

GLENORCHY PLANNING AUTHORITY MEETING

AGENDA

MONDAY, 17 FEBRUARY 2020



GLENORCHY CITY COUNCIL

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

Chairperson: Alderman Kristie Johnston

Hour: 5.00 p.m.

TABLE OF CONTENTS:

1.	PLANNING AUTHORITY DECLARATION	3
2.	APOLOGIES/LEAVE OF ABSENCE	3
3.	PECUNIARY INTERESTS.....	3
4.	CONFIRMATION OF MINUTES	3
5.	PLANNING SCHEME AMENDMENT REQUEST - PLAM-19/01 - ADDRESS: DERWENT ENTERTAINMENT CENTRE 601, 601A & 601B BROOKER HIGHWAY, GLENORCHY	4
6.	PROPOSED USE AND DEVELOPMENT - DEMOLITION, CONSTRUCTION AND ALTERATIONS TO WAREHOUSES - 1-7 EFFINGHAM STREET MOONAH.....	28

7.	PROPOSED USE AND DEVELOPMENT - FOUR MULTIPLE DWELLING - 9 HILLCOT PLACE GLENORCHY.....	73
8.	PROPOSED USE AND DEVELOPMENT - MULTIPLE DWELLINGS (6) - 5 WESLEY PLACE CHIGWELL.....	116
9.	PROPOSED USE AND DEVELOPMENT - CHANGE OF USE TO COMMUNITY MEETING AND ENTERTAINMENT AND THREE RETAIL TENANCIES WITH ASSOCIATED DEMOLITION & WORKS - 80-82 MAIN ROAD, MOONAH	151
10.	PROPOSED USE AND DEVELOPMENT - ADDITIONS TO BOAT BUILDING (MANUFACTURING AND PROCESSING) - 100 DERWENT PARK ROAD DERWENT PARK	186

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 20 January 2020 be confirmed.

**5. PLANNING SCHEME AMENDMENT REQUEST - PLAM-19/01 -
ADDRESS: DERWENT ENTERTAINMENT CENTRE 601, 601A &
601B BROOKER HIGHWAY, GLENORCHY**

Author: Director Strategy and Development (Sam Fox)

Qualified Person: Consultant Planner (Emma Riley)

Property ID: 7597188

REPORT SUMMARY:

Application No.: PLAM-19/01

Applicant: Irene Inc Planning on behalf of LK Property Group Pty Ltd.

Owners: Glenorchy City Council and the Crown.

Existing Zoning: Community Purpose and Open Space.

Existing Land Use: The site contains the Derwent Entertainment Centre (community meeting and entertainment use class), GASP! Pavilion and Sculpture trail and an area of public foreshore open space (passive recreation use class) which includes the Montrose Bay Yacht Club and Glenorchy Rowing Club (sport and recreation use class).

Proposal in Brief: Insert new Clause F13.0 Wilkinsons Point Specific Area Plan and modify existing Clause F2.0 Wilkinsons Point and Elwick Bay Specific Area Plan.

The proposal also involves a request to amend the zoning of the site from Community Purpose to Recreation and a realignment of the area zoned Open Space.

Representations: Advertising occurs after the amendment is certified.

Recommendation: Certify the draft amendment and publicly exhibit for 28 days

REPORT IN DETAIL:**PROPOSAL:**

The proposal is for an amendment (the draft amendment) to the *Glenorchy Interim Planning Scheme 2015* (Interim Planning Scheme) so as to include new provisions relating to the Wilkinsons Point site in order to facilitate the use of Wilkinsons Point for a sporting precinct, including facilities for a Tasmanian NBL Team.

Specifically, the draft amendment is to insert a new specific area plan for Wilkinsons Point at Clause F13.0 of the Interim Planning Scheme and make consequential modifications to Clause F2.0 Wilkinsons Point and Elwick Bay Specific Area Plan (including its renaming) arising from the removal of the Wilkinsons Point area from the existing specific area plan.

The new Wilkinsons Point Specific Area Plan (Wilkinsons Point SAP) is intended to deliver the following outcomes for the Wilkinsons Point site:

- To provide for a state NBL team training and performance facility, supported by a range of active recreation, hotel accommodation, sports retail and food

services whilst retaining public access for passive recreation and community events;

- To cultivate a vibrant and engaging district that prioritises pedestrian movement and activity through designed landscaped areas, integrated infrastructure and connectivity within the site;
- To promote sustainable transport options through;
 - Reducing potential for pedestrian/vehicle conflict and enhancing the pedestrian environment;
 - The development of a park and ride facility; and
 - Providing infrastructure to support the use of bicycles, walking, and other sustainable transport modes;
- To ensure that sports focused retail outlets enhance and support recreational and entertainment activities on the site, without undermining the activity centre hierarchy.

The proposal also involves rezoning of the Wilkinsons Point site from Community Purpose to Recreation which includes a realignment of the area zoned Open Space.

SITE AND LOCALITY:

The land subject to the draft amendment is known as 601, 601A & 601B Brooker Highway, Glenorchy, The Grove Reserve and Montrose Foreshore Community Park as shown in Figure 1 over page. Specific parcels of land are outlined in Table 1 also over page.



Figure 1: Land subject to the draft amendment

Table 1: Property details of land subject to the draft amendment

Site Address	References	Landowner
601A Brooker Highway, Glenorchy	CT 157350/2 PID 2984138	Glenorchy City Council
301 Brooker Highway, Glenorchy (Derwent Entertainment Centre)	CT 110871/1 PID 75971887	Glenorchy City Council
601B Brooker Highway, Glenorchy	CT 157350/1 PID 2984111	Glenorchy City Council
Brooker Highway, Glenorchy	CT 135852/3 PID 2060760	Glenorchy City Council
Brooker Highway, Glenorchy (The Grove Reserve)	CT 135852/4 PID 2060744	Glenorchy City Council
825 Brooker Highway, Montrose (Montrose Foreshore Community Park)	CT 135852/5 PID 2060752	Glenorchy City Council
849B Brooker Highway, Montrose (Glenorchy Rowing Club)	CT 126136/1 PID 1473731	Glenorchy City Council
No address (Reserved Road within Public Reserve under <i>Crown Lands Act 1976</i>)	NA	The Crown
No address (Reserved Road within Public Reserve under <i>Crown Lands Act 1976</i>)	CT 135853/1	The Crown
No address (Reserved Road within Public Reserve under <i>Crown Lands Act 1976</i>)	CT 201259/1	The Crown
No address (Foreshore land allocated as Crown land under <i>Crown Lands Act 1976</i>)	NA	The Crown
No address (informally part of Montrose Foreshore Community Park)	CT 197856/1	The Crown
No address (informally part of Montrose Foreshore Community Park)	CT 201259/1	The Crown
849 Brooker Highway, Montrose (Montrose Bay Yacht Club)	CT 201259/1 PID 5358765	The Crown

The site is bordered by the Elwick Racecourse to the east, the River Derwent to the north and west, Montrose Bay High School to the north-west, and has road frontage to the Brooker Highway to the south.

There is a TasWater pump station located at the southeast corner of the site on a separate title, which is excluded from the draft amendment.

The Wilkinsons Point site (see Figure 2 over page), which is the primary subject of the draft amendment, contains the Derwent Entertainment Centre (DEC) with two asphalt parking areas to the north and south of the DEC which are accessed via an internal road off Brooker Highway. The GASP! walking and cycling trail borders the western boundary along the River Derwent foreshore and terminates at the GASP! pavilion located at the northern aspect of Wilkinsons Point.

The foreshore area and northern portion of the site is largely undeveloped and unvegetated. There are three jetties located on the north-east side of the Wilkinsons Point headland.



Figure 2: Wilkinsons Point site subject to the new Wilkinsons Point Specific Area Plan

PREVIOUS DECISION OF THE PLANNING AUTHORITY:

At its meeting of 23 October 2019, the Glenorchy Planning Authority resolved to initiate draft amendment. The resolution of the Planning Authority was as follows:

- A. *That pursuant to Section 34(1)(a), former provisions, of the Land Use Planning and Approvals Act 1993, the Planning Authority agree to initiate amendment PLAM19/01 to the Glenorchy Interim Planning Scheme, to the land at Wilkinsons Point and Elwick Bay, as shown in Figure 2 to this report.*
- B. *That the Planning Authority resolve to prepare a modified amendment PLAM-19/01 as detailed in the report.*
- C. *That the Planning Authority resolves to advise the applicant of the above and that further information relating to the matters referred to in this report*

as well as additional clarification as to how gaming facilities will be controlled in the specific area plan is required.

- D. That the Planning Authority resolves that following the receipt of the applicant's response to the request for further information; a further report is prepared for Council's consideration to consider the certification of the modified amendment PLAM-19/01.*

This report is therefore in response to Part D of the Planning Authority's resolution on 23 October 2019.

BACKGROUND:

As outlined in the Initiation Report the draft amendment at that time raised the following concerns, which were considered necessary to resolve prior to certification:

Retail impact and activity centre network

Section 2.4 of the Retail Analysis and Economic Impact and Community Benefit Report prepared by SGS Economics and Planning and submitted on 19 September 2019 indicated that for Big Box Sport and Specialty Sport Retail that the expected turnover for the redeveloped Wilkinsons Point site will, in 2024, result in a negative impact but by 2029 have no impact.

It also outlined that in 2029 the additional PA expenditure in the catchment for sporting retail (being Greater Hobart) is however nearly the same as the expected turnover at Wilkinsons Point indicating that all potential expenditure growth in Greater Hobart by 2029 is being captured by the Wilkinsons Point redevelopment.

An amended analysis was required which considered the impact that this will have on existing retailers/activity centres providing these types of goods within the Greater Hobart area and the reasonableness of all growth being captured by one site is required.

The amended analysis also needed to consider this issue regarding the food and beverage hospitality component. While it was noted that the expected turnover comprises around three quarters of the additional expenditure growth, there are other major food and beverage locations within the Greater Hobart area.

This assessment has now been provided and is at Attachment 7 and has satisfactorily addressed those concerns. Further queries have been raised with the applicant since the provisions of this assessment regarding consistency in terminology between the assessment and the provisions as put forward by the applicant in the modified Wilkinsons Point SAP. As a result, the Wilkinsons Point SAP at Attachment 1 has been modified to refer to gross floor area rather than net tradable floor area.

Site contamination

Part of the site is potentially contaminated (601A Brooker Highway – located at the northern end of the site) and the adjoining land at 2A Goodwood Road is also potentially contaminated. Council's notes identify that for 601A Brooker Highway that "all or part of the property has soil metal concentrations exceeding residential health

investigation levels". The adjoining site was used for a potentially contaminating activity.

To confirm that the amendment satisfied the statutory requirements (see planning assessment below), an assessment was required by a suitable qualified person.

This assessment has now been provided and is at Attachment 9 to this report.

Inundation risk

Part of the subject land is subject to coastal inundation risk (see Figure 3) and inundation risk (see Figure 4). The supporting planning report at that time did not fully identify the extent of inundation risk on the land as well as the risk of a coincident event.

There was concern that development within Precinct D (near the Brooker Highway) may not be capable of meeting the current Code or future Code provisions (as contained in the State Planning Provisions) relevant to inundation.

A report by a suitably qualified person providing for a site-specific analysis of inundation risk and consideration as to whether development is achievable was required.

This assessment has now been provided and is at Attachment 11 to this report. In response to the assessment the applicant proposed additional provisions within the Wilkinsons Point SAP which are shown at Attachment 4.

In response to the review by Council's Hydraulic Engineer (at Attachment 17) some modifications are recommended to these standards and are reflected in the modified Wilkinsons Point SAP for certification at Attachment 1.

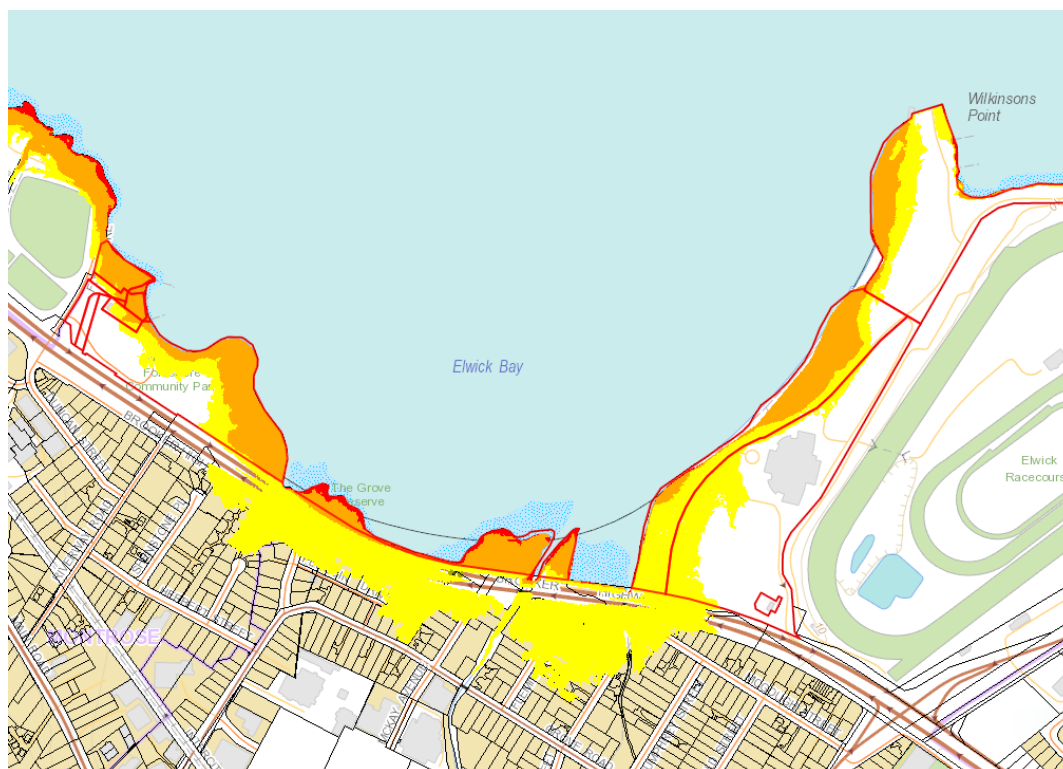


Figure 3: Coastal Inundation Hazard mapping relevant to the site (Red indicates high risk, orange medium risk and yellow low risk)

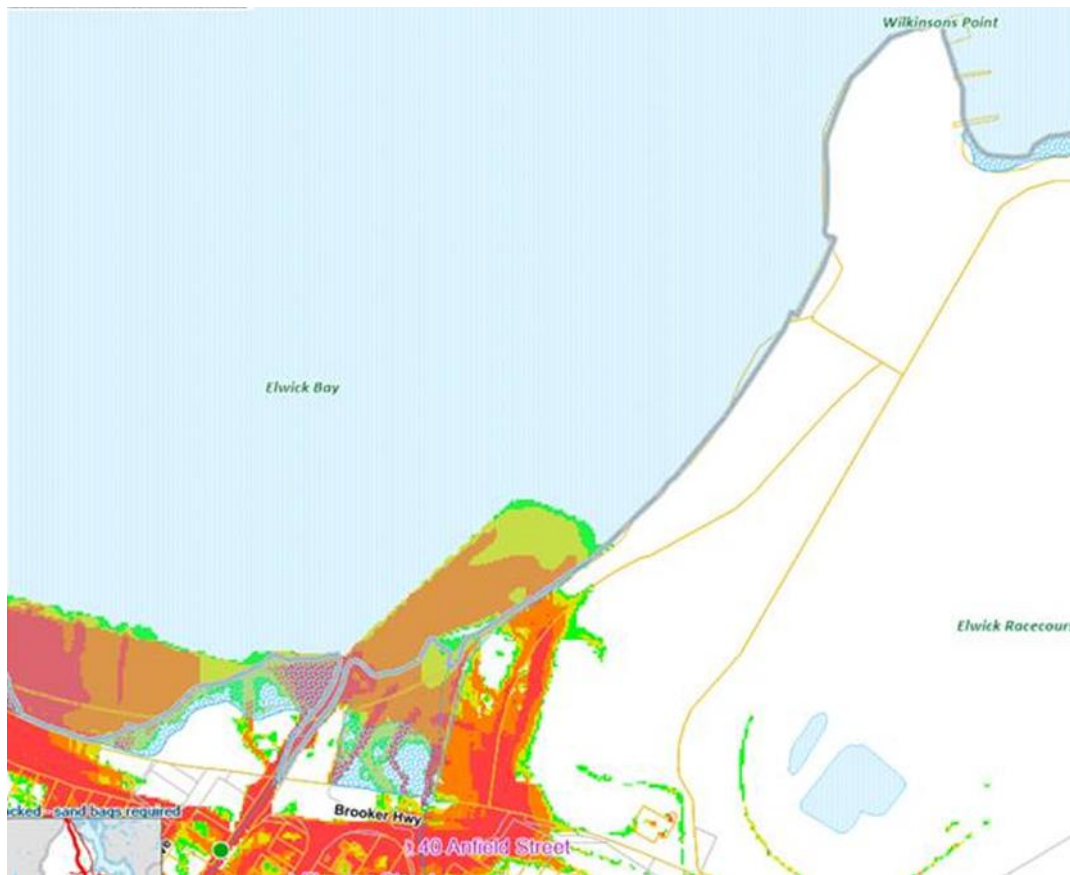


Figure 4: Flood Hazard mapping for Humpreys Rivulet (Red indicates extreme hazard, orange significant hazard, yellow moderate hazard and green low hazard)

Height and landscape assessment

The draft amendment incorporated a significant permitted height increase for sub-precinct A1 to allow for an 11 storey hotel building. It was considered at the time there was strategic merit in such a height increase by additional documentation in the landscape and visual analysis was required to support the new height standards.

