling served only	NA
E6.7.5	A1		No

Standard	Acceptable Solution	Proposed	Complies?
Layout of Parking Areas	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.		
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.	(a) existing is paved (b) existing	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.	<5	NA
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	<5	NA

Standard	Acceptable Solution	Proposed	Complies?
	landscaping is required.		
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.	NA	NA
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.	NA	NA
	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.	NA	NA

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.	NA	NA
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.	General residential zone	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.	NA	NA
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements	Existing	NA

Standard	Acceptable Solution	Proposed	Complies?
	of the road authority.		

APPENDIX 3

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.	The stormwater is to be gravity feed to public infrastructure.	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.	NA	NA
	A3 A minor stormwater drainage system must be designed to comply with all of the following:	NA	NA

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

6. PROPOSED USE AND DEVELOPMENT - DEMOLITION AND MEDICAL CENTRE - 489 MAIN ROAD MONTROSE

Author: Planning Officer (Sylvia Jeffreys)

Qualified Person: Planning Officer (Sylvia Jeffreys)

Property ID: 5382976

REPORT SUMMARY:

Application No.:	PLN-18-094
Applicant:	Michael R Cooper & Associates
Owner:	H Page Estate
Zone:	Commercial Zone
Use Class	Business and Professional Services
Application Status:	Discretionary
Discretions:	23.2 Use Table 23.4.5 A1 Landscaping E5.5.1 A1 Existing road accesses and junctions E6.6.1 A1 Number of car parking spaces E17.7.1 A1 Standards for signs (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	17 Aug 2018
Existing Land Use:	Residential (single dwelling)
Proposal In Brief:	Demolition and Medical Centre
Representations:	0

Recommendation:	Approval, subject to conditions
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REPORT IN DETAIL:

PROPOSAL

The application proposes a double storey medical centre and demolition of a single dwelling on a site in Montrose. The proposed medical centre would be situated towards the rear of the property, with parking at the front. The building would be constructed from precast concrete panels with timber panelling, in charcoal and would be capped with a flat zincalume roof. The building would be 26.8m long, 11.78m wide and 8.95m in height. The floor plan, of 470m², provides for four consulting rooms, pathology, reception, waiting room, nurse station, treatment room and toilets. The first floor would have access from a stairway in the entrance lobby and would provide for two rooms for future tenancies with separate tea room and bathroom facilities. There would be an access and driveway along the northern boundary, extending to the rear of the property. The parking layout provides for seventeen spaces. The application includes signage of one pole sign, one wall sign and two window signs. The application is discretionary for use, landscaping, increase in traffic, a shortfall of three parking spaces and signage. The proposal is shown in Figure 1 below.

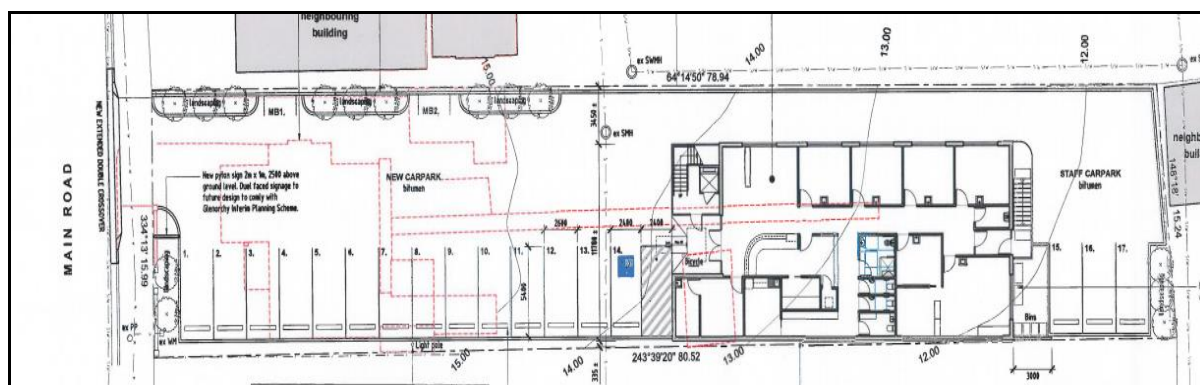


Figure 1: Proposal plan showing site layout and ground floor - Michael Cooper Architects

SITE and LOCALITY

The subject property is known as 489 Main Road, Montrose and is described in title reference CT139066/1. The property is located on the eastern side of Main Road, south of Tilyard Street.

The land has a rectangular shape of 1214m² and contains a single dwelling. The slope is approximately 1:10, falling towards the back of the property. The property adjoins four other properties. The neighbouring properties contain a warehouse and a landscape yard at the rear; and an electrical repair store and a window cleaning service on either side. The property is opposite residential development on the other side of the road. The location of the property is shown in Figure 2 and a street view in Figure 3.



Figure 2: Subject Property - Council Database 2016



Figure 3: Street View – Google Maps 2017

ZONE

The subject property lies within the Commercial Zone in blue and is adjacent to the Light Industrial Zone in fuchsia at the rear. The zoning map is shown in Figure 4.

