

GLENORCHY PLANNING AUTHORITY

MINUTES

MONDAY, 15 APRIL 2019



Chairperson: Alderman K. Johnston

Hour: 5.00 p.m.

Present: Aldermen K. Johnston, M Carlton, J. Dunsby, K. Sims and B. Thomas.

In attendance: Mr. P. Garnsey (Manager Development), Ms. V. Tomlin (Senior Statutory Planner), Ms. L. Byrne (Acting Coordinator Planning Services), Ms. A. Dionysopoulos (Planning Officer), Ms. B. Narksut (Development Engineer),

1. PLANNING AUTHORITY DECLARATION

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

2. APOLOGIES

Alderman M Stevenson

3. PECUNIARY INTERESTS

None

4. CONFIRMATION OF MINUTES

Resolution:

THOMAS/SIMS

That the minutes of the Glenorchy Planning Authority Meeting held on Monday, 18 March 2019 be confirmed.

The motion was put.

FOR: Aldermen Johnston, Carlton, Dunsby, Sims and Thomas

AGAINST:

The motion was CARRIED.

5. PROPOSED USE AND DEVELOPMENT - MULTIPLE DWELLINGS (NINE PROPOSED) - 4A BILTON WALK CLAREMONT

File Reference: 2729989

REPORT SUMMARY:

Application No:	PLN-18-254
Applicant:	N A Moane
Owner:	N A Moane
Zone:	Inner Residential and Environmental Management
Use Class	Residential and Utilities
Application Status:	Discretionary
Discretions:	11.4.4 Sunlight and overshadowing, 11.4.8 Waste Storage for multiple dwellings, 29.3.1 Use Standards for Reserved Land, 29.4.2 Setback, E7.7.1 Stormwater Drainage and Disposal, E11.7.1 Buildings and Works, E15.7.1 Coastal Inundation High Hazard Areas, E15.7.6 Development Dependent on a Coastal Location, E16.7.1 Buildings and works, E16.7.2 Development Dependent on a Coastal Location (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	17 April 2018
Existing Land Use:	Vacant land with storage sheds
Proposal In Brief:	Multiple Dwellings (Nine proposed)
Representations:	Eight (including a petition)
Recommendation:	Approval, subject to conditions

Resolution:

THOMAS/DUNSBY

That a permit be granted for the proposed use and development of Multiple Dwellings (Nine proposed) at 4a Bilton Walk Claremont subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-18-254 and Drawing No. P3 submitted on 12/03/2019, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2018/01684-GCC, dated 14/02/2019, form part of this permit.
3. Any externally visible stormwater discharge infrastructure must be designed and constructed to visually blend with the foreshore landscape, using naturalistic finishes. The materials used must have a light reflectance value of no greater than 40 percent.
4. The land in the Environmental Management Zone must not be used for residential use, including as part of a residential garden. All dwelling development must be located outside the Environmental Management Zone.
5. To ensure no use and development is within the Environmental Management Zone, the applicant must contact Council prior to the first phase of construction of dwellings 9 and 8, specifically prior to the excavation for footings, to enable Council to inspect and certify the location of the dwellings.
6. Coastal protection works and structures must be limited in extent to those required specifically to mitigate potential erosion impacts from the new stormwater outlet, and must be contained entirely within the privately-owned land contained in Certificate of Title Volume 147784 Folio 1.3. The works must:
 - (a) Be appropriately designed and sited to account for risk from inundation (taking into account the nature of the development and the use of the stormwater outlet);
 - (b) Be fit for purpose and appropriately managed based on the level of exposure to coastal erosion hazard; and
 - (c) Be appropriately designed and sited to account for risk of erosion (taking into account the nature of the development).
7. A detailed design for the stormwater outlet and shoreline stabilisation works must be submitted to the satisfaction of Council's Development Engineer and Council's Environment Officer, prior to commencement of any works on the site. The design must:
 - (a) Be designed and certified by an engineer with suitable qualifications and experience in coastal, civil and/or hydraulic engineering; and
 - (b) Detail vegetation management and erosion control measures.