An updated Landscape Assessment by Oculus and an Urban Design Assessment (prepared by Irene Inc Planning and Urban Design) have now been provided (at Attachments 12 and 13 to this report). These are considered to provide sufficient information to demonstrate that the proposed height limits are appropriate to the site having regard to the landscaping setting and existing built form.

Residential use

The amendment as requested by the applicant included provisions for Residential use on the site (for student accommodation). Further explanation was considered necessary to explain the purpose and justify this inclusion.

The applicant is no longer proposing to pursue Residential use on the site, and this is reflected in the modified Wilkinsons Point SAP at Attachment 1.

Maintenance of public accessibility along foreshore

The intent of the draft amendment is to incorporate a buffer from the coastline to maintain GASP! and public accessibility along the foreshore with buildings setback approximately 20 metres from the edge.

As the current title boundaries do not strictly align with the sea wall, refinement of the maps, through a site survey undertaken by a surveyor, was considered necessary.

Updated zoning maps and precinct boundaries have been prepared by PDA Surveyors and provided by the applicant in both hard copy and GIS format and are at Attachment 15 to this report. Council's Open Space Co-ordinator has reviewed the mapping and is satisfied that sufficient width has been provided to maintain public access.

This mapping is reflected in the modified draft amendment for certification at Attachment 1.

Hotel industry use

Concern was raised by the Planning Authority as to whether there were sufficient limitations in the use standards under the Wilkinsons Point SAP to control use of land for large drive through bottle shops and gaming facilities.

The applicant has, in their proposed modified Wilkinsons Point SAP, proposed to exclude these uses by way of use qualifications under the use tables. The Wilkinsons Point SAP now lists a bottle shop as prohibited in all precincts except for Precinct B. In Precinct B a bottle shop less than 500m² is permitted provided it does not include a drive-in section bottle shop. It is recognised that 500m² is a relatively small area even for a retail style bottle shop as it covers back of house storage and as a result the Wilkinsons Point SAP as contained in Attachment 1 for certification is considered an appropriate response to this concern.

Miscellaneous matters

A number of other relatively minor matters were identified including:

- redrafting to achieve consistency with the Tasmanian Planning Commission's Planning Practice Note 5 and Planning Practice Note 8;
- deletion of the term 'Natural Values' as it is not used in the specific area plan;
- a general discretionary use standard to provide clarity of assessment considerations for such uses;
- requirements under the performance criteria for building design in all precincts relating to visual interest, modulation and articulation on external elevations;
- definitions of signage terms used in the signage standard such as 'Naming Rights Building Identification Sign';
- definition of 'commuter transit services' or rewording the use qualification under the transport depot and distribution use class to use a plain English description;
- a use qualification to limit the 'bottle shop' component of a hotel industry use in Precinct A. It is not considered desirable to see a large-scale bottle shop in

the location, noting that as currently proposed it would be a permitted use with no floor area limitations;

- a revised site coverage standard in Precinct A that ensures that the master plan intent of total floor areas being divided across a number of buildings surrounded by landscaped space rather than one large building is achieved; and
- a site coverage standard within Precinct C.

In Addition, modifications to the consequential amendments applying to the residual Elwick Bay area under the proposed replacement Clause F2.0 Montrose Foreshore Community Park and Elwick Bay Specific Area Plan were required to be drafted.

These matters have now been resolved through the modified draft amendment for certification as outlined at Attachment 1 to this report.

STATUTORY REQUIREMENTS:

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

Section 20(1), former provisions, of the *Land Use Planning and Approvals Act 1993* (LUPAA) is relevant in that a planning scheme amendment is also considered to be the making of a planning scheme. Under this provision, the amendment must, in the opinion of the planning authority:

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

In previously initiating the draft amendment, the Glenorchy Planning Authority concluded that the draft amendment was capable of complying with the statutory requirements of section 32, former provisions of LUPAA. These requirements are that the draft amendment:

- Must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area;
- Must not conflict with the requirements of section 30O, former provisions, LUPAA (i.e. be to a local provision of the scheme, not conflict with a planning directive, and be, as far as practicable, consistent with the regional strategy); and
- Must have regard to the impact that the use and development permissible under the amendment will have on use and development of the region as an entity in environmental, economic and social terms.

Section 35 of the former provisions of LUPAA require that the Planning Authority must now determine whether the draft amendment meets the requirements specified in section 32 and if so satisfied, certify the draft amendment as meeting those requirements.

If the Planning Authority resolves to certify the draft amendment, it must then give a copy of the draft amendment and instrument of certification to the Commission within 7 days of certification and then publicly exhibit the draft amendment in accordance with section 38 of the former provisions of LUPAA. The public exhibition period must be for at a period of 28 days.

PLANNING ASSESSMENT:

Planning merit

An assessment of the broad planning merit of the draft amendment was undertaken at the initiation stage. Council resolved to initiate the draft amendment and therefore the focus of the planning assessment in this report is to determine whether the draft amendment meets the statutory requirements.

An assessment of the draft amendment against the statutory requirements is provided below.

Consistency with the Objectives of Schedule 1 of LUPAA

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

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

The Wilkinsons Point site is generally a mix between existing developed and brownfield areas. There are no significant natural values in the area affected by the new Wilkinsons Point SAP and the coastline has been significantly modified through engineered reinforcements. Additionally, new development under the draft amendment will generally be setback away from foreshore areas. While part of the area retained in the modified Montrose Foreshore Community Park and Elwick Bay Foreshore does have ecological value, the provisions relating to this land remain the same under the draft amendment.

The draft amendment will not have a direct impact on ecological processes or genetic diversity.

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

The draft amendment provides for site specific controls and implementation of a master plan compatible with the established vision for the site, thereby providing for the orderly development of land.

The draft amendment seeks to introduce a range of uses not currently allowable on the site to enhance the function of the core components of the sporting precinct vision and add to the amenity of the site. Specifically, these include food services and general retail and hire uses, which require restrictions to protect the existing activity centre network within the municipality and across the region.

In response to a request for further information, additional analysis has been provided by the applicant in a modified Retail and Economic and Community Impacts Report prepared by SGS Economics and Planning (at Attachment 7). This updated report, accompanied by Clause F13.6.2 in the modified draft amendment, outlined at Attachment 1 to this report, is considered sufficient to achieve consistency with this objective.

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

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

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

It is anticipated that the draft amendment will facilitate significant economic development for the municipal area, providing new direct employment opportunities during construction and ongoing operation as well as indirect employment. It will also attract additional people from across Tasmania and the mainland into the municipal area, facilitating additional expenditure.

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

The assessment process promotes the involvement of the public as well as local and state government. The “Part 2” objectives of the resource management and planning system of Tasmania are:

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

The draft amendment has been prepared with respect to the relevant strategic outcomes of State and Local Government. The consistency of the draft amendment with Council plans and strategies, the Southern Regional Land Use Strategy and State Policies is discussed later in this report.

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

The draft amendment seeks to change the existing site-specific controls applying to the site through the Scheme. The SAP is in accordance with the hierarchy of planning instruments both under the Interim Planning Scheme approach and the future Tasmanian Planning Scheme.

A detailed assessment of the draft amendment is considered in the section on ‘Impact on Glenorchy Interim Planning Scheme 2015’ below.

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

The draft amendment per se, will not have an impact on the environment. The Wilkinson Point site while foreshore land, has been substantially modified. The adjacent arterial roads provide a buffer to residential area and therefore there is limited potential for impacts on residential amenity arising from the draft amendment.

Broadly, the draft amendment will have positive social and economic effects and the specific provisions of the modified draft amendment outlined at Attachment 1 are appropriate responses in providing for the effects of the draft amendment in regard to mitigating any detrimental economic impacts on established activity centres and social and economic impacts on users of the site arising from inundation prior to certification.

It is noted that at initiation potential effects relating to contamination were identified, however a Stage 1 Environmental Site Assessment has been prepared for the site., The Environmental Site Assessment identifies that the existing provisions within the Potentially Contaminated Land Code under the Interim Planning Scheme are sufficient to address potential effects arising from the likely contamination on the site at the development application stage.

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

As the draft amendment seeks to modify the existing scheme provisions, this objective is not directly applicable. However, the draft amendment has been prepared with consideration to the broader sustainable development context of the objectives of LUPAA.

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

The draft amendment has been referred to TasWater, TasGas and State Growth. TasWater and TasGas have advised that they have no concerns with the draft amendment. State Growth has considered the additional information provided by the applicant and are generally satisfied subject to minor modifications to the provisions in the Wilkinsons Point SAP. These have been incorporated in the draft amendment for certification at Attachment 1 to this report.

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

The draft amendment has potential to further the health and wellbeing of Tasmanians and visitors by the suite of sport and recreational facilities allowed under the new specific area plan. The draft amendment also includes provisions to ensure that the use and development of the site is undertaken in a pleasant manner and supported by high quality landscaping. Additionally, the draft amendment has potential to facilitate a more pleasant and efficient mode of transport for commuters.

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

The draft amendment has had regard to the potential cultural values of the site and will not alter the existing legislative requirements relating to those. The draft amendment does not otherwise affect any buildings, area or places of scientific, aesthetic, architectural, historic interest or cultural value.

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

The draft amendment has had regard to protection of public infrastructure and has identified the need for potential upgrades to infrastructure into and within the site, which can be considered at the development assessment stage.

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

Given the urban location of the site, its proximity to the Brooker Highway and availability of existing services, the site is capable of facilitating the use and development allowed under the draft amendment.

Consistency with State Policies

State Policy on Water Quality Management 1997

The draft amendment per se would not directly impact on water quality including sediment to surface water. Future planning permit applications will be required to be assessed under the Stormwater Management Code. Additionally, the draft amendment incorporates landscaping provisions which will assist in protecting water quality over the life of the development.

State Coastal Policy 1996.

The subject land adjoins the coastline. The site is however within an urban area and has been developed for a range of open space and urban uses.

The following is an assessment against the three main principles that guide Tasmania's State Coastal Policy:

Principles	Amendment Response
Natural and Cultural values of the coast shall be protected.	The Wilkinsons Point site is heavily disturbed, relatively flat and in an urban setting and does not contain any significant natural or cultural values. There are natural values on the residual Elwick Bay area however the underlying use and development controls on this part of the subject land will be consistent with the existing controls. Sewerage and stormwater will be required to be disposed of via

Principles	Amendment Response
	reticulated infrastructure and consistent with the current requirements of the planning scheme and legislative framework. The draft amendment is not considered to involve any significant impact on the values of: • Ecosystems • Geomorphological features • Aquatic environments • Native flora and fauna habitat • Water quality; and • Natural landscapes. The draft amendment is consistent with Part 1.1 Natural resources and ecosystems. An Aboriginal heritage assessment has been submitted with the draft amendment request demonstrating that there are no impacts on known cultural values. If any Aboriginal heritage is identified onsite then the unanticipated discovery protocols under the <i>Aboriginal Heritage Act 1975</i> would come into play. There are no historic heritage values on the site. The draft amendment is therefore consistent with Part 1.2 Cultural and historic resources and Part 1.3 Cultural heritage. The site is low lying and while it constitutes a modified coastline, the land is potentially at risk of coastal inundation. An assessment of the inundation risk on the site has been provided by the applicant. The additional provisions contained in the draft amendment for certification at Attachment 1 are considered sufficient to be satisfied that the draft amendment is consistent with Part 1.4 Coastal hazards.

Principles	Amendment Response
The Coast shall be used and developed in a sustainable manner	The Wilkinsons Point site is substantially modified and has been subject to reclamation and development. The draft amendment does not adversely affect natural or aesthetic qualities of the coast and the area is not considered to be visually sensitive. The draft amendment is consistent with Part 2.1 Coastal uses and development. The draft amendment allows for visitor accommodation on the site. Given that the land is already developed and within the existing urban settlement, allowing for such uses on the site is considered to be consistent with Part 2.3 Tourism. The site is located within the existing settlement pattern and can already be developed for a range of urban uses. Accommodating the proposed additional uses, which typically require large amounts of space, within the existing settlement, favours a compact and contained urban settlement. The proposal is accordingly considered to be consistent with Part 2.4 Urban and residential development. The site is currently public land. The draft amendment intends to incorporate a buffer to maintain public accessibility along the foreshore (subject to detailed resolution prior to certification). Additionally, the draft amendment facilitates a wide range of public type uses with the site continuing to be publicly accessible under the use and development facilitated by the draft amendment. The proposal is therefore consistent with Part 2.7 Public land and 2.8 Recreation.
Integrated management and protection of the coastal zone is a shared responsibility	It is considered that management and protection of the coastal zone will continue to be a shared responsibility by local and State governments.

National Environmental Protection Measures

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

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

Seven NEPMs have been made to date that deal with:

- Ambient air quality;
- Air Toxins;
- Assessment of Site Contamination;
- Diesel Vehicle Emissions;
- Movement of Controlled Waste Between States and Territories;
- National Pollutant Inventory; and
- Used Packaging Materials.

Part of the Wilkinsons Point site (601A Brooker Avenue) is identified as potentially contaminated as is the adjoining land at Dowsing Point. The Assessment of Site Contamination NEPM therefore applies to the draft amendment.

A preliminary site assessment has now been prepared by EM&C. The preliminary site assessment concludes:

- that there is no record or finding or actual contamination on the site in historic information;
- potential contaminating activities were identified at the site including Elwick Waste Disposal Site, reclamation and an historic work depot, although further intrusive investigations are required to determine if contaminants exist; and
- management of potential contaminates can be adequately addressed through the application of Potentially Contaminated Land Code given the intended range of uses.

The draft amendment is therefore considered to satisfy the requirements of the Assessment of Site Contamination NEPM due to the existing provisions of the Potentially Contaminated Land Code within the Interim Planning Scheme that will remain applicable to the site.

State Policy on the Protection of Agricultural Land 2000

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

Consistency with the Glenorchy City Council Strategic Plan 2016-2025

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

Open for business

Objective 2.1 Stimulate a prosperous economy

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

Valuing our Environment

Objective 3.1: Create liveable and desirable City:

- Strategy 3.1.4: Deliver new and existing services to improve the City's liveability.
- Strategy 3.2.3: Enhance, protect and celebrate the Derwent Foreshore.

The plan purpose statements, and relevant applicable standards are consistent with these objectives.

Gas Pipelines Act 2000

The subject land is adjacent to the Declared Pipeline Corridor but separated by the Brooker Highway. However, as the amendment request does not include a planning permit application, there is no requirement to refer the proposal to the pipeline licensee.



Figure 5 - Declared Pipeline Corridor (GCC mapping)

Potential for Land Use Conflict with Adjacent Planning Scheme Areas

The subject land is on the edge of the municipal area by virtue of its adjacency to the River Derwent. Direct land use conflicts with adjacent municipalities are not likely, however.

Consistency with the requirements of Section 300 of the Act

The draft amendment is considered consistent with the requirements of Section 30O of the Act as it:

- Involves a change to the local content of the planning scheme as it seeks a site-specific qualification; and
- Is consistent with the *Southern Tasmanian Regional Land Use Strategy, 2010-2035* (the STRLUS).

The draft amendment is consistent with the following policies in particular:

- *ROS 1 Plan for an integrated open space and recreation system that responds to existing and emerging needs in the community and contributes to social inclusion, community connectivity, community health and well being, amenity, environmental sustainability and the economy;*
- *ROS 2 Maintain a regional approach to the planning, construction, management, and maintenance of major sporting facilities to protect the viability of existing and future facilities and minimise overall costs to the community;*
- *LUTI 1.7 Protect major regional and urban transport corridors through planning schemes as identified in Maps 3 & 4. LUTI 1.8 Ensure new development incorporates buffer distances to regional transport corridors identified in Map 4 to minimise further land use conflict;*
- *LUTI 1.10 Identify and protect ferry infrastructure points on the Derwent River (Sullivans Cove, Kangaroo Bay and Wilkinson Point) for their potential use into the future and encourage increased densities and activity around these nodes;*
- *T 1 Provide for innovative and sustainable tourism for the region; and*
- *AC 1.7 Improve the integration of public transport with Activity Centre planning, particularly where it relates to higher order activity centres.*

Following the provision of the further information by the applicant and the preparation of the modified draft amendment, consistency with the following policies is also considered to be achieved for the reasons outlined below.

- *C2 – Ensure use and development in coastal areas is responsive to effects of climate change including sea level rise, coastal inundation and shoreline recession.*
- *MRH 2 Minimise the risk of loss of life and property from flooding.*

Response: An Inundation Risk Assessment has now been prepared by Pitt & Sherry. The assessment identifies potential inundation risks on the site including from coincident events and as a result the modified Wilkinsons Point SAP provided by the applicant included additional provisions. Council's Hydraulic Engineer has reviewed the application and identified that the provisions put forward by the applicant required further modification to sufficiently address the risks present on the site. As a result the draft amendment for certification as outlined in Attachment 1 incorporates modifications to the standards on inundations in the Wilkinsons Point SAP.