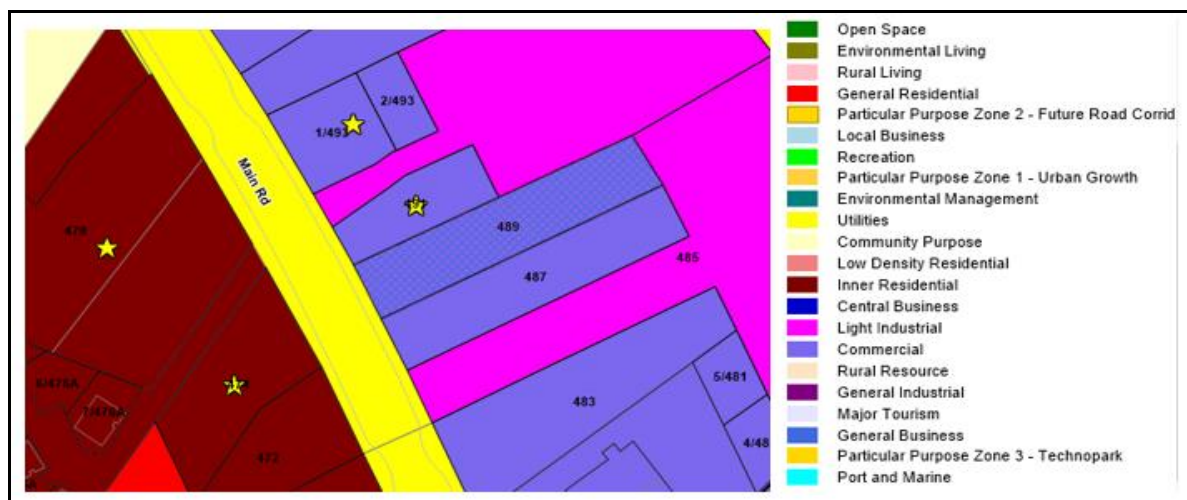


Figure 4: Zoning Map - GIPS 2015

BACKGROUND

Application

The following supporting information was submitted:

- Flood and Stormwater Management Report - Pitt and Sherry - dated 22/06/18
- Traffic Impact Statement – Midson Traffic - dated June 2018
- Memo – Equivalent Tenements Water and Sewer – Pitt and Sherry – dated 03/07/18

Permits

There is no background information relevant to the assessment of this application.

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

- E15.0 Inundation Prone Areas
- E17.0 Signs Code

Use Class Description

The proposal is for a new medical centre, which falls under the use class Business and Professional Services defined in table 8.2 Use Classes as follows:

Business and professional services

use of land for administration, clerical, technical, professional or similar activities. Examples include a bank, call centre, consulting room, funeral parlour, medical centre, office, post office, real estate agency, travel agency and veterinary centre.

Other relevant definitions

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

medical centre

means use of land to provide health services (including preventative care, diagnosis, medical and surgical treatment, and counselling) to out-patients only.

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

- 23.2 Use Table
- 23.4.5 A1 Landscaping
- E5.5.1 A1 Existing road accesses and junctions
- E6.6.1 A1 Number of car parking spaces
- E17.7.1 A1 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 not discretionary as it is in association with a new building.

Part D: Zones

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

Zone Purpose Statements

The zone purpose statement is set out in 23.1 and is as follows:

- To provide for large floor area retailing and service industries.
- To provide for a mix of activities that cannot be accommodated in other Activity Centres and does not compromise the viability of those Centres.
- To provide for development that requires high levels of vehicle access and car parking for customers.

Comment

It is considered that the proposal is not contrary to the above purpose. Whilst the proposed use is not for a retail purpose, a medical centre at this location would not compromise the viability of the activity centre of the Glenorchy Central Business District. The proposed medical centre would require carparking at the site as there is no synergy with other businesses in terms of doing multiple errands at this locality.

Use Table

The use of Business and Professional Services is a *discretionary* use within the Commercial Zone in table 23.2 Use Table. The proposal does not satisfy the qualification to be a *permitted* use, which is as follows:

Only a consulting room, medical centre or veterinary centre, or an office in Main Road, Glenorchy within 400m walkable distance of a Central Business Zone and not exceeding 250m² floor area.

Use Standards

There are use standards relating to Hours of Operation, Noise, External Lighting, Commercial Vehicle Movements and Outdoor Work areas. The proposal accords with these standards as demonstrated within the attached appendix.

Development Standards for Buildings or Works

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

23.4.5 A1 Landscaping

The application does not accord with the Acceptable Solution in 23.4.5 A1 Landscaping because the building would not extend across the width of the frontage or have less than a 1m frontage setback. Therefore, the proposal relies on the related Performance Criteria as follows:

23.4.5 P1 Landscaping

Landscaping must be provided to satisfy all of the following:

- (a) enhance the appearance of the development;*
- (b) provide a range of plant height and forms to create diversity, interest and amenity;*
- (c) not create concealed entrapment spaces;*
- (d) be consistent with any Desired Future Character Statements provided for the area.*

Comment

The proposal provides for landscaping along the frontage and along the northern boundary. The proposed landscaping would enhance the parking area and give visual relieve from the hard surfaces. There would be no entrapment spaces created. A condition is recommended to ensure landscaping is provided in accordance with the plan. 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 A3 Road and Railway Assets Code

The application does not accord with the Acceptable Solution in E5.5.1 A3 as there would be an increase of more than a 20% in vehicular movements from the site. Previously the site had two carparking spaces, where this proposal has seventeen so that vehicular movements would increase by more than 20%. 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 60km/h or less, 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 Development Engineer assessed that there would be no adverse effects in terms of safety or efficiency impacts as a result of the increase.