Engineering

8. 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 and to be approved by the Council's Development Engineer. The approved control measures must be installed prior to any disturbance of soil or construction activity such as concrete cutting, demolition and must be regularly inspected and maintained during the construction and demolition period to prevent soil and other materials entering the local stormwater system, roadways or adjoining properties. The approved control measures must remain in place until such time as all construction activity likely to generate sediment has been completed or all disturbed areas have been stabilised using vegetation and/or restored or sealed to the satisfaction of the Council. The approved Soil and Water Management Plan (SWMP) forms part of this permit and must be complied with.

Advice: For further information please refer to the Soil and Water Management Fact Sheets published by the Department of Primary Industries, Parks Waters and Environment. These are available from Council or online at www.derwentestuary.org.au

9. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
10. 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.
11. The developer is required to contact Council's Development Engineer on (03) 6216 6800 to organise for Council to provide a quote to perform the DN225 stormwater connection works prior to the issuing of a building approval or the commencement of works on site (whichever occurs first). Prior to commencement of the use as approved, new stormwater connection to the property boundary must be provided by Council at the developer's cost.
12. 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 Standard and submitted with the Building Application for approval by Council's Development Engineer prior to the commencement of works on site. The proposed driveway and parking must comply with the following:-
 - (a) Be constructed to a sealed finish and the finished gradient must not exceed the maximum gradient of 20%;
 - (b) A footpath must be provided along the north-western side of the driveway;

- (c) Twenty-one (21) clearly marked car parking spaces must be provided in accordance with the approved plan received by Council and kept available for these purposes at all times;
- (d) Of the provided car parking spaces, two spaces must be allocated for the exclusive use of each dwelling;
- (e) Of the car parking spaces provided, three (3) visitor parking spaces must be provided, clearly line-marked and kept available for these purposes at all times;
- (f) Vertical alignment must include transition curves (or straight sections) to the *Australian Standard, Parking facilities - Part 1: Off-Street Carparking AS 2890.1 - 2004, Clause 2.5.3 (d)* at all grade changes greater than 12.5%;
- (g) All runoff from paved and driveway areas must be discharged into Council's stormwater system;
- (h) Car parking lighting must be provided for the proposed carpark in accordance with *AS 1158.3.1 – Lighting for roads and public spaces* and completed;
- (i) Incorporate the WSUD and landscaping into the parking areas of the development;
- (j) Landscaping of parking and circulation areas must be provided and must be no less than 5 percent of the area of the car park;
- (k) The gradient of any parking areas must not exceed 5%; and
- (l) Minimum carriageway width is to be no less than 3.0 metres.

All works required by this condition must be installed prior to commencement of the use as approved

13. The 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.

Hydraulics

14. The development must incorporate a Water Sensitive Urban Design (WSUD) treatment train, under the 'Future Fully Developed Scenario', to meet the 80%, 45% and 45% reduction of the average annual load of total suspended solid (TSS), total phosphorus (TP), and total nitrogen (TN), respectively. All WSUD elements must be installed as detailed in the Stormwater Infrastructure – Drainage Report, submitted by JSA Consulting Engineers on the 12/02/2019 and the accompanying Stormwater Hydraulic Plan H02 revision A or latest revision. All WSUD elements are required to achieve the designed pollutant removal rates, and must be implemented by the applicant prior to the issue of the certificate of occupancy;

15. Prior to the commencement of works, a WSUD Maintenance Scheme must be submitted for approval, to the satisfaction of Council's Manager Infrastructure, Engineering and Design, defining the maintenance method and frequency for each WSUD elements incorporated in the treatment train. The future body corporate managing the site must comply with the WSUD Maintenance Scheme once it is accepted by the Council, and any changes to this Scheme must first be approved by Council.
16. Upon approval of the WSUD Maintenance Scheme, the applicant must enter into a registered agreement with Council, at the sole expense of the applicant, pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993*, for the area which is subject to this permit.