- *MRH 4 Protect land and groundwater from site contamination and require progressive remediation of contaminated land where a risk to human health or the environment exists.*

Response: A preliminary site assessment has now been prepared by EM&C as discussed in detail under the NEPM assessment above. The draft amendment is now considered to satisfy MRH4 due to the existing safeguards within the Potentially Contaminated Land Code under the Interim Planning Scheme.

- *AC 1 Focus employment, retail and commercial uses, community services and opportunities for social interaction in well-planned, vibrant and accessible regional activity centres that are provided with a high level of amenity and with good transport links with residential areas.*
- *AC 1.1 Implement the Activity Centre Network through the delivery of retail, commercial, business, administration, social and community and passenger transport facilities.*
- *AC 1.5 Ensure high quality urban design and pedestrian amenity through the respective development standard.*
- *AC 1.11 Provide for 10 – 15 years growth of existing activity centres through appropriate zoning within planning schemes.*

Response:

The draft amendment has been initiated on the basis that it is a specialist centre as defined under Table 1: Activity Centre Network that is focussed on sporting and recreational facilities.

At the initiation stage the Planning Authority was satisfied that it was generally consistent with the definition of such a centre under the Regional Land Use Strategy. It is highlighted that while the Regional Land Use Strategy indicates that a specialist centre should not have entertainment facilities, the fundamental purpose of this specialist centre is around sporting and recreation-based entertainment with the continuation of events possible at the DEC. The draft amendment does not incorporate the possibility of other general entertainment that are present across other Activity Centres such as cinemas and late-night venues.

In response to concerns at the initiation stage as to the floor area limitations proposed in the SAP an updated Retail and Economic and Community Impacts report has been provided by SGS Economics and Planning. This updated report confirms that subject to a standard within the SAP that limits floor areas for retail and food services uses, there will not be an adverse impact on other activity centres across the Region.

Impact of Permissible Use and Development on the Region

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

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

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

Consistency with the Glenorchy Interim Planning Scheme 2015

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

The draft amendment proposes to introduce a new SAP for the Wilkinsons Point site to provide for site specific controls and, make consequential amendments to the existing Wilkinsons Point and Elwick Bay Specific Area Plan to remove controls and references relevant to the Wilkinsons Point site. In other words, the amendment proposes to replace one SAP with two.

The amendment also proposes to rezone land within the Wilkinsons Point site from a mix of Community Purpose and Open Space to a mix of Recreation and Open Space.

The draft amendment for certification, as outlined in Attachment 1, is clear, concise and will achieve its intended purpose. The replacement of a single specific area plan with two is considered appropriate given the future use and development of the Wilkinsons Point site envisaged by the draft amendment.

The rezoning of land to a mix of Recreation and Open Space is also considered to align with the intended future use and development.

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

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

- Activity Centres: Regional Objectives: To create a network of vibrant and attractive activity centres;
- Activity Centres: Local Objectives: To support a network of vibrant, accessible, liveable, and well-designed activity centres that create prosperity and bring services within easy reach of the Glenorchy community;
- Natural Environment: Regional Objectives: To increase responsiveness to the region's natural environment;
- Natural Environment: Local Objectives: To protect the City's natural values, including its treed hills, riparian areas and the River Derwent foreshore;
- Healthy Communities: Regional Objectives: To support strong and healthy communities;
- Competitiveness: Regional Objectives: To make the Southern Tasmanian region nationally and internationally competitive;
- Competitiveness: Local Objectives: To make the municipal area competitive on a State, national and international basis;
- Liveability: Regional Objectives: To create liveable communities;

- Liveability: Local Objectives: To improve the City's quality of life for all residents and visitors; and
- Transport and Urban Form: Local Objectives: Plan for improved energy efficiency in the City's build form.

Facilitating a major sport and recreational facility on the Wilkinsons Point site with a mix of supporting activities and linkages to existing and future commuter transport networks is considered to support the attainment of a number of these objectives, including supporting strong and healthy communities, making the region more competitive, creating a more liveable community and improving the City's quality of life.

Regarding the Activity Centre objectives, the draft amendment was modified to achieve consistency with these objectives on the basis of the updated SGS analysis.

Additionally, the modifications to the SAP in relation to the Inundation Risk Assessment (see Attachment 11 to this report) achieve consistency with the Natural Environment objectives.

The rezoning of the land from Community Purpose to Recreation is considered to represent a more compatible alignment with the purpose of the specific area plan and the underlying zone than if the Community Purpose zone were retained. Broadly, the rezoning reflects the proposed transition of the site to a sport and recreation focus.

▪ *What is the effect of the draft amendment on the status of use and development?*

The applicant has, at Appendix B of their Amended Supporting Planning Report (see Attachment 6 to this report), prepared a comparative use table, which is attached to this report.

In general terms, for the Wilkinsons Point site, the specific area plan results in a different mix of allowable use including:

- Introducing Business and professional use class as a permitted and discretionary use (precinct dependent);
- Introducing a childcare centre under the Educational and occasional care use class as a discretionary use in Precincts A and B;
- Allowing Food services use class more broadly across the site (not just the Derwent Entertainment Centre);
- Introducing General retail and hire as a permitted and discretionary use (precinct dependent);
- Introducing Hotel industry use class as a permitted use in Precinct A;
- Introducing kitchen and community garden under the Resource development use class as a permitted use in Precinct A and C;
- Introducing Sport and recreation use class as a permitted use class across all precincts except for Precinct C;
- Introducing commuter transit services and ferry terminal under the Transport depot and distribution use class in Precinct A, B and E; and

- Introducing visitor accommodation as a permitted use in Precinct A.

For the remainder of the land subject to the draft amendment (being the Elwick Bay component comprising of Grove Reserve and Montrose Foreshore Community Park) the mix of allowable uses will remain the same.

It is important to note that determining use class status under the Use Table is only one aspect of determining permissibility of a proposal. Permissibility will also be determined based on whether the proposal meets the acceptable solution or performance criteria of any applicable use or development standard within the scheme.

Specifically, the draft amendment includes a use standard to limit the total floor area within the General retail and hire use class.

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

The draft amendment is site specific, so its impacts are limited to adjacent land. However, given the adjoining uses are recreational and community focused and that the site is separated from residential land by the Brooker Highway (with the exception of the small precinct adjacent to Dowsing Point) and that these are already exposed to noise and traffic impacts, the impacts of the draft amendment will be minimal.

THE PROCESS FROM HERE:

Certification and exhibition

Should Council resolve to certify this amendment, following the development of a modified amendment and provision of additional information from the applicant, a subsequent report will be prepared for Council's consideration of certification under Section 35 of the LUPAA.

Draft amendments to the Interim Planning Scheme, once certified by the Planning Authority, then require public notification in accordance with the requirements of the LUPAA which includes advertising in *The Mercury* on two occasions, one of which is to be on a Saturday, and letters to adjoining owners and occupiers of land where the draft amendment is site specific. In accordance with Section 38, former provisions, of LUPAA the amendment must be advertised for 28 days.

Any representations received would be reported to a future meeting of the Glenorchy Planning Authority for consideration. The Planning Authority is required to report to the TPC as to the public notification outcomes and any recommendations or modifications to the draft amendment resulting from them in what is known as a Section 39 report.

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

The TPC would then assess and decide upon the draft amendment after considering the outcomes of any hearings it may hold.

CONCLUSION

The draft amendment was, at initiation, determined to have strategic planning merit. It is consistent with the established vision for Wilkinsons Point and will represent a significant economic development opportunity for the City.

The additional documentation submitted by the applicant in December 2019 and January 2020 along with the modifications incorporated into the draft amendment for certification as outlined at Attachment 1, are considered sufficient to demonstrate that the draft amendment satisfies the statutory requirements. As a result, it is considered appropriate for Council to certify the draft amendment and place it on public exhibition for a 28-day period.

Recommendation:

- A. That the Planning Authority certifies pursuant to Section 35, former provisions of the *Land Use Planning and Approvals Act 1993* (LUPAA) that the draft amendment meets the requirements specified in Section 32, former provisions of LUPAA.
- B. That the Planning Authority, having certified the draft amendment, determines pursuant to Section 38 of the *Land Use Planning and Approvals Act 1993* to place the draft amendment on public exhibition for a period of 28 days.

Attachments/Annexures

- 1 ➡ Attachment 1 - Instrument of certification including modified draft amendment
- 2 ➡ Attachment 2 - Explanatory notes to modified specific area plans
- 3 ➡ Attachment 3 - Masterplan as of 10 December 2019
- 4 ➡ Attachment 4 - Modified Wilkinsons Point Specific Area Plans as prepared by applicant
- 5 ➡ Attachment 5 - Modified Montrose Foreshore Community Park and Elwick Bay Foreshore Specific Area Plan as prepared by applicant
- 6 ➡ Attachment 6 - Amended Planning Report prepared by Irene Inc Planning and Urban Design
- 7 ➡ Attachment 7 - Amended Retail and Economic and Community Impacts Report prepared by SGS Economics and Planning
- 8 ➡ Attachment 8 - Amended Traffic Impact Assessment prepared by Howarth Fisher and Associates
- 9 ➡ Attachment 9 - Preliminary Site Assessment prepared by EM&C
- 10 ➡ Attachment 10 - Amended Infrastructure Report prepared by JSA Engineers

- 11** Attachment 11 - Inundation Risk Assessment prepared by Pitt & Sherry
[!\[\]\(746d018fdf6ab02bf5fb7681133e8b29_img.jpg\)](#)
- 12** Attachment 12 - Amended Landscape Report prepared by Oculus
[!\[\]\(5daa6eee1904cb6b9d765700250de764_img.jpg\)](#)
- 13** Attachment 13 - Urban Design Report prepared by Irene Inc
[!\[\]\(d72e437c7cc5947bc0b147aba6602563_img.jpg\)](#) Planning and Urban Design
- 14** Attachment 14 - Aboriginal Heritage Assessment prepared by
[!\[\]\(0d2a89e6d0cbcd8e0459b972b9332401_img.jpg\)](#) Cultural Heritage Management Australia
- 15** Attachment 15 - Updated mapping prepared by PDA Surveyors
[!\[\]\(cdcd8a42e5993b465235781ccc1c8555_img.jpg\)](#)
- 16** Attachment 16 - Updated Crown Consent
[!\[\]\(c0c9434f3698c901303014555ccb5687_img.jpg\)](#)
- 17** Attachment 17 - Council Consent
[!\[\]\(4f9bd4c242eb94a69f6647adc92289eb_img.jpg\)](#)
- 18** Attachment 18 - Referral from Council's Hydraulic Engineer
[!\[\]\(2043c91b19713cb6115a4799f072cbca_img.jpg\)](#)
- 19** Attachment 19 - Referral from Council's Transport Engineer
[!\[\]\(db8bdec0696fd5238eefca5b38e3467b_img.jpg\)](#)
- 20** Attachment 20 - Referral from the Department of State Growth
[!\[\]\(b360ad16bdc7d6189e2925016b1b3ed0_img.jpg\)](#)

**6. PROPOSED USE AND DEVELOPMENT - DEMOLITION,
CONSTRUCTION AND ALTERATIONS TO WAREHOUSES - 1-7
EFFINGHAM STREET MOONAH**

Author: Planning Officer (Grace Paisley)

Qualified Person: Planning Officer (Grace Paisley)

Property ID: 5423344

REPORT SUMMARY:

Application No.:	PLN-19-255
Applicant:	Peter Wright & Associates
Owner:	Midlec Properties Pty Ltd
Zone:	Light Industrial Zone
Use Class	Storage
Application Status:	Discretionary
Discretions:	9.4 Demolition; 24.3.1 Hours of Operation; 24.4.6 Outdoor Storage Areas; 24.4.7 Fencing; E2.6.2 Excavation; E5.6.2 Road accesses and junctions; E6.6.1 Number of Car Parking Spaces; E6.7.1 Number of Vehicle Accesses; and E17.7.1 Standards for Signs (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	19 Feb 2020
Existing Land Use:	Storage (warehouses)
Representations:	0
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The application proposes demolition, construction and alterations to warehouses at 1-7 Effingham Street, Moonah. The proposal would occur in a number of stages to allow the existing business to continue operating whilst the redevelopment occurs.

Stage 1 would involve the existing warehouse at 7 Effingham Street being refurbished to allow the existing use to be consolidated into the building. This would consist of internal alterations, minor external alterations including new windows and door on the frontage, a roller door on the northern elevation, external painting and signage (figure 1). The signage would consist of one sign located on the front of the building containing 'MIDDY'S DATA & ELECTRICAL SINCE 1928'. The sign would have an overall area of 12.67sqm (6.4m x 1.98m) and would be located above the entry (figure 1). Three (3) car parking spaces would be provided in front of the building. These spaces are existing and would include one (1) disabled car parking space (figure 2).

Stage 2 would consist of all the buildings at 1 Effingham Street being demolished, including the warehouse and associated buildings. This would prepare the site for redevelopment.

Stage 3 would consist of the construction of a temporary storage yard for the warehouse at 7 Effingham Street. The storage yard would be located on 1 Effingham Street and would have an overall area of 214sqm. To enable access to the storage yard, the crossover to the site would be widened. A temporary concrete ramp/loading area would be constructed adjacent the existing building at 7 Effingham Street. This would provide access to the warehouse via the proposed roller door on the northern elevation of the building.

Stage 4 would involve the construction of a new warehouse at 1 Effingham Street. The warehouse would have an area of 669sqm plus a 75.3sqm mezzanine and 214sqm storage yard. The warehouse would be located 2m from the rear boundary, 10m from the boundary adjoining 7 Effingham Street, 16.32m from the front boundary, and 15.62m from the north eastern boundary. The floor plan would comprise of a 176sqm showroom area and a 667sqm warehouse (figure 3).

The building would have an overall height of 8m and would be constructed with pre-cast concrete tilt-up walls. Externally the building would be painted pink in accordance with the Middy's corporate colours. A canopy would be provided on the entrance in 'french blue'.

Signs on the warehouse would consist of the same 12.67sqm sign as the warehouse at 7 Effingham Street along with a 2.22sqm Middy's Electrical Symbol and existing pole sign which would be retained (figure 4).

Car parking would be provided to the front and side of the warehouse and would consist of 21 car parking spaces, including a disabled space and two larger spaces for cars with trailers. Landscaping would be provided within the car parking area with a landscaping strip along the frontage, under the existing pole sign, along the north eastern boundary, and partially along the rear boundary. The landscaping would encompass two rain gardens.

A 2.1m high black PVC security fence with three strand security wire above would be constructed along the frontage. The fence would meet sliding gates on both entrances.

The temporary concrete ramp for 7 Effingham Street would be demolished following the completion of the build.

The application is discretionary due to relying on performance criteria to comply with Clauses 9.4 Demolition; 24.3.1 Hours of Operation; 24.4.6 Outdoor Storage Areas; 24.4.7 Fencing; E2.6.2 Excavation; E5.6.2 Road accesses and junctions; E6.6.1 Number of Car Parking Spaces; E6.7.1 Number of Vehicle Accesses; and E17.7.1 Standards for Signs.