Therefore, the proposal complies with the standard through the 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 application accords with all relevant Acceptable Solutions as demonstrated in the attached appendix, except as follows:

E6.6.1 A1 Number of Car Parking Spaces

The provisions for car parking are set out in Table E6.1 Number of Car Parking Spaces Required, where the relevant section is as follows:

Use Class: Business and professional services

Medical centre	5	for each person providing health services
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The proposed medical centre provides for four consulting rooms on the ground floor, which would accommodate four practitioners. Therefore, twenty parking spaces would be required. The proposal provides for seventeen spaces. As a result, the application does not accord with the Acceptable Solution in E6.6.1 A1 Number of Carparking Spaces and relies on the related Performance Criteria as follows:

E6.6.1 P1 Number of Carparking 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 submitted Traffic Impact Statement concluded that the scale of the medical centre is relatively small and that the actual demand according to the RMS Guide (Roads and Maritime Services NSW) would be eleven spaces. In addition, there would be a relatively large pool of on-street parking available in the vicinity and there would be a regular bus service. Council's Development Engineer agrees with this assessment and considers the proposal in accordance with the above Performance Criteria. Therefore, the proposal complies with the standard through the Performance Criteria. For further comments please refer to the Engineering Assessment under the Referrals section later in this report.

It is noted, that the application did not include the uses of the upstairs tenancies and the TIS did not address the parking requirement of these premises, as a separate application will be required later.

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.

E15.0 Inundation Prone Areas

The property is affected by the Riverine Hazard overlay as shown in Figure 4 below. Therefore, the Inundation Prone Areas Code applies.

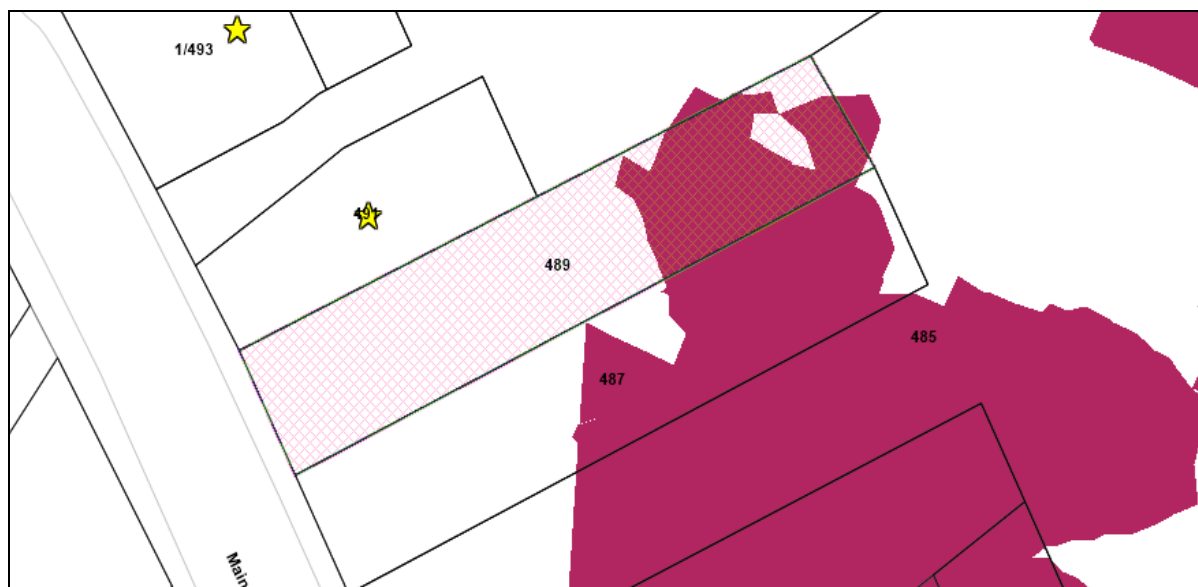


Figure 5: Riverine Hazard – Council Database 2015

The Development Engineer recommends a condition for compliance with E15.7.4 A1 Riverine Inundation Hazard Areas, which is as follows:

- *A new habitable building must have a floor level no lower than the 1% AEP (100 yr ARI) storm event plus 300 mm.*

However, there is no discretion in relation to this standard.

For further comments please refer to the Engineering Assessment under the Referrals section later in this report.

E17.0 Signs Code

The application includes the following signage:

- 1x Pylon sign at the street frontage has the following dimensions: 2m x 1m and with clearance of is 2.5m
- 1 x Wall sign, non-illuminated, 2m x 2m on front wall
- 2x Window signs covering all the window on front elevation lower and upper floor

The proposed signage would be in association with the medical centre. No graphics were submitted.

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

E17.7.1 A1 Standards for signs

The proposal does not accord with the Acceptable Solution in E17.7.1 A1 Standards for signs which refers to Table E17.2 Sign Standard. The proposal invokes discretions as underlined below:

Pole or Pylon Sign	(a) Height to the highest point of the sign above ground no more than 5000mm; (b) Clearance from ground to sign no less than 2400mm; (c) Projects no more than 1200mm beyond the boundary with the footpath or road reservation. (d) Area of each face no more than 2m ² .
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) <u>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.