The Part 5 agreement shall require the owner and all successors in title to covenant and agree with the Council:

- (a) All works outlined in the WSUD maintenance Scheme submitted by the applicant, including the maintenance method and frequency for individual Water Sensitive Urban Design (WSUD) elements, must be implemented and managed by the owner and all successors in title at their sole expense;
- (b) Keep the maintenance records in an accessible form (either printed or electronic) for five years from the date of the work was carried out to prove that the maintenance of each WSUD elements have been conducted in accordance with the WSUD Maintenance Scheme;
- (c) Repair and replace all the WSUD elements at the sole expense of the owner and its successors in title so that it functions (removing pollutants from stormwater runoff) in a safe and efficient manner;
- (d) Permit the Council from time to time and upon giving reasonable notice (but in the case of an emergency, at any time and without notice) to enter and inspect the WSUD elements for compliance with the requirements of this agreement;
- (e) Comply with the terms of any written notice issued by the Council in respect of the requirements of this agreement within the time stated in the notice;
- (f) In the event that Owner fails to comply with its obligations under this Agreement, Council may arrange for its employees, agents or contractors to enter upon the Land and undertake all works necessary to ensure that the obligations of this Agreement are met and all required works are performed in full;
- (g) The reasonable costs of all works undertaken pursuant to the clause above (including GST) will constitute a debt due and owing to the Council immediately upon demand, by the owner of the land upon which such works were undertaken and, if not paid to Council within 14 days of receipt of a demand for payment by Council, are recoverable by Council in a court of competent jurisdiction along with interest calculated

- (h) All debts due and payable to Council will accrue interest at the Interest Rate compounding monthly until the relevant debt and all accrued interest is paid to Council in full.

Environment

17. Works must be undertaken generally in accordance with the *Wetlands and Waterways Works Manual* (DPIWE, 2003) and the *Tasmanian Coastal Works Manual* (DPIPWE, Page and Thorp, 2010). The unnecessary use of machinery within watercourses must be avoided.
18. Environmental weeds declared under the *Weed Management Act 1999* are present on the site. Primary treatment of all weeds on the site must be undertaken prior to commencement of any works on the site.
19. To ensure environmental weeds are not spread from the site:
 - (a) Weed plant material or soil containing their seed must not be removed from the site, unless approval is obtained from State government as required under the *Weed Management Act 1999*;
 - (b) Weed plant material and topsoil containing their seed must not be stored or moved into areas containing weed-free native vegetation;
 - (c) Prior to commencement of works a hygiene facility must be installed at the exit point which requires the cleaning of all tools, equipment, machinery and vehicles prior to leaving the site to prevent spreading weeds off site. The hygiene facility must be constructed in accordance with the *Tasmanian Washdown Guidelines for Weed and Disease Control: Machinery, Vehicles and Equipment (2004)*.
 - (d) Appropriate hygiene measures must be undertaken prior to any machinery entering the site as per the *Tasmanian Washdown Guidelines for Weed and Disease Control (2004)*.
 - (e) Any imported fill materials must be sourced from quarries able to provide documentation as to the weeds present on the source site in order to minimise introduction of new weeds and pathogens to the area.
20. A Weed and Rehabilitation Plan must be submitted to Council for approval prior to the issue of a Building approval. This plan must be to the satisfaction of Council's Environment Coordinator and include:
 - (a) A site plan showing the known locations of weed infestations;
 - (b) Proposed measures to control weed infestations; and a landscaping plan to reduce exposed substrate. The landscaping plan must exclusively utilise local native species, where within Environmental Management Zoned land;
 - (c) An action plan with timeframes and methods for implementation of proposed control and rehabilitation measures;

- (d) 5-year monitoring program post construction to manage new populations of declared weeds.

Ongoing management of the site must be in accordance with this Plan unless otherwise approved in writing by Council.

Traffic

- 21. A footpath must be provided along the north-western side of the driveway.

Waste Management

- 22. A shared bin enclosure must be constructed to the satisfaction of Council's Waste Services Coordinator prior to occupancy of any of the dwellings. The design for the shared bin enclosure must comply with the following:
 - (a) The enclosure must be built on a flat surface with a concrete base/pad and surround of a brick or painted block enclosure or other suitable material to Council's satisfaction;
 - (b) The enclosure must have concrete at the entrance to the bin enclosure;
 - (c) The enclosure must suit 6 X 240L wheelie bins of size 1100 height x 600mm wide x 800mm deep and must allow for 300mm space in between each bin;
 - (d) The front of the enclosure must face the internal access driveway, and be left open throughout the length of the bin enclosure to enable the bins to be removed and returned in a safe and efficient manner; and
 - (e) There must be no lip on the concrete slab of the bin enclosure.