Figure 1: Elevation and signage plan for 7 Effingham Street

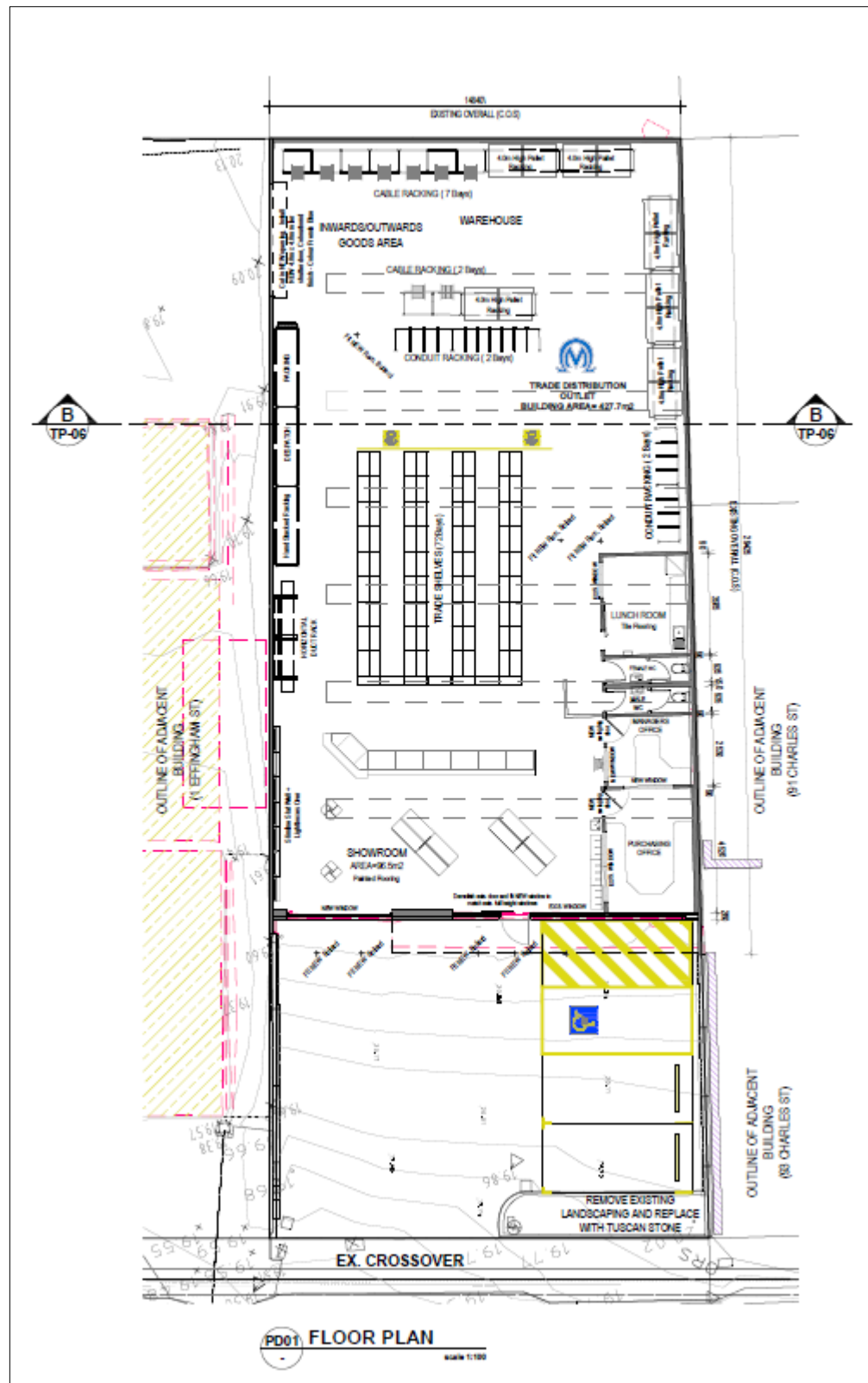


Figure 2: Floor plan of refurbished warehouse at 7 Effingham Street

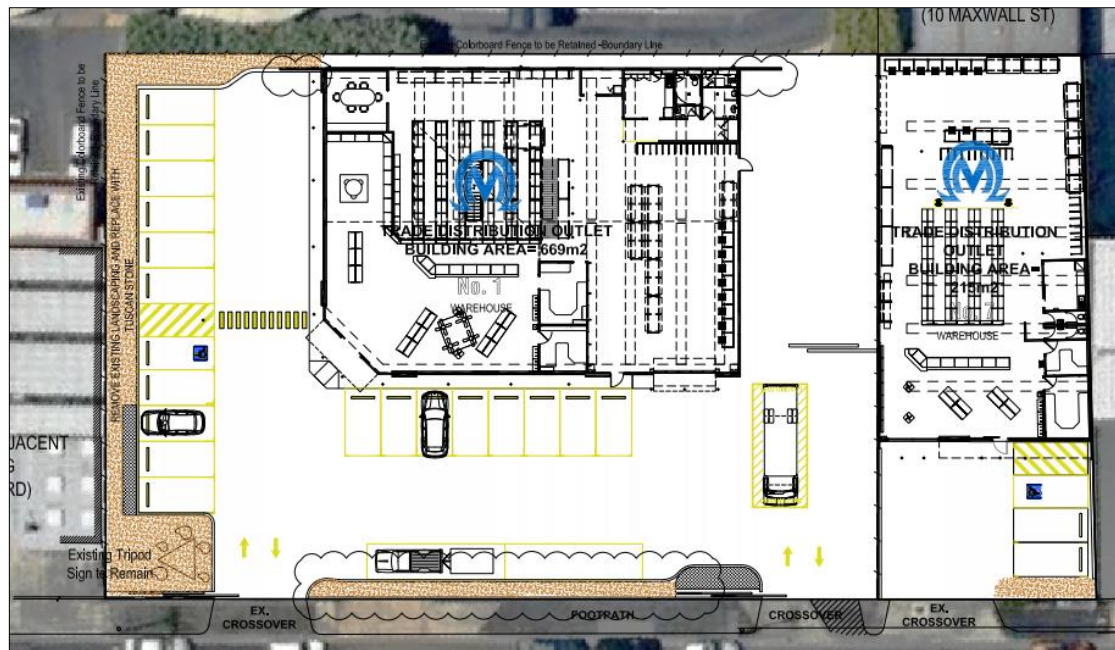


Figure 3: Proposed site plan



Figure 4: Proposed elevations of 1 Effingham Street

SITE and LOCALITY

The site is located on the south eastern side of Effingham Street and is made up of two properties being 1 and 7 Effingham Street. The two properties total an area of 2803sqm.

1 Effingham Street has an overall area of 2216sqm with a frontage of 56.08m onto Effingham Street and a depth of 39.62m. The property currently contains a warehouse and showroom used by Middy's Electrical who are a wholesale electrical supplier and distributor. There are also a number of buildings located at the rear of the site. A large portion of the rear of the site is used for storage of materials.

7 Effingham Street adjoins 1 Effingham Street and has an overall area of 587.96sqm. The property has a frontage of 14.84m and a depth of 39.62m. The majority of the site is occupied by a warehouse for Middy's Electrical. The front of the site is sealed and used for car parking. The two properties adjoin land within the Commercial Zone to the east and south.

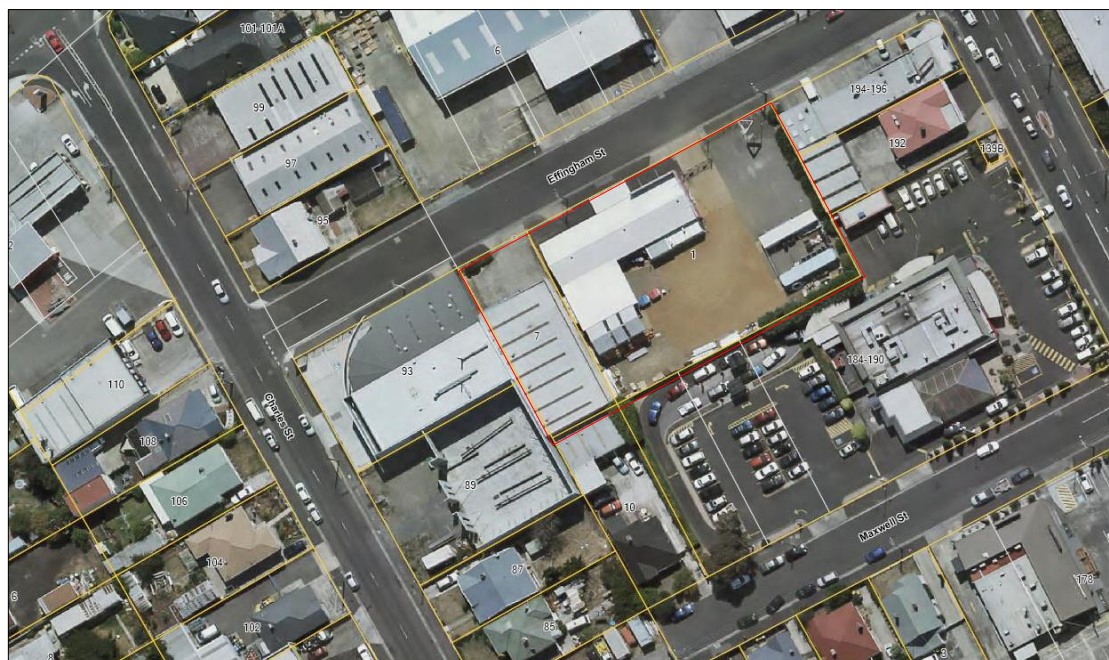


Figure 5: Aerial image of the subject site and surrounds

ZONE

The site is located in the Light Industrial Zone. The land adjoining the site to the east and south is within the Commercial Zone. The nearest residential zone is to the west of the site (figure 6).



Figure 6: Zoning map of the subject site and surrounds

BACKGROUND

- PLN-09-0170 Additions to existing warehouse – issued on 30-06-2009 – requiring two additional spaces totalling 8 car parking spaces.
- PLN-04-02937-01 – Demolition of existing building and construction of new Warehouse – issued on 13/12/04 – requiring 28 car parking spaces. This permit was never acted on.
- PLN-03-02210-01 – Extension to Warehouse – issued 15 December 2003 – requiring 6 car parking spaces.

The application is being determined by the Glenorchy Planning Authority because the cost of works exceed \$500,000.

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?)

There are no SAP or Code provisions that override Zone provisions in this assessment.

Use Class Description (Table 8.2):

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

Other relevant definitions (Clause 4.1):

Amenity means, in relation to a locality, place, or building, any quality, condition or factor that makes or contributes to making the locality, place or building harmonious, pleasant or enjoyable.

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.

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

Sign means a device that is intended to give information, advertise or attract attention to a place, product, service or event.

Site means the lot or lots on which a use or development is located or proposed to be located.

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.

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.

Comment:

The proposed demolition of the existing buildings forms part of the proposed development and is recommended for approval as part of this application. The demolition would enable the redevelopment of the site to occur which would result in a more efficient use of the industrial land.

Part D: Zones

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

Zone Purpose Statements

- 24.1.1.1 To provide for manufacturing, processing, repair, storage and distribution of goods and materials where off-site impacts are minimal or can be managed to minimise conflict or impact on the amenity of any other uses.*
- 24.1.1.2 To promote efficient use of existing industrial land stock.*
- 24.1.1.3 To minimise land use conflict in order to protect industrial viability and the safety and amenity of sensitive land uses in adjacent zones.*
- 24.1.1.4 To provide industrial activity with good access to strategic transport networks.*

Comment:

The proposal is considered consistent with the purpose of the Light Industrial Zone because the redevelopment of the site is associated with an existing industrial land use and would provide for a more efficient use of industrial land.

Use Table

Use of the land for storage is a permitted land use within Clause 24.2 Use Table. The application is discretionary due to reliance on performance criteria to comply with applicable standards.

Use Standards

24.3.1 Hours of Operation (P1)

The acceptable solution for this standard requires a use within 100m of a residential zone to operate within the following hours:

- (a) 7.00 am to 7.00 pm Mondays to Fridays inclusive;*
- (b) 9.00 am to 5.00 pm Saturdays;*
- (c) nil Sundays and Public Holidays.*

except for office and administrative tasks.

The site is located approximately 90m from a residential zone and the application proposes to operate from 7.00 am on Saturdays. The proposal must be assessed against the following performance criteria:

Hours of operation of a use within 100 m of a residential zone must not have an unreasonable impact upon the residential amenity of land in a residential zone through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent.

Comment:

The site is located within an existing industrial area and approximately 90m from the nearest residential zone. The site is separated from this land by numerous other parcels of land which are utilised for industrial uses. The use of the land is existing and currently operates without causing an unreasonable impact on the residential amenity. Considering the nature of the use and the location of the site in proximity to the commercial precinct of Moonah, the use operating from 7.00am on a Saturday would not have an unreasonable impact upon the residential amenity of land in a residential zone.

It is also noted that proposal complies with the applicable standard for commercial vehicle movements.

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

Development Standards for Buildings or Works

24.4.6 Outdoor Storage Areas (P1)

The acceptable solution for this standard requires all goods and materials stored externally to be screened from public view. The proposed storage yard would not be fully screened from public view. The proposal must be assessed against the performance criteria which states:

Outdoor storage areas for non-residential uses must satisfy all of the following:

- (a) be located, treated or screened to avoid unreasonable adverse impact on the visual amenity of the locality;*
- (b) not encroach upon car parking areas, driveways or landscaped areas.*

Comment:

The outdoor storage yard would be located between the two warehouses, behind the building lines. This would ensure the storage of materials would not unreasonably impact the visual amenity of the locality. It is considered the redevelopment of the site would result in a more visually appealing outcome for the site with the storage yard proposed to be in a less prominent location than the current layout. The yard would be screened by the two buildings and a security gate to ensure there is no unreasonable adverse impact on the visual impact of the locality.

This location of the storage yard would not encroach upon car parking areas, driveways or landscaped areas.

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

24.4.7 Fencing (P1)

To comply with the acceptable solution, fences must not exceed 2.1m high within 10m of the frontage. The front boundary fence would exceed this being a 2.1m high fence with 3-strand security wire above. As such, the proposal must be assessed against the performance criteria which states:

Fencing must contribute positively to the streetscape and not have an unreasonable adverse impact upon the amenity of land in a residential zone which lies opposite or shares a common boundary with a site, having regard to all of the following:

(a) the height of the fence;

The fence would be 2.1m high with a 3-strand security wire above. The height of the fence would not adversely impact any residential land as the site is within an established industrial area.

In regard to impact on the streetscape, the fence is in keeping with the typical type and height of fencing within the street and would be replacing an old security fence of similar style.

(b) the degree of transparency of the fence;

The fence would be a security fence which would retain views to and from the site.

(c) the location and extent of the fence;

The fence would be located along the frontage of the site to ensure the site is secure.

(d) the design of the fence;

(e) the fence materials and construction;

The fence design being black pvc is in keeping with surrounding fences which are industrial looking security fences.

(f) the nature of the use;

The fence has been proposed at this height due to the nature of the use being for storage and requiring adequate security.

(g) the characteristics of the site, the streetscape and the locality, including fences;

The site is located within a streetscape which is characterised by high security fencing. Fencing on the opposite side of Effingham Street includes 2.1m high black fence.

(h) any Desired Future Character Statements provided for the area.

There are no Desired Future Character Statements for the area.

The proposed fence would be in keeping with the character of the streetscape and would improve the appearance of the site compared to what is currently at the site. This would contribute positively to the streetscape. The site is not located opposite, nor does it adjoin, residential land. As such, the proposal is considered to meet the performance criteria and complies with the standard.

Part E: Codes

The following codes of the Scheme apply to this proposal:

Potentially Contaminated Land Code

The site is subject to the Potentially Contaminated Land Code, as the site is adjacent to potentially contaminated land at 184-190 Main Road, Moonah. An Environmental Site Assessment was submitted with the application as supporting documentation. Council's Environmental Health Officer has assessed the application and is satisfied that the proposal complies with the applicable standards. More detailed comments are included in the internal referrals section of this report.

E2.6.2 Excavation

The excavation standard does not provide for an acceptable solution and therefore the performance criteria needs to be addressed as follows:

Excavation does not adversely impact on health and the environment, having regard to:

- (a) an environmental site assessment that demonstrates there is no evidence the land is contaminated; or*
- (b) a plan to manage contamination and associated risk to human health and the environment that includes:*
 - (i) an environmental site assessment;*
 - (ii) any specific remediation and protection measures required to be implemented before excavation commences; and*
 - (iii) a statement that the excavation does not adversely impact on human health or the environment.*

Comment:

A Environmental Site Assessment was submitted to address the issue of potentially contaminated land. The proposal was referred to Council's Environmental Health Officer, who has reviewed the site assessment report and has provided comments in the referral section of the report. The Environmental Health Officer is in favour of the proposal and has recommended a condition requiring the applicant to submit a construction management plan in accordance with the recommendations of the site assessment report.

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

Road and Rail Asset Code*E5.6.2 Road accesses and junctions (P2)*

The proposal relies on the performance criteria to comply with this standard as more than one vehicle access is proposed. Council's Development Engineer has assessed the proposal and determined that due to the separation between the crossovers and the speed limit of Effingham Street, safety would not be affected by the proposal. The proposal is assessed as complying with the performance criteria.

Council's Development Engineer has assessed the proposal and determined the proposal complies with the remaining standards as outlined in the attached Appendix.

Parking and Access Code*E6.6.1 Number of Car Parking Spaces (P1)*

The car parking for 7 Effingham Street is existing and the floor area is not increasing, therefore, there is no additional car parking requirement for this warehouse.

For the development at 1 Eady Street, based on a floor area of 744.3sqm and a car parking requirement of 1 car parking space for each 100sqm of floor area and 1 for each 40sqm of ancillary office floor area, 7 car parking spaces are required. This result in a surplus of 14 car parking spaces. Therefore, the proposal must be assessed against the following performance criteria:

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:

Criterion (f) through to (m) are not applicable to this assessment as the proposal is for a surplus of car parking.

The proposed use for the wholesale and distribution of electrical supplies is likely to generate a greater demand than a warehouse solely for the storage of materials.

Effingham Street is busy street with high car parking demand due to its close proximity to Main Road and the Moonah shopping strip. The surplus of car parking would ensure that all customers and staff can park on the site itself without any adverse impacts to on-street car parking. Due to the nature of the use being for the wholesale and distribution of goods, visitors to the site are unlikely to use public transport or other modes of transport to access the site, increasing the car parking demand for the site.

Council's Development Engineer has assessed the proposal and is supportive of the proposal.

Based on the above, the proposal is assessed as complying with the performance criteria.

E6.7.1 Number of Vehicle Accesses (P1)

The proposal relies on the performance criteria to comply with this standard as more than one vehicle access is proposed. Council's Development Engineer has assessed the proposal and determined that due to the 30m separation between the crossovers, safety would not be affected by the proposed accesses. The proposal is assessed as complying with the performance criteria.