Therefore, the proposal relies on the following Performance Criteria:

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.*

Comment

The proposed signage is considered to meet the above Performance Criteria. The wall sign and the window signs would be integrated with the building and pylon sign is not discretionary. Whilst the wall sign is larger than 2m² it would not dominate the streetscape as it would be set back from the street and would be of proportional dimensions to the building. The window signage would also be of acceptable dimensions, as there are a further two large plain windows adjacent. The proposed signage is not considered to represent visual clutter, as it would not be dominant from the street given the location of the building that would be well back from the frontage. Therefore, the proposal complies with the standard through the Performance Criteria.

PART F: Specific Area Plans

No Specific Area Plan applies.

INTERNAL REFERRALS

Development Engineer

Traffic, Access & Parking

The site can be accessed from the existing vehicular access, which is proposed to be widened to provide an adequate passing bay. The site has mild slope, so that grades and drainage can be easily designed to comply with standard. For the development and use proposed, it is required under the scheme that twenty (20) car parking spaces be provided.

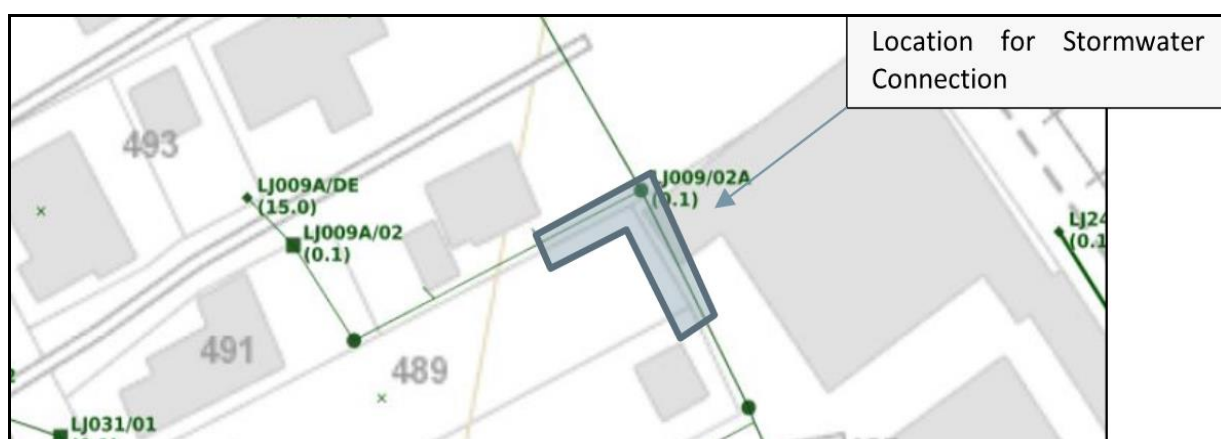
The development will be provided with seventeen (17) car parking spaces and two (2) motor bike parking spaces; hence a shortfall of 3 car parking spaces. The submitted TIS by Midson Traffic addressed the parking shortfall and concludes that the proposal meets the requirements of Performance Criteria P1 of Clause E6.6.1. The assessment and conclusion of the TIS is satisfactory. It is therefore considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected.

The application does not accord with the Acceptable Solution in E5.5.1 A3, as there would be an increase of more than a 20% in vehicular movements from the site. However, it is still considered that safe and efficient access would be available for the proposed use and that the local traffic conditions are not expected to be significantly affected. The access will be widened to accommodate for the passing bay at access point, this will also provide better sight distance for road users. Therefore, the traffic generation from the development can be accommodated by the proposed double width access and so that the development complies with the Performance Criteria P3.

GCC Services (Stormwater)

The development includes the Stormwater design and management report prepared by Pitt and Sherry addressing the Stormwater Code E7 and the Inundation Prone Area Code E15.

The stormwater quality and quantity management findings and design generally comply with the Scheme requirements. The site currently has no stormwater connection (approved run-off outlet). The developer proposes an indicative location for stormwater works as indicated in the hatched area. The stormwater works must be constructed by Council at the developer's cost; which is a recommended permit condition, should the application be approved.



Other

Geoscience issues

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

Flooding/Inundation issues

The development is in a Flood Prone Area. The Natural Ground Level and the AHD in relation to the 1 in 100 year flood level must be clearly shown on the plan and the finished floor level must be 300mm above the flood level (or 525mm. above the Natural Ground Level). This is a recommended condition.

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.

REPRESENTATIONS

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

CONCLUSION

The application is for a new medical centre with seventeen car parking spaces and signage, within the Commercial Zone. The proposal requires demolition of the existing single dwelling on site. A medical centre is classified Business and Professional Services, which is a discretionary use within the Commercial Zone. The application also invokes discretions in regard to landscaping, increase in traffic, a shortfall of three parking spaces and signage. These discretions were assessed within the report and accord with each of the respective performance criteria.

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

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 at Medical Centre at 489 Main Road Montrose subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-18-094 and Drawing No. P4 submitted on 12/07/17 (servicing plan) and Drawing No. P3 received on 25/06/18, 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. TWDA2018/00803-GCC, dated 19/07/18, form part of this permit.
3. The building height must be no more than 9m above natural ground level. Levels must be shown on plans submitted in association with a Building Permit Application.
4. Landscaping must be provided, as shown on the approved plan and must be in place prior to the issue of a Certificate of Occupancy, to the satisfaction of Council's Senior Statutory Planner.
5. Any mechanical plant and miscellaneous equipment such as heat pumps, air conditioning units, switchboards, hot water units or similar must be screened from view from the street.
6. No display of signage must occur, other than the approved signage of one pylon sign, one wall sign and two window signs, as shown on the approved plan.
7. All signs must directly relate to the approved use on site.
8. Signs must not contain flashing lights, moving parts or moving or changing messages or graphics.