Advice to Applicant

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

Other Permits

Please be aware that this planning permit is a planning approval issued under the *Glenorchy Interim Planning Scheme 2015*. You should consult with an accredited Building Surveyor prior to commencing this use or work to ensure all relevant requirements of the *Building Act 2016* are complied with. In addition to this planning permit, a building permit and/or plumbing permit may also be required. If further clarification is required, please contact Council's Building Section on 6216 6800.

Approved use

The approved use for multiple dwellings relates only to the land in the Inner Residential Zone. Any use of the land in the Environmental Management Zone, other than for Natural and cultural values management or Passive recreation, may require a separate Planning permit.

Engineering

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

Waste management

Nine multiple dwellings are eligible for a maximum of three 240L waste bins and three 240L recycling bins collected weekly, to be shared by all the nine dwellings. The wheelie bins will be collected from the bin enclosure. The recommended minimum height of the shared bin enclosure is 1200mm and minimum recommended depth is 930mm.

The bin enclosure should be built within the property boundary preferably at the entrance of the property allowing a 4.5 metre distance from the entrance to prevent impacting on sight distances for vehicles leaving the site. It is recommended that the bin enclosure is not built closer than a minimum of 5.5 metres to any residence to avoid odour and nuisance issues arising.

Council's Waste Management Contractor will need to enter the property to collect and empty bins. A Deed of Indemnity must be signed by the developer and Council prior to waste services vehicles entering the property.

Aboriginal Heritage

Aboriginal Heritage Tasmania has advised that there are no Aboriginal heritage sites recorded within the property. However, on the point to the north side of the property there is an Aboriginal shell midden. Works should be guided by an Unanticipated Discovery Plan, which is available from Aboriginal Heritage Tasmania and should be kept on hand during ground disturbing works, to aid in meeting your requirements under the *Aboriginal Heritage Act 1975*. Under that Act, it is an offense to destroy, damage, deface, conceal or otherwise interfere with relics without a permit granted by the Minister, and there is an obligation to report findings of relics as soon as practicable. You are advised that if any shell material is uncovered during the works, you should contact Aboriginal Heritage Tasmania.

For further information please contact Aboriginal Heritage Tasmania on 1300 487 045 or at aboriginal@heritage.tas.gov.au.

Subject site

The site consists solely of the privately-owned land contained in Certificate of Title Volume 147784 Folio 1, and does not include any Crown Land. No buildings or works outside the site boundary are approved.

Shoreline Stabilisation Works

Approved shoreline stabilisation works are limited to those required directly in association with the new stormwater discharge point, and are subject to Council approval of a detailed design in accordance with Condition 6 of this permit. No other coastal protection works or structures are approved. Any potential works within the Environmental Management Zone other than those specifically approved in this permit may be subject to a separate Planning permit application..

Geotechnical Report

The Certificate of Title is subject to a covenant stipulating that no development will take place on the land except in accordance with the recommendations contained in the Geotechnical Report PN62557 prepared by Sloane Geoscience Pty Ltd dated 20 February 2004.

You are advised to obtain a copy of the report and ensure that all development is undertaken in accordance with the recommendations therein.

The motion was put.

FOR: Aldermen Johnston, Carlton, Dunsby, Sims and Thomas

AGAINST:

The motion was CARRIED.

Reason for Decision

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

THOMAS/CARLTON

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

The motion was put.

FOR: Aldermen Johnston, Carlton, Dunsby, Sims and Thomas

AGAINST:

The motion was CARRIED.

CLOSED TO MEMBERS OF THE PUBLIC

6. APPEALS REPORT

This item is to be considered at a closed meeting of the Glenorchy Planning Authority by authority of the Local Government (Meeting Procedures) Regulations 2015 Regulation 15(4).

The meeting closed at 6.30 p.m.

Confirmed,

CHAIRMAN