Council's Development Engineer has assessed the proposal and determined the proposal complies with the remaining standards as outlined in the attached Appendix.

Stormwater Management Code

The proposed development would be connected to public stormwater infrastructure in accordance with the requirements of the Stormwater Management Code.

It is noted that the proposal is at odds with Council's Stormwater Property Connection Policy which requires that any development that has a total catchment size greater than 1500sqm, be connected directly into Council's Stormwater system. However, the Glenorchy Interim Planning Scheme 2015 does not consider the policy and therefore this cannot be considered when determining the application.

The applicant has been advised the proposal is at odds with the policy and an advice clause has been recommended to be included on the permit regarding the policy.

The application was referred to Council's Development Engineer who is satisfied the proposal complies with the acceptable solutions of the Stormwater Management Code as detailed in the internal referrals section of this report and the attached Appendix.

Signs Code

E17.7.1 Standards for Signs (P1)

As the proposed signs exceed the 2sqm size requirement to comply with the standards listed in Table E.17.2, the proposal must be considered against the performance criteria which states 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 wall signs would be consistent with the signage for the adjoining businesses being located on the front façade of the building and an appropriate size in terms of the scale of the buildings. The size and location on the buildings would not dominate the streetscape or premises. One sign containing the name of the business has been proposed on each façade and the proposed Middy's symbols are simple in design to ensure the signage does not result in visual clutter.

Based on the simple design, location and size of the signs, the proposal would not have a detrimental impact on the existing streetscape, would not create visual clutter, and would not cause a safety hazard.

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

E17.7.1 Standards for Signs (P2)

The acceptable solution for this standard allows a maximum of 1 of each sign type per street frontage. As the proposed warehouse at 1 Effingham Street would have two wall signs on the street frontage, the proposal must be assessed against the performance criteria which states the number of signs per business per street frontage must:

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

Comment:

The proposed signage would not increase the level of visual clutter in the streetscape with the proposed signage being similar to the existing signs at the site and acceptable for the scale of the development. Whilst more than one wall sign is proposed on the street frontage, the signs do not repeat the same information.

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

PART F: Specific Area Plans

No Specific Area Plan applies to this site.

INTERNAL REFERRALS

Development Engineer*E5.0 Road and Railway Assets Code*

The development complies with Code E5 Road and Railway Assets Code; and the safety and efficiency of the road is not expected to be reduced by the proposed development. The development is not expected to increase vehicle movements, to and from the site, over 40 vehicle movements and therefore complies with acceptable solution A3 of E5.5.1. The site can be accessed off the existing vehicle crossing, and the new access proposed that complies with Clause E5.6.2.

E6.0 Parking and Access Code

The submitted plans indicate a total of 24 parking spaces across the two properties. Each building has a designated parking spaces provided for people with a disability. The parking spaces proposed exceeds the requirement specified in the Code. The car parking demand that a distribution outlet is expected to generate, will be more than the normal warehouse operation and therefore the development complies with Code E6 Parking and Access Code, it is considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected.

E7.0 Stormwater Management Code

The proposed stormwater run-off from the new impervious areas is shown on the proposal as discharging to a new upgraded connection to the kerb and gutter in Effingham Street, although this is a legal discharge point it is not compliant with Council's Stormwater Property Connections Policy (15th May 2017) as the catchment area exceeds 1500sqm.

The stormwater system for the development will incorporate a stormwater drainage system of a size and design sufficient to achieve the stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010, as detailed in Table E7.1.

*Other**E3.0 Landslide Code*

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

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

The site is not located in a Waterway and Coastal Protection Area.

E15.0 Inundation Prone Areas Code

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

Environmental Health Officer

This site is located adjacent to potentially contaminated land at 184-190 Main Road, Moonah; the Glenorchy Interim Planning Scheme 2015 defines potentially contaminated land as land that is or adjoins potentially contaminated land, therefore, 1 Effingham Street, Moonah by the fact that it adjoins 184-190 Main Road, Moonah is also considered potentially contaminated.

To satisfy E2.0 Potentially Contaminated Land Code the applicant engaged Golder to undertake an Environmental Site Assessment. The report notes that due to metal concentrations in the soil, it is recommended that a construction management plan is developed to address specific environmental and occupational health and safety protection procedures. It is recommended that this be added to the permit as a condition.

This development is located approximately 90 metres from the nearest residential zone. Based on the distance and the structures between this location and the residential zone, it is expected that this development will comply with 24.3.2 Noise acceptable solution A1. It is recommended that Clause 24.3.2 A1 be placed on the permit as a condition.

EXTERNAL REFERRALS

TasWater

Pursuant to the *Water and Sewerage Industry Act 2008* (TAS) Section 56P(1) TasWater has assessed the application and has determined that the proposed development does not require a submission from TasWater. An advice clause has been recommended.

REPRESENTATIONS

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

CONCLUSION

The proposal is relying on the performance criteria to comply with 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 Light Industrial Zone, as well as the applicable standards of the Potentially Contaminated Land Code, Road and Railway Assets code, Parking and Access code, Stormwater Management code and Signs Code. The application was publicly advertised for the statutory 14-day period and no representations were received. It is concluded that the proposal is consistent with the Scheme's zone purpose statements and is satisfactory.

Recommendation:

That a permit be granted for the proposed use and development of Demolition, construction and alterations to warehouses at 7 Effingham Street Moonah and 1 Effingham Street Moonah subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-19-255 and Pages 1 and 3-8 (inclusive) of Drawing No. P1 submitted on 13/9/19 and Pages 1-2 (inclusive) of Drawing No. P2 submitted on 10/12/19 and Pages 1-5 (inclusive) of Drawing No. P3 submitted on 20/1/20, except as otherwise required by this permit.
2. Sign B notated on page 5 of Drawing No. P3 does not form part of this permit.

Engineering

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

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

4. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
5. The design and construction of the driveway, 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 2890.1 and are to be submitted with the Building Application for approval by Council's Development Engineer prior to the commencement of works on site.
 - (a) Be constructed to a sealed finish and the finished gradient shall not exceed the maximum gradient of 25%
 - (b) All runoff from paved areas must be discharged into Council's stormwater system.
 - (c) The gradient of any parking areas must not exceed 5%; and
 - (d) Minimum carriageway width is to be no less than 3.00 metres.

All works required to service the development must be installed prior to the occupancy of the building.

6. The proposed new driveway crossover must be constructed in accordance with Municipal Standard Drawing TSD-R09-v1.
7. Lighting is to be provided to all car parking and driveways areas in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car parks" of AS/NZ 1158.3.1: 2005. The illumination of the proposed light standards is to be activated prior to the occupancy.

8. The development must incorporate the onsite detention (OSD) as part of the development, the onsite detention element and its associated components must be designed and constructed to the satisfaction of the Council's Senior Civil Engineer and completed prior to a Certificate of Occupancy being issued for the complex. OSD calculation/modelling shall be provided along with the detailed engineering design, to the satisfaction of Council's Senior Civil Engineer, prior to the issuing of the building permit.
9. 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.
10. Prior to the commencement of works, a WSUD Maintenance Scheme must be submitted for approval, to the satisfaction of Council's Hydraulic Engineer, defining the maintenance method and frequency for each WSUD elements incorporated in the treatment train. The future owners or tenants managing the site shall comply with the WSUD Maintenance Scheme once it is accepted by the Council, and any changes to this Scheme shall first be approved by Council.

Upon approval of the WSUD Maintenance Scheme, the applicant shall 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.

Environmental Health

- 11. A construction management plan is to be developed and submitted to Councils Planning Authority prior to a building permit being issued, which includes specific environmental and occupational health and safety protection procedures, in accordance with the recommendation in the Environmental Site Assessment prepared by Golder Associates Pty Ltd, dated 15 January 2020.
- 12. Noise emissions measured at the boundary of a residential zone must not exceed the following:
 - (a) 55dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm;
 - (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm to 7.00 am;
 - (c) 65dB(A) (LAm_{ax}) at any time.

Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness.

Noise levels are to be averaged over a 15 minute time interval

Advice to Applicant

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

TasWater

Appropriate measures must be taken to cap and seal both the existing sewer and water connections for the property referenced to prevent debris during demolition/removal of the existing dwellings from entering the TasWater network and/or damage to TasWater infrastructure

Other Permits

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

Engineering

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

The proposal does not comply with Council's Stormwater Property Connection Policy. Whilst this policy is not applicable to the planning permit process, it is strongly recommended that this matter be addressed prior to the plumbing permit process

Attachments/Annexures

- 1** GPA Attachments - 1-7 Effingham Moonah



APPENDIX

24.0 Light Industrial Zone

Standard	Acceptable Solution	Proposed	Complies?
24.3 Use of Standards			
24.3.1 Hours of Operation	A1 Hours of operation of a use within 100 m of a residential zone must be within: (a) 7.00 am to 7.00 pm Mondays to Fridays inclusive; (b) 9.00 am to 5.00 pm Saturdays; (c) nil Sundays and Public Holidays. except for office and administrative tasks.	The application proposes to operate before 9.00 am on Saturdays.	No
24.3.2 Noise	A1 Noise emissions measured at the boundary of a residential zone must not exceed the following: (a) 55dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm; (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm to 7.00 am; (c) 65dB(A) (LMax) 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	Council's Environmental Health Department have assessed the proposal and determined the proposal would not exceed the required noise levels. A condition has been recommended to ensure this.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	adjustment of noise levels for tonality and impulsiveness. Noise levels are to be averaged over a 15 minute time interval.		
	A2 External amplified loud speakers or music must not be used within 50 m of a residential zone.	The site is not located within 50m of a residential zone.	N/A
24.3.3 External Lighting	A1 External lighting within 50 m of a residential zone must comply with all of the following: (a) be turned off between 10:00 pm and 6:00 am, except for security lighting; (b) security lighting must be baffled to ensure they do not cause emission of light outside the zone.	The site is not located within 50m of a residential zone.	N/A
24.3.4 Commercial Vehicle Movements	A1 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must be within the hours of: (a) 7.00 am to 7.00 pm Mondays to Saturdays inclusive; (b) 9 am to 5.00 pm Sundays and public holidays.	The commercial vehicle movements comply with the hours included in the acceptable solution for this standard.	Yes
24.3.5 Outdoor Work Areas	A1 Outdoor work areas and noise-emitting services such as air conditioning equipment, pumps and ventilations	The site is not located within 50m of a residential zone.	N/A

Standard	Acceptable Solution	Proposed	Complies?
	fans must not be located within 50 m of a residential zone.		
24.4 Development Standards for Buildings and Works			
24.4.1 Building Height	A1 Building height must be no more than: 9m.	The proposed warehouse would have a maximum building height of 8m. The alterations to the existing warehouse would not change the maximum height of the warehouse.	Yes
	A2 Building height within 10 m of a residential zone must be no more than 8.5 m.	The site is not located within 10m of a residential zone.	N/A
24.4.2 Setback	A1 Building setback from frontage must be parallel to the frontage and must be no less than: (a) 10 m; or (b) the alignment of the adjoining buildings whichever is the lesser.	The proposed warehouse would be setback 16.32m from the frontage. The changes to the existing warehouse do not change the front setback of the building.	Yes
	A2 Building setback from a residential zone must be no less than: (a) 10m; or (b) half the height of the wall, whichever is the greater.	The site is not located within 10m of a residential zone.	N/A

Standard	Acceptable Solution	Proposed	Complies?
24.4.3 Design	A1 Building design must comply with all of the following: (a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site; (b) for new building or alterations to an existing facade provide windows and door openings at ground floor level in the front façade no less than 40% of the surface area of the ground floor level 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 50% of the length of the facade; (d) screen mechanical plant and miscellaneous equipment such as heat pumps, air conditioning units, switchboards, hot water units or similar from view from the street and other public spaces; (e) incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof; (f) provide awnings over the public footpath if existing on the site or on adjoining lots; (g) not include security shutters over windows or doors with a frontage to a street or public place.	(a) The main pedestrian entrance for the proposed warehouse would be clearly visible from the road with a canopy defining the entrance. The alterations to the existing warehouse would make the entrance to the building clearer by providing a larger entry. (b) Over 40% of the surface area of the ground floor level faced would be made up of window and door openings for the proposed and existing warehouse. (c) The proposal would not result in any single expanse of blank wall in the facades being greater than 50% of the length of the façade. (d) The design of the roof with a parapet would ensure that plant and miscellaneous equipment would be screened from the street. (e) As per above. (f) The buildings are not located near the footpath and adjoining lots do not have awnings. (g) No security shutters are proposed.	Yes
	A2	No walls would face a residential zone.	N/A

Standard	Acceptable Solution	Proposed	Complies?
	Walls of a building facing a residential zone must comply with all of the following: (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.		
24.4.4 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 20 % 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 10% of the surface area of the ground floor level facade; (d) avoid creating entrapment spaces around the building site, such as concealed alcoves near public spaces;	(a) The main pedestrian entrance for the proposed warehouse would be clearly visible from the road with a canopy defining the entrance. The alterations to the existing warehouse would make the entrance to the building clearer by providing a larger entry. (b) Over 20% of the surface area of the ground floor level faced would be made up of window and door openings for the proposed and existing warehouse. (c) The facades facing a public space or carpark would have no less than 10% of the surface area as window and door openings. (d) No concealed alcoves near public spaces are proposed. (e) The car park would be floodlit. (f) The car park and entrance would be floodlit.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(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.		
24.4.5 Landscaping	A1 Landscaping must be provided along the frontage of a site (except where access is provided) unless the building has a nil setback to frontage.	Landscaping has been proposed along the frontages, except for where the accesses are located.	Yes
	A2 Along a boundary with a residential zone landscaping must be provided for a depth no less than: 10m.	The site does not adjoin a residential zone.	N/A
24.4.6 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.	(a) The outdoor storage area would be located behind the building line. (b) Goods and materials would be able to be seen from public view. (c) The storage area would not encroach upon car parking areas, driveways or landscaped areas.	No
24.4.7 Fencing	A1 Fencing must comply with all of the following: (a) fences, walls and gates of greater height than 2.1 m must not be erected within 10 m of the frontage;	The security fence at the front of the site would have a height of 2.1m however would also feature a three strand security wire above the fence.	No

Standard	Acceptable Solution	Proposed	Complies?
	(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.		

APPENDIX

E2.0 Potentially Contaminated Land Code

Standard	Acceptable Solution	Proposed	Complies?
E2.5 Use Standards			
E2.5 Use Standards	A1 The Director, or a person approved by the Director for the purpose of this Code: (a) certifies that the land is suitable for the intended use; or (b) approves a plan to manage contamination and associated risk to human health or the environment that will ensure the land is suitable for the intended use.		N/A
E2.6 Development Standards			
E2.6.1 Subdivision	A1 For subdivision of land, the Director, or a person approved by the Director for the purpose of this Code: (a) certifies that the land is suitable for the intended use; or (b) approves a plan to manage contamination and associated risk to human health or the environment, that will ensure the subdivision does not adversely impact on health or the environment and is suitable for its intended use.		N/A

Standard	Acceptable Solution	Proposed	Complies?
E2.6.2 Excavation	A1 No acceptable solution.	No acceptable solution.	No

APPENDIX

E5 Road and Railway Assets Code

Standard	Acceptable Solution	Proposed	Complies?
5.5 Use Standards			
E5.5.1 Existing road accesses and junctions	A1 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.		N/A
	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.		N/A

Standard	Acceptable Solution	Proposed	Complies?
	A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.	Applicants estimated AADT 20-40	Yes
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.		N/A
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.		N/A

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.		N/A
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		N/A
	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.	2 access and entries proposed with 30m separation, this proposal will have no significant impact on local traffic conditions.	No
E5.6.3 New Level Crossings	A1 No Acceptable Solutions.		N/A

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

APPENDIX

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) must be in accordance with that plan; (ii) this provision was not used in this planning scheme.	The parking spaces proposed exceeds the requirement specified in the Code. The carparking demand that a trade distribution outlet is expected to generate will be more than the normal warehouse operation and therefore the development complies with Code E6 Parking and Access Code and is considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected.	No
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.	Two provided	Yes

Standard	Acceptable Solution	Proposed	Complies?
E6.6.3 Number of Motorcycle Parking Spaces	A1 The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.	No requirement	N/A
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.	No requirement	N/A
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.	Due to the 30m separation safety will not be affected with 2 accesses provided to the property.	No
E6.7.2 Design of Vehicular Accesses	A1 Design of vehicle access points must comply with all of the following: (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an		Yes

Standard	Acceptable Solution	Proposed	Complies?
	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.		
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.		N/A

Standard	Acceptable Solution	Proposed	Complies?
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 headroom to comply with clause 5.3 "Headroom" of the same Standard.		Yes
E6.7.6 Surface Treatment of Parking Areas	A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following; (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.		Yes

Standard	Acceptable Solution	Proposed	Complies?
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
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.	Not required	N/A
E6.7.10 Design of Bicycle Parking Facilities	A1 The design of bicycle parking facilities must comply with all the following;	Not required	N/A

Standard	Acceptable Solution	Proposed	Complies?
	(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.		
	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 required	N/A
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 required	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.		N/A