Engineering

9. 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 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.

10. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
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. The developer is required to contact Council's Development Engineer on (03) 62166439 to organise for Council to provide a quote to perform the stormwater connection works. Prior to the issuing of a Building Permit Approval or the commencement of works on site, (whichever occurs first), the stormwater connection must be available for connection.
13. 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 driveway details must be in accordance with the Australian and submitted with the Building Application for approval by Council's Development Engineer prior to the commencement of works on site. The proposed driveway and parking must comply with the following:-
 - (a) Be constructed to a sealed finish;
 - (b) Be in accordance with the approved plan;
 - (c) The minimum of seventeen (17) clearly marked car parking spaces must be provided and kept available for these purposes at all times;
 - (d) A minimum of one (1) clearly marked motor bike parking space must be provided and kept available for these purposes at all times;
 - (e) All runoff from paved and driveway areas must be discharged into Council's stormwater system;
 - (f) Wheel stops for car parking spaces must be installed;
 - (g) WSUD and landscaping must be incorporated into the parking areas of the development;

- (h) Be clearly line-marked or physically separated to each space in accordance with the approved plan;
- (i) Landscaping of parking and circulation areas must be provided and must be no less than 5 percent of the area of the car park;
- (j) If used outside daylight hours, appropriate lighting must be provided for the parking area in accordance with Australian Standard AS 1158.3.1 – Lighting for roads and public spaces;
- (k) Passing bay must be provided at the access point 6m long by 5.5m wide; and
- (l) The gradient of any parking areas must not exceed 5%.

To comply with the above requirements, the developer must submit engineering drawings demonstrating compliance with the requirements to the satisfaction of Council's Development Engineer prior to the issuing of the Building Permit. All works required by this condition must be installed prior to the occupancy of the building.

14. Widening of the existing vehicle crossing to a double crossing to provide a passing bay at the access point must be constructed in accordance with standard drawing SD-1003 between the kerb and the property boundary and completed to the satisfaction of Council's Development Engineer prior to the occupancy. The detail design must be submitted and approved prior to the issuing of a Building Approval.

Advice: A Property Access Works Application must be completed prior to any work being undertaken. The application is available from Council's planning department or available from Council's website at: <https://www.gcc.tas.gov.au/residents/living-in-glenorchy/driveways>

15. Stormwater detention for a 1 in 20 year ARI storm event must be provided on site. Any system proposed to retain the required runoff storage volume must be detailed in an engineering design lodged and approved as part of the plumbing application, and to be designed, constructed and maintained to the satisfaction of Council's Plumbing Surveyor.
16. The development is within a Flood Prone area. The natural ground level and the AHD in relation to the 1 in 100 year flood level must be clearly shown on the plan. Prior to the issuing of a Building Permit Approval, submit the plan and elevation demonstrating that the finished floor level is at 300mm above the 1 in 100 year flood level (or 525mm. above the Natural Ground Level) to the requirements of Council's Development Engineer.

Advice to Applicant

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

Other Permits

Please be aware that this planning permit is a planning approval issued under the Glenorchy Interim Planning Scheme 2015. You should consult with an accredited Building Surveyor prior to commencing this use or work to ensure all relevant requirements of the Building Act 2016 are complied with. In addition to this planning permit, a building permit and/or plumbing permit may also be required. If further clarification is required, please contact Council's Building Section on 62166800.

Other Services

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

Attachments/Annexures

- 1  Attachment - PLN-18-094

APPENDIX**23.0 Commercial Zone**

Standard	Acceptable Solution	Proposed	Complies?
23.3 Use Standards			
23.3.1 Hours of Operation	A1 Hours of operation of a use within 50 m of a residential zone must be within: (a) 6.00 am to 10.00 pm Mondays to Saturdays inclusive; (b) 7.00 am to 9.00 pm Sundays and Public Holidays. except for office and administrative tasks.	The hours of operation for the medical centre is proposed to be between 8am – 6pm on weekdays and 9am – 12pm on Saturdays. The proposal therefore complies with the acceptable solution A1.	Yes
23.3.2 Noise	A1 Noise emissions measured at the boundary of a residential zone must not exceed the following: (a) 55dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm; (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between	The proposed use for site is considered to comply with the acceptable solution A1.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	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.		
23.3.3 External Lighting	A1 External lighting within 50 m of a residential zone must comply with all of the following: (a) be turned off between 11:00 pm and 6:00 am, except for security lighting; (b) security lighting must be baffled to ensure they do not cause emission of light outside the zone.	External lighting is proposed to be baffled to ensure compliance with acceptable solution A1	Yes
23.3.4 Commercial Vehicle Movements	A1 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within	Commercial vehicle movements will occur during the operating hours of the medical centre which is between 8am - 6pm	Yes

Standard	Acceptable Solution	Proposed	Complies?
	50 m of a residential zone must be within the hours of: (a) 6.00 am to 10.00 pm Mondays to Saturdays inclusive; (b) 7.00 am to 9.00 pm Sundays and public holidays.		
23.3.5 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.	The air conditioning units are proposed to be located to the rear of the building and will be more than 50m away from the nearest residential area	Yes
22.4 Development Standards for Buildings and Works			
22.4.1 Building Height	A1 Building height must be no more than: 9m.	The proposed building will have a maximum height of 8.9m	Yes
	A2 Building height within 10 m of a residential zone must be no more than 8.5 m.	Building is to be setback more than 10m away from the nearest residential zone	NA

Standard	Acceptable Solution	Proposed	Complies?
23.4.2 Setback	A1 Building setback from frontage must be parallel to the frontage and must be no less than: (a) 8 m, if fronting a street other than the Brooker Highway; or (b) 10 m, if fronting the Brooker Highway or on CT46976/2 (115 Central Avenue Derwent Park).	The building is proposed to be setback approximately 40m from the frontage	Yes
	A2 Building setback from the General Residential or Inner Residential Zone must be no less than: (a) 5m; or (b) half the height of the wall, whichever is the greater.	Proposed building is setback more than 5m.	Yes
23.4.3 Design	A1 Building design must comply with all of the following: (a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site; (b) for new building or alterations to an existing facade provide windows and door openings at ground floor	The proposed development does make provision for the main pedestrian entrance to the building which is clearly visible from the road and public footpath. The building has windows and door openings which make up more than 40% of the surface area of the front façade	Yes

Standard	Acceptable Solution	Proposed	Complies?
	level in the front façade no less than 40% of the surface area of the ground floor level façade; (c) for new building or alterations to an existing facade ensure any single expanse of blank wall in the ground level front façade and facades facing other public spaces is not greater than 30% of the length of the facade; (d) screen mechanical plant and miscellaneous equipment such as heat pumps, air conditioning units, switchboards, hot water units or similar from view from the street and other public spaces; (e) incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof; (f) provide awnings over the public footpath if existing on the site or on adjoining lots; (g) not include security shutters over windows or doors with a frontage to a street or public place.	Only the front façade faces Main Road and has been designed to have less than 30% of the front façade being a single expanse of blank wall. Air conditioning units are located to the rear of the building and will not be visible from the road. No other equipment will be visible from the road No existing awnings over public footpath No security shutters are proposed over windows and doors fronting Main Road	
	A2 Walls of a building facing a residential zone must comply with all of the following:	Only the wall of the front façade faces a residential area. The walls of the building are proposed to	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(a) be coloured using colours with a light reflectance value not greater than 40 percent: (b) if within 50m of a residential zone, must not have openings in walls facing the residential zone, unless the line of sight to the building is blocked by another building.	have a black onyx precast and will have a light reflectance value of less than 40%. The proposed building will be setback more than 50m from the residential zone.	
23.4.4 Passive Surveillance	A1 Building design must comply with all of the following: (a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site; (b) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the front façade which amount to no less than 40 % of the surface area of the ground floor level facade; (c) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the façade of any wall which faces a public space or a car park which amount to no less than 30% of the surface area of the ground floor level	The proposed building is designed to meet the acceptable solution. The building provides for pedestrian entrance which is clearly visible from main road. The front façade of the building has openings which make up more than 40% of the surface area of the ground floor level. The parking area is located at the front of the dwelling and the front façade does have windows and door openings that make up more than 30% of the surface area of the ground floor level façade. External lighting is proposed for the car	Yes

Standard	Acceptable Solution	Proposed	Complies?
	facade; (d) avoid creating entrapment spaces around the building site, such as concealed alcoves near public spaces; (e) provide external lighting to illuminate car parking areas and pathways; (f) provide well-lit public access at the ground floor level from any external car park.	parking area which will also allow well-lit public access.	
23.4.5 Landscaping	A1 Landscaping is not required along the frontage of a site if all of the following apply: (a) the building extends across the width of the frontage, (except for vehicular access ways); (b) the building has a setback from the frontage of no more than 1m.	Since building is setback more than 1m from the frontage, the proposal relies on performance criteria P1.	No – see report
	A2 Along a boundary with a residential zone landscaping must be provided for a depth no less than: 2m.	Not applicable	NA

Standard	Acceptable Solution	Proposed	Complies?
23.4.6 Outdoor Storage Areas	A1 Outdoor storage areas for non-residential uses must comply with all of the following: (a) be located behind the building line; (b) all goods and materials stored must be screened from public view; (c) not encroach upon car parking areas, driveways or landscaped areas.	No outdoor storage area is proposed	NA
23.4.7 Fencing	A1 Fencing must comply with all of the following: (a) fences, walls and gates of greater height than 1.5 m must not be erected within 10 m of the frontage; (b) fences along a frontage must be at least 50% transparent above a height of 1.2 m; (c) height of fences along a common boundary with land in a residential zone must be no more than 2.1 m and must not contain barbed wire.	No new fencing is proposed	NA

E5.0 Road and Railway Assets Code

Standard	Acceptable Solution	Proposed	Complies?
5.5 Use Standards			
E5.5.1 Existing road accesses and junctions	A1 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.	Not applicable	NA
	A2 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.	Not applicable	NA
	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.	Due to the change of use from residential to business and professional services (medical centre), the traffic would increase by more than 20% and therefore relies on performance criteria P3	No but complies with PC