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

APPENDIX

E7.0 Stormwater Management Code

Standard	Acceptable Solution	Proposed	Complies?
E7.7 Development Standards			
E7.7.1 Stormwater Drainage and Disposal	A1 Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.	The stormwater would be disposed of by gravity to public stormwater infrastructure. However, the proposal does not comply with Council policy for Stormwater property connections. This is not applicable to the planning assessment.	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.	Conditioned	Yes
	A3 A minor stormwater drainage system must be designed to comply with all of the following: (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed;		Yes

Standard	Acceptable Solution	Proposed	Complies?
	(b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.		
	A4 A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.		N/A

APPENDIX

E17.0 Signs Code

Standard	Acceptable Solution	Proposed	Complies?
E17.6 Use Standards			
E17.6.1 Use of Signs	A1 A sign must be a permitted sign in Table E17.3	The signs are defined as wall signs which are permitted in Table E17.3.	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 signs would be associated with the use of the land by Middy's Electrical.	Yes
	A3 A sign must not contain flashing lights, moving parts or changing messages or graphics, except if a Statutory Sign	The signs would not contain flashing lights, moving parts or changing messages or graphics.	Yes
	A4 An illuminated sign must not be located within 30 metres of a residential use, except if a Statutory Sign.	The signs would not located within 30m of a residential use.	Yes
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 signs exceed the size requirements for a wall sign listed in Table E17.3.	No

Standard	Acceptable Solution	Proposed	Complies?
	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, (iv) Open/Closed, (v) Real Estate, (vi) Street Number, (vii) Temporary Sign.	(a) More than 1 wall sign is proposed. (b) N/A (c) The number of signs would not exceed 6.	No
	A3 Signs must not obscure or prevent or delay a driver from seeing a Statutory Sign or a Tourist Information Sign.	The signs would be located on the building façade and therefore would not obscure, prevent or delay a driver from seeing a Statutory or a Tourist Information Sign.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	A4 Signs must not resemble Statutory Signs because of the same or similar shape, size, design, colour, letter size or lighting.	The signs would be in the 'french blue' and large so as to not resemble Statutory signs.	Yes
	A5 For properties that have a common boundary with Brooker Avenue, any advertising sign must be located at least 5m from that boundary.	The property does not adjoin the Brooker.	N/A
E17.7.2 Standards for signs on Heritage Places subject to the Heritage Code or within Heritage Precinct or Cultural Landscape Precincts	A1 No acceptable solution.	The site is not a listed Heritage Place.	N/A

7. PROPOSED USE AND DEVELOPMENT - FOUR MULTIPLE DWELLING - 9 HILLCOT PLACE GLENORCHY

Author: Planning Officer (Sylvia Jeffreys)

Qualified Person: Planning Officer (Sylvia Jeffreys)

Property ID: 2579052

REPORT SUMMARY:

Application No.:	PLN-19-198
Applicant:	Pinnacle Drafting & Design
Owner:	P R Scott and S D Scott
Zone:	General Residential
Use Class	Residential
Application Status:	Discretionary
Discretions:	10.4.2 P3 Setbacks and building envelopes for all dwellings 10.4.3 P1 Site coverage and private open space for all dwellings 10.4.6 P1 Privacy for all dwellings 10.4.8 P1 Waste Storage for multiple dwellings 10.4.6 P3 Privacy for all dwellings E6.6.1 P1 Number of Car Parking Spaces E11.7.1 P1 Buildings and Works (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	17 Feb 2020
Existing Land Use:	Vacant

Representations:	0
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The application is for four dwellings on a vacant site within the General Residential Zone. The proposed dwellings would be of timber frame construction, clad with a combination of cement sheeting and timber slats and would be partially on piers. The roofs would be corrugated steel sheeting, in charcoal. Three of the dwellings would be conjoined and the fourth would be free standing. The conjoined dwellings would have the front walls stepped back. Units 1 to 3 would have open plan living and three bedrooms, whilst Unit 4 would only have two bedrooms. Each dwelling would have a deck at the rear adjoining the living areas. The decks of Units 2 to 4 would have steps to the backyard. The driveway would run along the southern boundary and connect through to the proposed accesses from Hillcot Place and Knight Court. The proposal provides for eight parking spaces. The application is discretionary for the building envelope, privacy, open space, deck screens, separation distance for bin enclosure, a shortfall of one parking space and watercourse protection. The proposal is shown in Figure 1.



Figure 1: Proposal Plan - Pinnacle Drafting

SITE and LOCALITY

The subject property is located at the end of a hammer-head cul-de-sac that is Hillcot Place and extends to the end of the parallel cul-de-sac which is Knight Court. The property has an irregular shape with an area of 1394m² and is vacant. The property has a moderate slope of approximately 1:6 and falls towards a creek. Little John Creek adjoins the northern boundary and is located within a council reserve. The council reserve contains remnant native vegetation, mainly eucalypts. The subject property though, does not contain any significant vegetation. The property adjoins one residential property and a council-owned walkway. The dwelling at 11 Hillcot Place would be opposite Unit 1 with separation of approximately 5.2m. The subject property is shown in Figure 2.

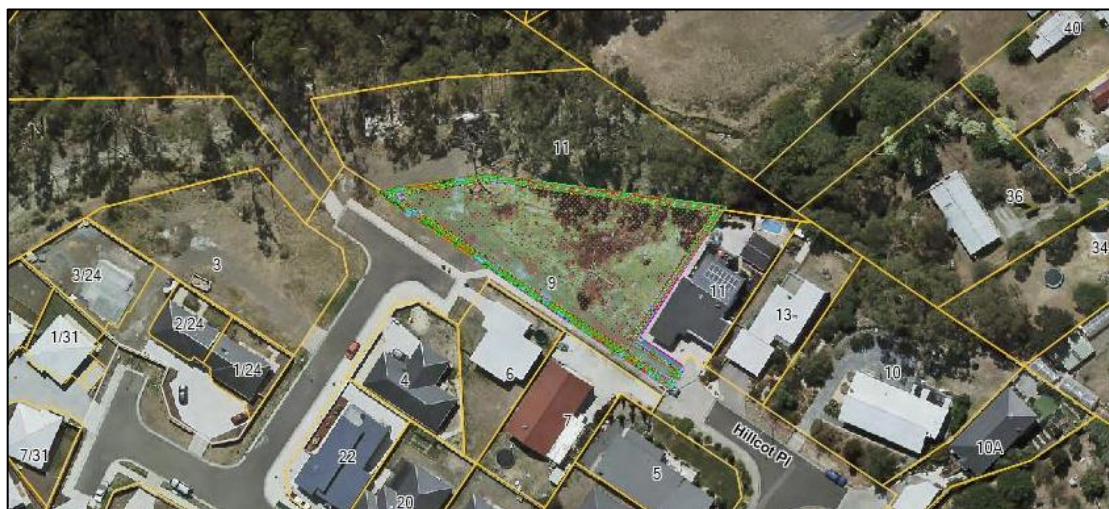


Figure 2: Subject Property - Council Database 2019

ZONE

The subject land is situated within the General Residential Zone in red, which also applies to the surrounding land as shown in Figure 3 below. It is noted that the creek corridor is also zoned General Residential, although it is within a council-owned reserve.



Figure 3: Zoning Map - GIPS 2015

BACKGROUND

Supporting Documentation

The following supporting information was submitted:

- Traffic Impact Assessment (TIA) by Midson Traffic Pty Ltd dated December 2019
- Bushfire Hazard Report by Geo Environmental Solution December 2019
- Stormwater Design report by JSA Consulting Engineers dated 16/12/19
- Civil/Hydraulics Drawings by JSA Consulting Engineers received 17/12/19

Permits

There is no background information relevant to this assessment.

Delegation

There is no delegation for a parking space shortfall for residential development.

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
- E11.0 Waterway and Coastal Protection Code

Use Class Description (Table 8.2):

The application is for four dwellings which fits under the use class Residential (Multiple Dwellings). The use is defined in Table 8.2 Use Classes as follows:

Residential

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

Other relevant definitions (Clause 4.1):

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

Multiple Dwelling

means 2 or more dwellings on a site.

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.

Discretionary Use or Development

The application is discretionary under Clause 8.8 as follows:

The planning authority has discretion to refuse or permit a use or development if:

- (a) the use is within a use class specified in the applicable Use Table as being a use which is discretionary;*
- (b) the use or development complies with each applicable standard but relies upon a performance criterion to do so; or*
- (c) it is discretionary under any other provision of the planning scheme,*
- (d) and the use or development is not prohibited under any other provision of the planning scheme.*

The proposal is discretionary under (b) above as it relies on Performance Criteria as follows:

- 10.4.2 P3 Setbacks and building envelopes for all dwellings
- 10.4.3 P1 Site coverage and private open space for all dwellings
- 10.4.6 P1 Privacy for all dwellings
- 10.4.6 P3 Privacy for all dwellings
- 10.4.8 P1 Waste Storage for multiple dwellings
- E6.6.1 P1 Number of Car Parking Spaces
- E11.7.1 P1 Buildings and Works

Part C: Special Provisions

No 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 in 10.1.1 is as follows:

- *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.*
- *To provide for compatible non-residential uses that primarily serve the local community.*
- *To provide for the efficient utilisation of services*

Comment

The proposal accords with the above purpose as it is for residential development utilising serviced land.

Use Table

The use class Residential (Multiple Dwellings) is 'permitted' within the General Residential Zone in 10.2 Use Table

Use Standards

The standards in Clause 10.3 Use Standards specifically relate to non-residential use, visitor accommodation and local shop and are therefore not applicable to this proposal.

Development Standards for Residential Buildings & Works

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

10.4.2 A3 Setbacks and building envelopes for all dwellings

The proposal does not accord with the Acceptable Solution in 10.4.2 A3 with respect to the rear setback. Therefore, the proposal relies on the related Performance Criteria as follows:

10.4.2 P3 Setbacks and building envelopes for all dwellings

The siting and scale of a dwelling must:

- (a) *not cause unreasonable loss of amenity by:*
 - (i) *reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or*
 - (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.*

Comment

The proposal does not comply with the building envelope with respect to the rear setback. The side setback on the southeast boundary is 3.005, on the northwest boundary 1.119m (small corner) and on the frontages at least 5.5m, which complies. However, the rear setbacks on the northeast boundary vary between 1.164m and 3.853m, instead of 4m required by the Acceptable Solution. Nevertheless, it is considered that the proposed setbacks would satisfy the above Performance Criteria for the following reasons:

- The rear boundary is adjacent to a creek corridor with no dwellings opposite so that there would be no amenity impacts for neighbouring properties arising from the proposed rear setbacks, which satisfies (a) above.
- The proposed dwellings would be in alignment with the rear wall of the house at the neighbouring property at 11 Hillcot Place so that the rear setbacks would not be incompatible and satisfies (b) above.
- There would not be any unreasonable amenity impact on the dwelling at 11 Hillcot Place. The setback from the common boundary with 11 Hillcot Place would be 3.005m, where the Acceptable Solution would normally require 1.8m, which would comply. There would be separation between the dwellings of approximately 5.2m. Shadows would not reach the wall of the neighbouring dwelling until approximately 1pm on June 21.

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

10.4.3 A1 Site coverage and private open space for all dwellings

The proposal does not accord with the Acceptable Solution in 10.4.3 A1 with respect to private outdoor space. Therefore, the proposal relies on the related Performance Criteria as follows:

10.4.3 A1 Site coverage and private open space for all dwellings

A dwelling must 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.*

Comment

The proposal provides a deck at the rear of each dwelling, directly accessible from the living areas. Units 2, 3 and 4 would also have steps from the decks to the backyard. All decks and backyards would be orientated to the northeast and would receive plenty of sunlight, except for Unit 1 that would receive some shadowing from Unit 2. However, the deck of Unit 1 would receive 3 hours of sunlight on the shortest day of the year to 50% of the deck, which is sufficient. The area of the proposed decks varies between 13.18m² and 24m², and the width varies between 1.84m and 2.5m, instead of 24m² and 4m-wide required by the Acceptable Solution. Nevertheless, it is considered that the proposal would accord with the above Performance Criteria for the following reasons:

- Unit 1 would have a deck of 24m² that is not quite 4m-wide in both direction but is considered a usable space to comply with (a) above.
- Units 2, 3 and 4 would have a deck and a significant amount of additional private outdoor space in the backyard. It is considered that the decks would provide for a usable space for outdoor dining and entertaining, whilst the backyard would be suitable for children's play and landscaping.

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

10.4.6 A1 Privacy for all dwellings

The proposal does not accord with the Acceptable Solution in 10.4.6 A1 with respect to screening of the decks along the rear boundary. Therefore, the proposal relies on the related Performance Criteria as follows:

10.4.6 P1 Privacy for all dwellings

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 be screened, or otherwise designed, to minimise overlooking of:

- (a) a dwelling on an adjoining lot or its private open space; or*
- (b) another dwelling on the same site or its private open space; or*
- (c) an adjoining vacant residential lot.*

Comment

The proposed decks would be within 4m of the rear boundary, which requires a 1.7m-high screen under the Acceptable Solution. However, the decks are facing the creek corridor and no other dwellings, so that it is considered that the decks are designed to satisfy (a) and (b) above. It is noted that the deck of Unit 2 would have a screen so as not to overlook the deck of Unit1, which complies.

10.4.6 A3 Privacy for all dwellings

The proposal does not accord with the Acceptable Solution in 10.4.6 A3 with respect to the separation of a shared parking space from a window. Therefore, the proposal relies on the related Performance Criteria as follows:

10.4.6 P3 Privacy for all dwellings

A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise detrimental impacts of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.

Comment

There would be four shared parking spaces in front of the south elevation of Unit 3. This elevation would have three windows at least 1.845m above the shared parking spaces. It is considered that the height of the windows prevent noise and light intrusion

to that dwelling. The other parking spaces would be allocated to the adjacent dwellings.

10.4.8 A1 Waste Storage for multiple dwellings

The proposal does not accord with the Acceptable Solution in 10.4.8 A1 with the bin enclosure separation distance. Therefore, the proposal relies on the related Performance Criteria as follows:

10.4.8 P1 Waste Storage for multiple dwellings

A multiple dwelling development must provide storage, for waste and recycling bins, that is:

- (a) capable of storing the number of bins required for the site; and*
- (b) screened from the frontage and dwellings; and*
- (c) if the storage area is a communal storage area, separated from dwellings on the site to minimise impacts caused by odours and noise.*

Comment

The proposal would have six shared bins and shows a bin enclosure in the eastern corner of the property. As there will be two additional FOGO bins the enclosure will need to be made bigger, so that it would not be 5.5m from northwest elevation of Unit 4. However, the wall of the northwest elevation would be a garage wall so that there would be no adverse amenity impacts, which satisfies the above requirements. A condition is recommended to show the larger enclosure on plans submitted with the building permit application.

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

Part E: Codes

The following codes of the Scheme apply to this proposal:

E1.0 Bushfire-Prone Areas Code

The site is located within a bushfire prone area. However, the code only applies to subdivisions and vulnerable uses or hazardous uses in E1.2 Application of this Code and not to multiple dwellings. The applicant has provided a bushfire management plan to show that the land can accommodate the proposal at this location without relying on bushfire hazard management outside the property boundaries. An advice clause is recommended to ensure that the proposal does not rely on vegetation removal outside the property boundaries.

E5.0 Road and Railway Assets 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.

E6.0 Access and Parking Code

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

E6.6.1 A1 Number of Car Parking Spaces

The proposal does not accord with the Acceptable Solution in E6.6.1 A1 with respect to the number of parking spaces. Therefore, the proposal relies on the related Performance Criteria as follows:

E6.6.1 P1 Number of Car Parking Spaces

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

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

Comment

The proposal provides for eight carparking spaces instead of nine required by the Acceptable Solution, so that there would be a shortfall of one space. The Development Engineer assessed that the shortfall would not create parking problems in the adjacent

streets and accords with the above Performance Criteria. For further comments please refer to the Engineering Assessment under the Referrals section later in this report.

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

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.

E11.0 Waterway and Coastal Protection Code

The subject land is mostly covered by the Waterway and Coastal Protection overlay as shown in Figure 4.



Figure 4: Waterway and Coastal Protection Overlay – GIPS 2015

E11.7.1 A1 Buildings and Works

The proposal would be located within the Waterway and Coastal Protection area and cannot accord with the Acceptable Solution in E11.7.1 A1. Therefore, the proposal relies on the related Performance Criteria as follows:

E11.7.1 A1 Buildings and Works

Building and works within a Waterway and Coastal Protection Area must satisfy all of the following:

- (a) avoid or mitigate impact on natural values;*
- (b) mitigate and manage adverse erosion, sedimentation and runoff impacts on natural values;*
- (c) avoid or mitigate impacts on riparian or littoral vegetation;*
- (d) maintain natural streambank and streambed condition, (where it exists);*
- (e) maintain in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;*
- (f) avoid significantly impeding natural flow and drainage;*

- (g) maintain fish passage (where applicable);
- (h) avoid landfilling of wetlands;
- (i) works are undertaken generally in accordance with 'Wetlands and Waterways Works Manual' (DPIWE, 2003) and "Tasmanian Coastal Works Manual" (DPIPWE, Page and Thorp, 2010), and the unnecessary use of machinery within watercourses or wetlands is avoided.