Standard	Acceptable Solution	Proposed	Complies?
E5.5.2 Exiting Level Crossings	A1 Where use has access across part of a rail network, the annual average daily traffic (AADT) at an existing level crossing must not be increased by greater than 10% or 10 vehicle movements per day, whichever is the greater.	Not applicable	NA
5.6 Development Standards			
E5.6.1 Development adjacent to roads and railways	A1.1 Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h: (a) new buildings; (b) other road or earth works; and (c) building envelopes on new lots.	Not applicable	NA

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.	Not applicable	NA
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		Yes
	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.		Yes
E5.6.3 New Level Crossings	A1 No Acceptable Solutions.	Not applicable	NA

Standard	Acceptable Solution	Proposed	Complies?
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.		Yes

E6.0 Parking and Access Code

Standard	Acceptable Solution	Proposed	Complies?
E6.6 Use Standards			
E6.6.1 Number of Car Parking Spaces	A1 The number of on-site car parking spaces must be: (a) no less than the number specified in Table E6.1 and no more than 10% greater than that number; except if: (i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu)	Table E6.1 requires 5 car parking spaces for each person providing health services. A total of 20 car parking is required but only 17 car parking is proposed. The proposal therefore relies on performance criteria P1	No – complies with PC

Standard	Acceptable Solution	Proposed	Complies?
	must be in accordance with that plan; (ii) this provision was not used in this planning scheme.		
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.		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.		yes
E6.6.4 Number of Bicycle Parking Spaces	A1 The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.	Not applicable	N/A

Standard	Acceptable Solution	Proposed	Complies?
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.		Yes
E6.7.2 Design of Vehicular Accesses	A1 Design of vehicle access points must comply with all of the following: (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (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.		yes
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		yes

Standard	Acceptable Solution	Proposed	Complies?
	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.		
E6.7.4 On-Site Turning	A1 On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following: (a) it serves no more than two dwelling units; (b) it meets a road carrying less than 6000 vehicles per day.		yes
E6.7.5 Layout of Parking Areas	A1 The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 "Design of Parking Modules, Circulation Roadways and Ramps" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient		Yes

Standard	Acceptable Solution	Proposed	Complies?
	headroom to comply with clause 5.3 "Headroom" of the same Standard.		
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.		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.		yes
E6.7.8 Landscaping of Parking Areas	A1 Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.		yes

Standard	Acceptable Solution	Proposed	Complies?
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.		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.		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.	Not applicable	NA

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.	Not applicable	N/A
E6.7.12 Siting of Car Parking	A1 Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.		Yes
E6.7.1.13 Facilities for Commercial Vehicles	A1 Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless: (a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site; (b) the use is not primarily dependent on outward delivery of goods from the site.	Not applicable	N/A

Standard	Acceptable Solution	Proposed	Complies?
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements of the road authority.		Yes

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.		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 m²; (b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots.		Yes

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

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	The proposed pylon sign and wall sign are both permitted under Table E17.3 for Commercial 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.	The sign will be advertising the medical services on site	Yes
	A3 A sign must not contain flashing lights, moving parts or changing messages or graphics, except if a Statutory Sign	No flashing lights, moving parts or changing messages are proposed	Yes
	A4 An illuminated sign must not be located within 30 metres of a residential use, except if a Statutory Sign.	Signs are not proposed to be illuminated	Yes

Standard	Acceptable Solution	Proposed	Complies?
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.	The proposed pylon sign does meet the sign standards as per Table E17.2. However, the wall sign is proposed to be 4sqm and therefore relies on performance criteria P1.	No - Wall sign and window sign relies on performance criteria – see report
	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; (i) Building Site, (ii) Name Plate, (iii) Newspaper Day Bill,	One pylon sign, one wall sign and two window signs on tow windows	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(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 signs will not cause any detriment to drivers	Yes
	A4 Signs must not resemble Statutory Signs because of the same or similar shape, size, design, colour, letter size or lighting.	Not applicable	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 applicable	NA
E17.7.2 Standards for signs on Heritage Places subject to	A1 No acceptable solution.	Not applicable	NA

Standard	Acceptable Solution	Proposed	Complies?
the Heritage Code or within Heritage Precinct or Cultural Landscape Precincts			

**7. AMENDMENT PLAM-18/01 - S.39 REPORT TO TPC -
AMENDMENT TO HOBART SHOW GROUND SPECIFIC AREA
PLAN - 2 & 20 HOWARD ROAD, GLENORCHY**

Author: Strategic Planner (Lyndal Byrne)

Qualified Person: Strategic Planner (Lyndal Byrne)

Property ID: 3367019

REPORT SUMMARY:

Amendment:	PLAM-18/01
Applicant:	JMG Engineers and Planners on behalf of Royal Agricultural Society Tasmania
Owner:	JMG Engineers and Planners on behalf of Royal Agricultural Society Tasmania
Proposal:	To make various changes to the existing Hobart Show Ground Specific Area Plan, including allowing <i>General retail and hire</i> uses on the site
Report Purpose:	To consider the merits of representations received during the public exhibition period for the draft Amendment PLAM-18/01 to the Glenorchy Interim Planning Scheme 2015 their effect on the proposal. Council's assessment must be provided the Tasmanian Planning Commission under ss. 39 & 43F(6), former provisions, of the <i>Land Use Planning and Approvals Act 1993</i> (the Act).
Representations:	2 (State Growth and 'No objection' from TasWater)
Recommendation:	That this report is endorsed as the Planning Authority's response under S39, former provisions, of the Act and forward it, along the representation from State Growth, to the TPC.