Comment

The subject land is adjacent to Little John Creek, which runs through a corridor within a council reserve at 11 Knight Court. The overlay is wider than the reserve and covers most of the subject property. However, there is no significant standing vegetation within the property and the top of the creek bank is outside the property. There would not be excavation in proximity to the rear boundary as the dwellings would be in stilts. There is a condition recommended for soil and water management to ensure that there will be sediment and erosion control measures so as to protect the creek. Construction works would be in accordance with (i) above. As such, it is considered that the proposal satisfies the Performance Criteria above.

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

Comments

The development application seeks an approval for four new multiple dwellings as shown in the below Figure 5.



Figure 5: Proposed Development

A Traffic Impact Assessment (TIA) by Midson Traffic Pty Ltd, dated December 2019, Civil/Hydraulic Plans, a Stormwater Report and engineering drawings by JSA Consulting Engineers, dated 16 December 2019, were submitted as part of the application as supporting documents.

E5.0 Road and Railway Assets Code

The development complies with the Road and Railway Assets Code E5.0.

The TIA stated that traffic generation rates sourced from the RMS guide for the development is likely to be in the order of 20 trips per day, with a peak of 2 trips per hour during peak periods. The Development Engineer concurs with the TIA statement that the proposed development is not expected to increase vehicle movements, to and from the site, over 40 vehicle movements per day and therefore complies with the Acceptable solution A3 of E5.5.1. The site can be accessed off the existing vehicle crossing via Hillcot Place and a new vehicular access is proposed via another road frontage at Knight Court. Both roads are subject to speed limit of 50km/h; therefore, the proposal complies with the acceptable solutions A1 and A2 of the E5.6.2.

Sight distance at accesses

At the Hillcot Place access: The vehicle access is an existing access with a minimum width of 4 meters and over 9 metres in length. There is no high fence or any obstruction to the sight lines, see street view below.



Figure 6: Hillcot Place Access

At the Knight Court access: It is proposed to construct a new vehicular access with the minimum width of 5.5metre wide, see figure below. The width includes a passing bay at the access. The access is considered to have sufficient sight lines for other road users and pedestrians.

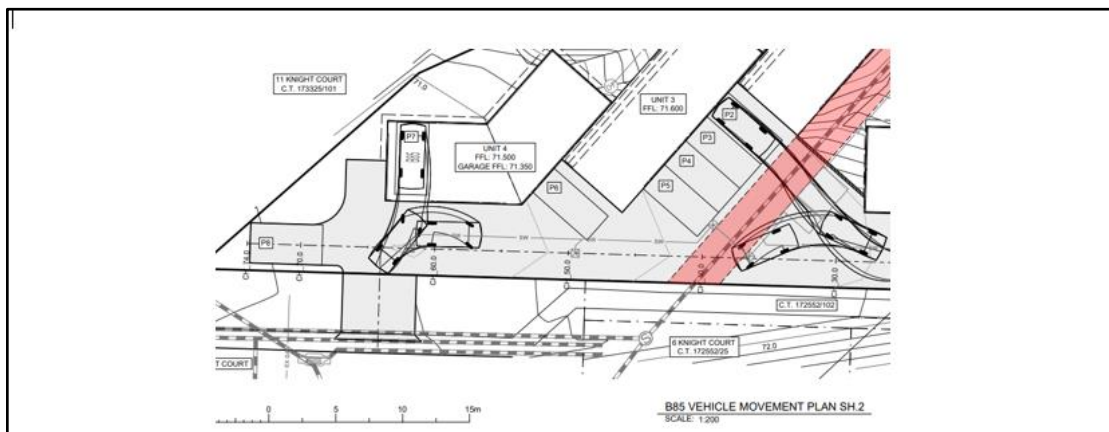


Figure 7: Vehicle Movement Plan

The TIA addressed the acceptable solution for the sight distance under Clause E5.6.4 and Table E5.1 in the planning scheme as irrelevant due to the actual low speed at the cul-de-sacs. The speeds at the cul-de-sac ends of both Hillcot Place and Knight Court are considerably lower than 50 km/h. In addition, the total length of both roads is less than 80 metres. Therefore, Table E5.1 in the Acceptable Solution of E5.6.4 is not particularly relevant. However, the TIA then assessed the driveway accesses against the requirements of Performance Criteria in Clause E5.6.4 P1 and concluded that the access arrangements therefore satisfy the Performance Criteria.

E6.0 Parking and Access Code

The development complies with the E6 Parking and Access Code and it is considered that the site is capable of being developed and that the local traffic conditions are not expected to be significantly affected.

The site can be accessed off the vehicular accesses as mentioned in the above section. The requirement for parking spaces under the E6.6.1, requires the provision of nine (9) car parking spaces for the proposed development, of which one (1) must be dedicated as a visitor parking space. The applicant proposes to provide eight (8) spaces, so that there would be shortfall of one (1) space, which does not comply with the acceptable solution, A1 under clause E6.6.1. The TIA assessed that the car parking demand is likely to be seven spaces (refer to Section 5.2 of the TIA). Hence, the available parking supply exceeds the likely car parking demand. The TIA also addressed the Performance Criteria including on-street parking, public bus stops within 630-meter walking distance and the actual demand of the parking spaces. It is considered that a shortfall of one (1) visitor space will not unreasonably impact on the efficiency of the road; and that the application satisfies the Performance Criteria.

There are no requirements for accessible car parking, motorcycle parking spaces, bicycle parking spaces and commercial vehicle applicable to the development application.

The driveway and parking area slope will comply with AS2890.1:2004 in general as shown on the plan by JSA Consulting Engineers. A passing bay is required for a driveway that serves more than 5 car parking spaces and/or the driveway that longer than 30metres. With the parking arrangement as proposed, there will be two accesses, passing bays would be provided at both accesses. The arrangement therefore complies the acceptable solution in clause E6.7.3 A1. An on-site turning area is not required, though is provided on the submitted site plan. The layout of parking areas and surface treatment also comply with the acceptable solution. A landscaping area is provided and will be conditioned accordingly.

E7.0 Stormwater Management Code

There are no GCC stormwater mains affected by this application; and a 150mm stormwater connection is available for connection, see figure below.

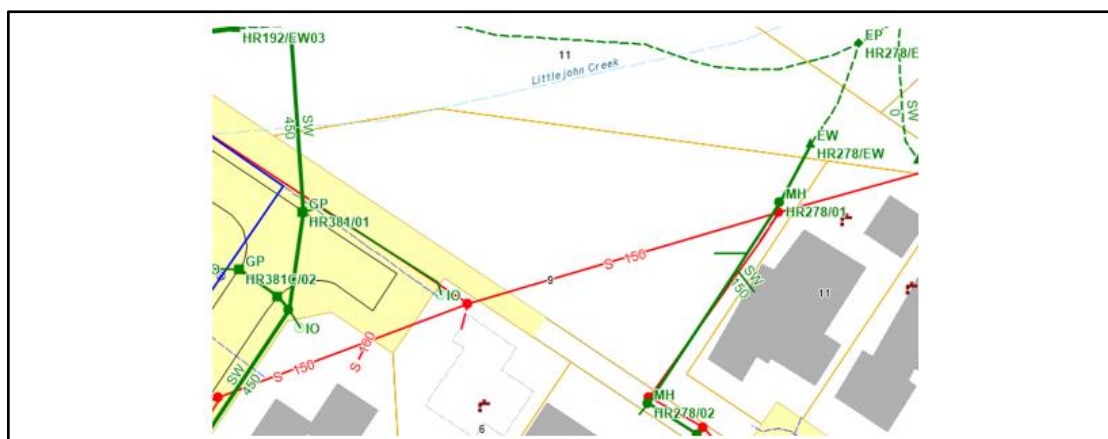


Figure 8: Underground Services

The application proposes a new connection near the site boundary as shown in the figure below. The existing connection must be abandoned and capped, and a condition is recommended accordingly. The stormwater report by JSA assessed that the stormwater system has been designed to meet the acceptable solution in clause E7.7.1 A1 of the Stormwater Management Code.

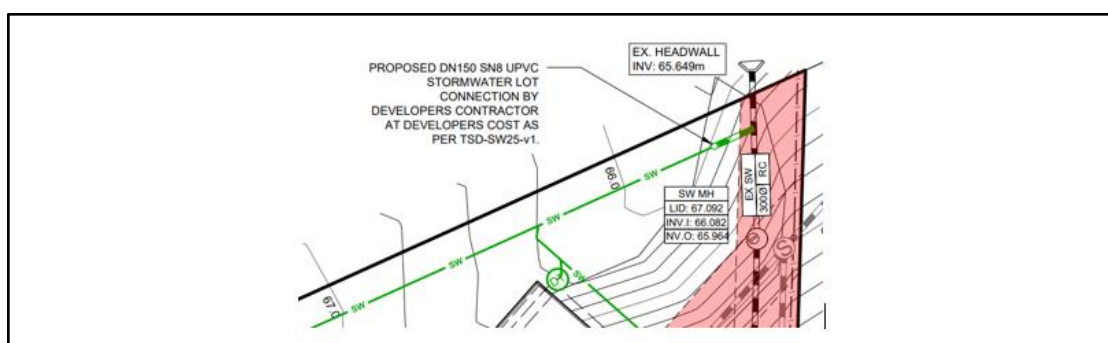


Figure 9: Stormwater Connection

The development is also considered to comply with the acceptable solution in A2 of the code. The report assessed that the stormwater system will incorporate Water Sensitive Urban Design principles in accordance with the *Water Sensitive Urban Design Engineering Procedures for Stormwater Management in Tasmania 2012* for the treatment and disposal of stormwater, as the size of new impervious area is more than 600m². The treatment includes a rainwater tank with a detention volume of 500L and a SPEL StormSack water quality improvement device has been specified for all trafficable pits as primary stormwater treatment for runoff from driveway and parking areas, and to separate gross pollutants from the collected stormwater as per submitted plan H02. Therefore, the proposed development is able to comply with the acceptable solutions, A2 and A3 of the Code. The proposed major stormwater drainage system is considered to be able to accommodate a storm with ARI of 100 years, as the property boundary backs directly onto the adjacent creek, overland flow enters the natural waterway without impacting any neighbouring properties.

Therefore, the proposed development is considered to meet the requirements of the Stormwater Management Code.

Other

E3.0 Landslide Code

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

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

Not applicable.

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

E15.0 Inundation Prone Areas Code

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

Hydraulics

Comments were received to the following effect:

The proposal does not invoke E15.7.4 A1 Riverine Inundation Hazard Areas, as a bund was built to mitigate flood flows during the Moore Park subdivision.

Waste Management Officer

Waste management advised that there will be six shared bins: two (2) waste 240L, two (2) recycling 240L and two (2) FOGO 240L and that:

- All bins are to be placed on the kerbside for collection.
- Council's Waste Management Contractor collection trucks will not enter the property to collect and empty the wheelie bins.

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(s) being received.

CONCLUSION

The application is for four dwellings on a vacant site within the General Residential Zone. The use class Residential (Multiple Dwellings) is permitted within the General Residential Zone. However, the application invokes discretions for the building envelope, privacy, open space, deck screens, separation distance for bin enclosure, a shortfall of one parking space and watercourse protection. The discretions are assessed as to comply with all applicable Performance Criteria as outlined within the report. The application does not raise any other issues. There were no representations received in response to the advertising of the application.

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 Four Multiple Dwellings at 9 Hillcot Place Glenorchy, subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-19-198 and Drawing No. P4 submitted on 07/01/20 pages 1-14, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2019/01088-GCC, dated 07/01/2020, form part of this permit.
3. The bin enclosure shown on the plan must be enlarged to accommodate six shared 240L bins, must have a setback of at least 4.5m from the frontage and must be screened from the frontage by a wall to a height of at least 1.2m. These requirements must be shown on a plan submitted in association with a building permit application to the satisfaction of Council's Senior Statutory Planner. Bins must not be stored in front of any dwelling.
4. The development must not rely on bushfire hazard management outside the property boundaries.

Engineering

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

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

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 must be undertaken by Council at the developer's cost.
8. Prior to the commencement of the use or development, a new stormwater connection to Council's public stormwater system onto the property boundary must be installed in accordance with the approved plans. An existing connection must be made redundant, capped and sealed. The stormwater connection must be constructed by a suitably qualified person to the satisfaction of Council. To ensure the connection is constructed to Council's satisfaction, the applicant must contact Council, by completing the Stormwater Connection Request Form, to arrange the visual inspection by Council for any alterations or works to Council's public stormwater network. A copy of the Stormwater Connection Request Form can be obtained via Council's Customer Service or via Council's website: <https://www.gcc.tas.gov.au/planning-and-development/plumbing/plumbing-forms.aspx> , which outlines the process and conditions for stormwater connections.
9. The design and construction of the parking, access and turning areas must generally comply with the Australian Standard, Parking facilities, Part 1: Off-Street car parking, AS 2890.1 – 2004, to the satisfaction of the Council's Development Engineer. Drawings showing the 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. Eight (8) clearly marked car parking spaces must be provided in accordance with the approved plan and kept available for these purposes at all times;
 - c. All runoff from paved and driveway areas must be discharged into Council's stormwater system;
 - d. Be clearly line-marked or physically separated to each space in accordance with the approved plan;
 - e. Landscaping of parking and circulation areas must be provided and must be no less than 5 percent of the area of the car parking area;
 - f. The gradient of any parking areas must not exceed 5%; and
 - g. Minimum carriageway width is to be no less than 3.0 metres.

All works required by this condition must be installed prior to the occupancy of the dwellings.

10. The on-site stormwater detention must be provided in accordance with stormwater drainage plan 19E88-11, H02 and H03 by JSA Consulting Engineers dates 17 December 2019, so that stormwater discharged from the site does not exceed the pre-existing stormwater runoff for the critical duration of the 5% Annual Exceedance Probability events in the catchment. 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.

11. The treatment of stormwater discharging from the development must be incorporated into the development, in accordance with the stormwater report by JSA Consulting Engineers date 17 December 2019. Prior to the issue of a Building Approval, the stormwater treatment detail designed including maintenance plan certified by a suitably qualified Engineer must be submitted to and approved by Council. The stormwater treatment system must then be constructed in accordance with the approved plans.
12. A new vehicle crossing at the access point via Knight court must be constructed in accordance with the Tasmanian standard drawing SD-1003, TSD-R11-v1 and TSD-R14-v1 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 Permit 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>

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.

Underground Services

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

Road Opening Permit

Prior to the commencement of any work within the road reservation by a private contractor, the contractor must obtain a road opening permit from the Council's Facilities Co-ordinator. This permit shall include items such as hours of work, road safety, reinstatement, soil and water management, etc. The Road Opening Permit

Application Form is available via Council's website: <https://www.gcc.tas.gov.au/your-council/council-works/digging-and-construction.aspx>

Waste Management

- There will be six shared bins: two (2) waste 240L, two (2) recycling 240L and two (2) FOGO 240L.
- All bins are to be placed on the kerbside for collection.
- Council's Waste Management Contractor collection trucks will not enter the property to collect and empty the wheelie bins.

Bushfire Hazard Management

Please be aware that a Bushfire Hazard Report was commissioned and authored by Geo Environmental Services December 2019 of which a copy should be submitted in association with a Building Permit application.