REPORT IN DETAIL:

INTRODUCTION:

The draft amendment to the Glenorchy Interim Planning Scheme 2015, was publicly notified from Wednesday 4 July 2018 until Wednesday 1 August 2018.

The public notification involved advertisements in the Mercury on Wednesday 4 July 2018 and Saturday 7 July 2018 and a mailout of letters to all owners and occupiers of land adjacent to, or opposite the site.

Two representations were received during the exhibition period. One of the representations was a letter of 'no objection from TasWater. This report examines the merits of the representations.

BACKGROUND:

The amendment seeks to modify the existing Hobart Show Ground Specific Area Plan (the SAP) that applies to the site. (Refer to Attachment 1 – Certified copy of the draft amendment document)

The changes essentially allow land to the south-west of the Bunnings Warehouse to be redeveloped for a *General retail and hire* use (the 'Spotlight and Anaconda' development) and for some additional uses (veterinary centre, domestic animal training, emergency services, go-kart track and a backpacker hostel).

Council, at its Glenorchy Planning Authority meeting on 12 June 2018 determined to initiate and certify the draft amendment and place it on public exhibition for 28 days.

STATUTORY REQUIREMENTS:

In respect to the draft amendment, section 39(2), former provisions of the Act provides that a planning authority must, not later than 35 days after the exhibition period of a draft amendment or such further period as the Commission allows, forward to the Commission a report comprising:

- (a) *a copy of each representation received by the authority in relation to the draft amendment or, where it has received no such representation, a statement to that effect; and*
- (b) *a statement of its opinion as to the merit of each such representation, including, in particular, its views as to –*
 - (i) *the need for modification of the draft amendment in the light of that representation; and*
 - (ii) *the impact of that representation on the draft amendment as a whole; and*
- (c) *such recommendations in relation to the draft amendment as the authority considers necessary.*

In respect to the planning permit application and decision on that application, section 43F(6), former provisions, of the Act requires that:

When the planning authority forwards to the Commission a report in accordance with section 39(2), it must forward to the Commission –

- (a) *a copy of each representation received by the planning authority in relation to the application for the permit or the planning authority's decision under sub-section 1(b), or where it has received no such representation, a statement to that effect; and*

- (b) *a statement of its opinion as to the merit of each representation including, in particular, its views as to the need for modification of the planning authority's decision in the light of that representation; and*
- (c) *such recommendations in relation to the planning authority's decision as the planning authority considers necessary.*

REPRESENTATIONS:

Two representations were received during the public notification period.

One representation indicating 'no objection' was received from TasWater, the other representation was from State Growth which, while it indicated 'no objection', requested advice be provided to the applicant.

The grounds of representation are summarised below with officer comment provided as to the merits of each ground and the need for modification.

- **Ground 1 – Pedestrian Overpass and Taxi drop of zone not supported**

State Growth qualified its representation with the following advice to the applicant:

- State Growth has no plans to construct a pedestrian overpass over the Brooker Highway
- The management of the Brooker Highway to maximise capacity and safety for through traffic is not compatible with the drop off zone / taxi rank zone at the side of the road shown on the urban Design Plan.

Opinion on Merit & Need for Modification

It is acknowledged that State Growth has indicated no objections to the amendment, however it confirmed that these issues of advice should be provided to the applicant.

Pedestrian Overpass

The reference to the overpass is identified in Figure F7.2 Hobart Showground Urban Design Plan. State Growth has indicated that they have no funding to provide the overpass and that recent upgrades to this section of the Brooker Highway have improved the road environment for pedestrians and the existing traffic signals at Howard Road and Goodwood Road provide facilities for pedestrians to cross the highway. Given this work, it is recommended that Figure F7.1 Hobart Showground Master Plan and F7.2 Hobart Showground Urban Design Plan be amended to remove references to the pedestrian overpass.



Figure 1 Extract from draft Amendment SAP

'Drop off Zone /Taxi rank' reference on the plans

This reference only appears in the Applicant's Planning Report as part of the 'master plan – illustrative plan' – it is not shown on the certificated amendment plans that form part of the SAP. Therefore any reliance on creating a drop off zone adjacent to the Brooker Highway is not given effect under the draft amendment, or through the planning scheme, should the amendment be approved. No changes are recommended in respect to this aspect of the representation.

Recommendation:

PLANNING AUTHORITY'S RECOMMENDATIONS UNDER S39

That the draft amendment be submitted to the Tasmanian Planning Commission with the following recommended changes:

- Figure F7.1 Hobart Showground Master Plan and F7.2 Hobart Showground Urban Design Plan be amended to remove references to the pedestrian overpass.

RECOMMENDATION:

That the Glenorchy Planning Authority report in the above terms to the Tasmanian Planning Commission about the draft Amendment application PLAM-18/01 to the Glenorchy Interim Planning Scheme 2015, and under s. 39, former provisions, of the *Land Use Planning and Approvals Act 1993*.

Attachments/Annexures

- 1**  PLAM-18/01 - Attachment 1 - Certified Amendment
- 2**  PLAM-18/01 - Attachment 2 - Summary of Representations

CLOSED TO MEMBERS OF THE PUBLIC

8. COMPLIANCE REPORT

This item is to be considered at a closed meeting of the Glenorchy Planning Authority by authority of the Local Government (Meeting Procedures) Regulations 2005 Section 15(4).