Attachments/Annexures

- 1** GPA Attachments - 9 Hillcot Place Glenorchy



APPENDIX

10.0 General Residential Zone

Standard	Acceptable Solution	Proposed	Complies?
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) 325m ² ; 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.	Land 1394m ² /4=348.5m ²	Yes
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	The site has two frontages with a minimum setback of 5.143m.	Yes

	(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.		
	A2 A garage or carport must have a setback from a primary frontage of at least: (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.	Only Unit 4 would have a garage, which would have a setback of 5.5, which complies.	Yes
	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	The lot shown on the title is an internal lot. However, the application proposes a new access from Knight Court which creates a new frontage so that the lot is no longer an internal lot, which is relevant in terms of setbacks. Setbacks are as follows: Frontage setback: at least: 5.143m, complies Side setback SE: 3.005m, complies Side setback NW: 1.119m, complies Rear setback: 1.164m, discretion	No -discretion

	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 (b) only have a setback within 1.5 m of a side boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or (ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).	For further details please see report.	
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) Site coverage 32% (b) At least 76.37m² (c) 37.7%	Yes
	A2 A dwelling must have an area of private open space that: (a) is in one location and is at least: (i) 24 m²; or (ii) 12 m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m	Please see report	No -discretion

	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 (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).	Each dwelling would have a four-panel sliding door on the rear elevation, giving access to a deck. The sliding door/window would be orientated 30° east of north, which complies.	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. (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.	Only Unit 1 has a dwelling to the north of the north facing window. However, Unit 2 is separated by 3.337m and is not directly opposite as the dwelling would be at an angle. However, Unit 2 complies with (a). In addition, shadow diagrams were submitted that show that the window would receive at least 3 hours of sunlight to approximately half of the four-panel window on June 21, which complies with (b).	Yes
	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):	Units 2 to 4 would be staggered so that none of the dwellings would be north of the deck and private outdoor space. Only Unit 1 has a dwelling to the north of the private outdoor space of Unit1. Unit 1 has a deck of 24m² opposite, separated by 3.337m. Shadow diagrams submitted with the application show that the deck area	Yes

	(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: (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.	of Unit 1 would receive at least 3 hours of sunlight between 9am and 12pm to 50% of the deck for Unit 1, which complies.	
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).	Only Unit 1 would have an integrated garage facing the frontage with a setback of 5.5m and opening 2.8m.	Yes
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:	All decks would have finished floor level of more than 1m above NGL. <u>Side boundary</u> The deck of Unit 1 would be 3.005m from the southeast side boundary, which complies. <u>Rear boundary</u>	No- Discretion

	(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, 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.	Units 2 to 4 would have decks within 4m of the rear boundary, which would face the creek corridor, which does not comply. However, only the decks of Unit 1 and 2 would be opposite.	
	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 (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.	<u>Southeast side boundary</u> Unit 1 is 3.005m from side boundary, which complies. <u>Northwest side boundary</u> Unit 4 has a garage with no window facing the side boundary so that the separation does not apply. <u>Rear boundary</u> All dwellings would face the creek corridor which would be the same as having an offset and complies with (b) <u>Between dwellings</u> Only Unit 1 and Unit 2 are opposite. Unit 2 has all windows of that elevation that face Unit 1 at 1.7m above floor level, which complies with (c). <u>Private outdoor space</u>	Yes

	(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%.	Only Unit 2 has an elevation adjacent to another units POS but has a window 1.7m above floor level in that area, which complies.	
	A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least: (a) 2.5 m; or (b) 1 m if: (i) it is separated by a screen of at least 1.7 m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.		No – Discretion

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).	Not proposed	
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 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.	The proposal provides for a bin enclosure, which needs to be enlarged to accommodate 6 bins. The enlarged bin enclosure would be less than 5.5m from a dwelling, which invokes a discretion.	No -Discretion

APPENDIX

E11 Waterway and Coastal Protection Code

Standard	Acceptable Solution	Proposed	Complies?
E11.7 Development Standards			
E11.7.1 Buildings and Works	A1 Building and works within a Waterway and Coastal Protection Area must be within a building area on a plan of subdivision approved under this planning scheme.		No – Discretion
	A2 Building and works within a Future Coastal Refugia Area must be within a building area on a plan of subdivision approved under this planning scheme.		NA
	A3 Buildings and works within a Potable Water Supply Area must be within a building area on a plan of subdivision approved under this planning scheme.		NA
	A4 Development must involve no new stormwater point discharge into a watercourse, wetland or lake.		NA
E11.7.2 Building and Works Dependent on a Coastal Location	A1 An extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date.		NA

Standard	Acceptable Solution	Proposed	Complies?
	A2 No Acceptable Solution for dredging and reclamation.		NA
	A3 No Acceptable Solution for coastal protection works initiated by the private sector.		NA

APPENDIX

E5 Road and Railway Assets Code

Standard	Acceptable Solution	Proposed	Complies?
5.5 Use Standards			
E5.5.1 Existing road accesses and junctions	A1 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.		NA

Standard	Acceptable Solution	Proposed	Complies?
	A2 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.		NA
	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.		Yes
E5.5.2 Exiting Level Crossings	A1 Where use has access across part of a rail network, the annual average daily traffic (AADT) at an existing level crossing must not be increased by greater than 10% or 10 vehicle movements per day, whichever is the greater.		NA

Standard	Acceptable Solution	Proposed	Complies?
5.6 Development Standards			
E5.6.1 Development adjacent to roads and railways	A1.1 Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h: (a) new buildings; (b) other road or earth works; and (c) building envelopes on new lots.		NA
	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.		NA

Standard	Acceptable Solution	Proposed	Complies?
E5.6.2 Road accesses and junctions	A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h		NA
	A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.		Yes
E5.6.3 New Level Crossings	A1 No Acceptable Solutions.		NA
E5.6.4 Sight distance at accesses, junctions and level crossings	A1 Sight distances at: (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.		Yes

APPENDIX

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) must be in accordance with that plan; (ii) this provision was not used in this planning scheme. 9 spaces	8 spaces	No - discretion
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;		N/A

Standard	Acceptable Solution	Proposed	Complies?
	(c) be located as close as practicable to the building entrance.		
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.		N/A
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.		N/A
E 6.7 Development Standards			
E6.7.1 Number of Vehicle Accesses	A1 The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.	The proposed accesses are on different frontages.	Yes

Standard	Acceptable Solution	Proposed	Complies?
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 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;		Yes

Standard	Acceptable Solution	Proposed	Complies?
	(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 headroom to comply with clause 5.3 "Headroom" of the same Standard.		Yes
E6.7.6 Surface Treatment of Parking Areas	A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following;		Yes

Standard	Acceptable Solution	Proposed	Complies?
	(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.		
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.		N/A
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
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		N/A

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

Standard	Acceptable Solution	Proposed	Complies?
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 E7 S	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.	N/A	N/A
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements of the road authority.		Yes

APPENDIX

E7.0 Stormwater Management Code

Standard	Acceptable Solution	Proposed	Complies?
E7.7 Development Standards			
E7.7.1 Stormwater Drainage and Disposal	A1 Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.		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.		Yes
	A3 A minor stormwater drainage system must be designed to comply with all of the following: (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed; (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be		Yes

Standard	Acceptable Solution	Proposed	Complies?
	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.		Yes

**8. PROPOSED USE AND DEVELOPMENT - MULTIPLE DWELLINGS
(6) - 5 WESLEY PLACE CHIGWELL**

Author: Planning Officer (Sylvia Jeffreys)

Qualified Person: Planning Officer (Sylvia Jeffreys)

Property ID: 9104982

REPORT SUMMARY:

Application No.:	PLN-19-325
Applicant:	Philp Lighton Architects Pty Ltd
Owner:	Housing Tasmania
Zone:	General Residential
Use Class	Residential
Application Status:	Discretionary
Discretions:	10.4.2 P3 Setbacks and building envelopes for all dwellings 10.4.3 P1 Site coverage and private open space for all dwellings 10.4.4 P1 Sunlight and overshadowing of all dwellings E5.6.4 P1 Sight distance at accesses, junctions and level crossings E6.7.2 P1 Design of Vehicular Accesses E6.7.3 P1 Vehicular Passing Areas Along an Access (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	27 Feb 2020

Existing Land Use:	Vacant
Representations:	0
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The application is for six dwellings on a vacant lot. The dwellings would be arranged on the north-western side of an internal driveway that would run through the site and connect to two separate cul-de-sacs. The dwellings would be constructed from a combination of brick walls and timber framing with grooved cement sheet cladding. The dwellings would have steel skillion roofs, in dark grey. Each dwelling would have open plan living areas and two bedrooms. Private outdoor space for each unit would be located at the rear, accessible from the living areas, which is in addition to an internal courtyard. There would also be six small sheds of 1.5m x 1.5m in the backyard. Each dwelling would have a single integrated garage, as well as a separate parking space. In addition, there would be two visitor parking spaces so that there would be a total of fourteen parking spaces. The application is discretionary for setback, for the area of impervious free surface, for window orientation, sight distance and a passing bay. The proposal is shown in Figure1.

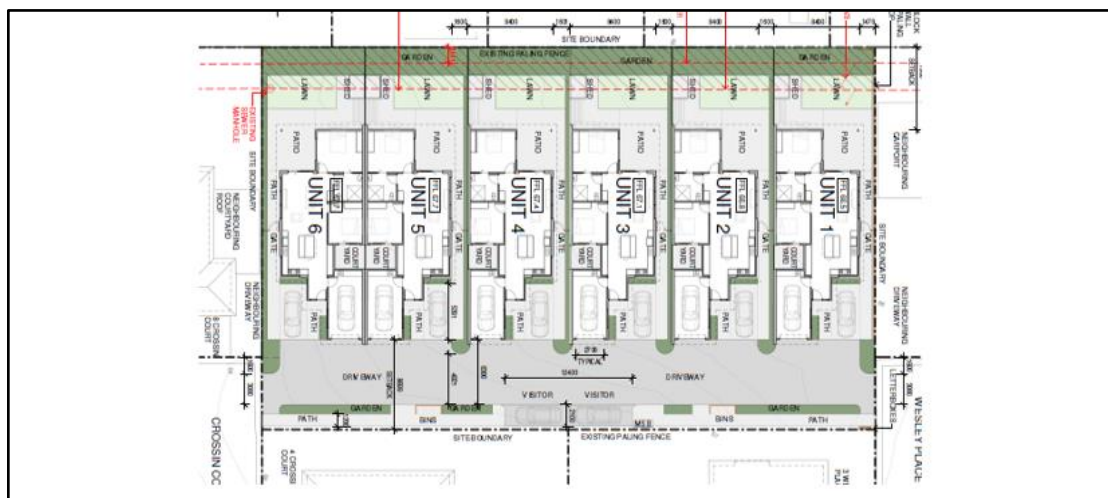


Figure 1: Proposal Plan - Philp Lighton Architects

SITE and LOCALITY

The subject site is located between Wesley Place and Crossin Court in Chigwell, which both are cul-de-sacs that branch off Bethune Street. The property has access to both cul-de-sacs. The subject property is rectangular, near level with an area of 2220m² and is vacant. There is no standing vegetation. The property is surrounded by nine properties with single dwellings. The closest neighbouring dwelling is at 8 Crossin Court to the southwest and has a roofed area opposite the proposed Unit 6. The other dwellings have either the backyards or a driveway adjoining the property, except for

the properties to the southeast, which would adjoin the proposed driveway. The subject property and surrounds are shown in Figure 2.

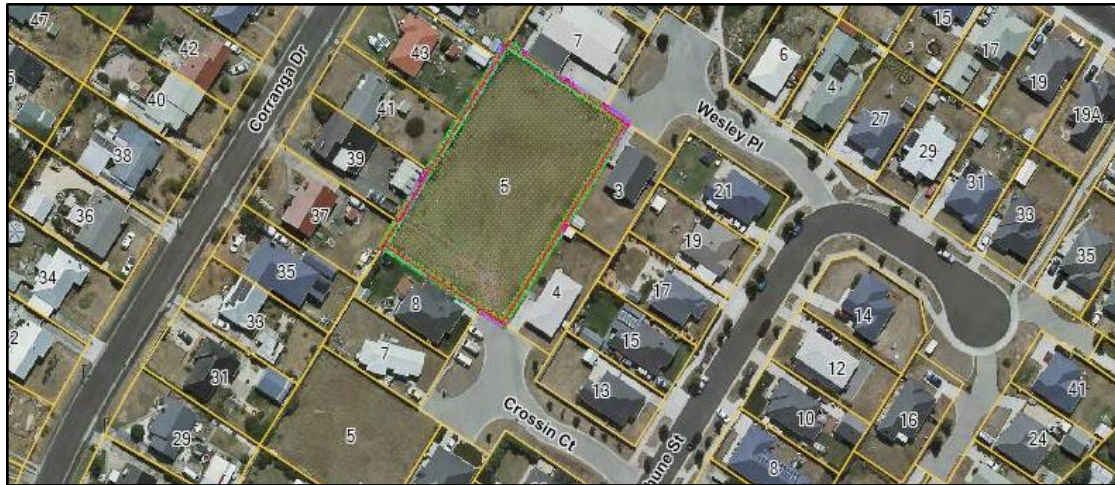


Figure 2: Subject Property - Council Database 2019

ZONE

The subject land is situated within the General Residential Zone in red, which also applies to the surrounding land as shown in Figure 3 below.



Figure 3: Zoning Map - GIPS 2015

BACKGROUND

Supporting Information

Civil Drawings by Aldenmark dated 07/01/2020 received on 10/01/20 Drawings 18E99-196-C0.02, C1.01, C1.02, C2.01 revision B.

Permits

There is no background information relevant to this assessment.

Delegation

There is no delegation for proposals of more than four dwellings under delegation 5 relating to sections 57(2) & (6) of the *Land Use Planning and Approvals Act 1993*.

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.

GLENNORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil.

Limited Exemptions

The following Limited Exemption applies:

6.1 Minor Structures and Outbuildings

The application includes six 1.5m x 1.5m sheds, which would be located over a stormwater easement. Whilst sheds up to 3m x 3m are normally exempt under clause 6.1, the exemption only applies if the buildings are located outside any easements. In this instance, the applicant has received consent from Glenorchy City Council under Section 73 of the *Building Act 2016* and the *Urban Drainage Act 2013* for the structures to be placed within 1 metre of the public stormwater drain. Therefore, it is considered that the sheds are permitted now.

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

Use Class Description (Table 8.2):

The application is for Multiple Dwellings which fits under the use class Residential (Multiple Dwellings). The use is defined in Table 8.2 Use Classes as follows:

Residential

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

Other relevant definitions (Clause 4.1):

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

Multiple Dwelling

means 2 or more dwellings on a site.

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.

Outbuilding

Means a non-habitable detached building of Class 10a of the Building Code of Australia and includes a garage, carport or shed.

Frontage

means a boundary of a lot which abuts a road.

Road

means land over which the general public has permanent right of passage, including the whole width between abutting property boundaries, all footpaths and the like, and all bridges over which such a road passes.

Discretionary Use or Development

The application is discretionary under Clause 8.8 as follows:

The planning authority has discretion to refuse or permit a use or development if:

- (a) the use is within a use class specified in the applicable Use Table as being a use which is discretionary;*
- (b) the use or development complies with each applicable standard but relies upon a performance criterion to do so; or*
- (c) it is discretionary under any other provision of the planning scheme,*
- (d) and the use or development is not prohibited under any other provision of the planning scheme.*

The proposal is discretionary under (b) above as it relies on Performance Criteria as follows:

- 10.4.2 P3 Setbacks and building envelopes for all dwellings
- 10.4.3 P1 Site coverage and private open space for all dwellings
- 10.4.4 P1 Sunlight and overshadowing of all dwellings
- E5.6.4 P1 Sight distance at accesses, junctions and level crossings
- E6.7.2 P1 Design of Vehicular Accesses
- E6.7.3 P1 Vehicular Passing Areas Along an Access

Part C: Special Provisions

There are no Special Provisions applicable.

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 in 10.1.1 is as follows:

- *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.*
- *To provide for compatible non-residential uses that primarily serve the local community.*
- *To provide for the efficient utilisation of services*

Comment

The proposal accords with the above purpose as it is for residential development utilising serviced land.

Use Table

The use class Residential (Multiple Dwellings) is 'permitted' within the General Residential Zone in 10.2 Use Table.

Use Standards

The standards in Clause 10.3 Use Standards specifically relate to non-residential use, visitor accommodation and local shop and are therefore not applicable to this proposal.

Development Standards for Residential Buildings & Works

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

10.4.2 P3 Setbacks and building envelopes for all dwellings

The proposal does not accord with the Acceptable Solution in 10.4.2 P3 with respect to a setback. Therefore, the proposal relies on the related Performance Criteria as follows:

10.4.2 P3 Setbacks and building envelopes for all dwellings

The siting and scale of a dwelling must:

- (a) *not cause unreasonable loss of amenity by:*
 - (i) *reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or*
 - (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.*

Comment

The layout of the site has the front of each dwelling facing the internal road, rather than the road frontage. This results in a better alignment with properties at 7 and 8 Crossin Court and 7 Wesley Place in terms of streetscape. As such, the plans show the rear setback along the northwest boundary. The proposal complies with all setbacks, except for north-eastern setback, where the setback would be 1.478m, instead of 1.5m required by the Acceptable Solution. The proposal is within the building envelope but has a 10m-long wall for Unit 1 that normally requires a setback of 1.5m. The proposal accords with the above Performance criteria for the following reasons:

- There would be no loss of sunlight to a habitable room from a setback discretion on the north-eastern boundary, because shadows would fall to the south onto the subject property.
- There would be no overshadowing of private outdoor space along the north-eastern boundary as any shadows fall to the south onto the subject property.
- There would be no unreasonable visual impacts for the property adjoining to the northeast, because the dwelling would have a maximum height of only 3.621m, which is very low. In addition, the dwelling wall would be only 10m long.
- The proposed setback is considered compatible with existing setback between dwellings, as it only marginally less than the usual 1.5m.
- All other setbacks comply and are therefore not considered to cause any unreasonable adverse impacts. A condition is recommended to show the dimension for the setback of the southwestern boundary on plans submitted in association with a building permit application for clarity. The setback scales at 1.5m.

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

10.4.3 A1 Site coverage and private open space for all dwellings

The proposal does not accord with the Acceptable Solution in 10.4.3 A1 with respect to the percentage of impervious free surface. Therefore, the proposal relies on the related Performance Criteria as follows:

10.4.3 P1 Site coverage and private open space for all dwellings

Dwellings must have:

- (a) *private open space that is of a size and dimensions that are appropriate for the size of the dwelling and is able to accommodate:*
- (i) *outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any communal open space provided for this purpose within the development; and*
 - (ii) *operational needs, such as clothes drying and storage; and*
- (b) *reasonable space for the planting of gardens and landscaping.*

Comment

The proposal provides for nearly 100m² of private outdoor space at the rear of each dwelling. However, in terms of the total site, there would be only 17.7% of impervious free area, instead of 25% required by the Acceptable Solution. The dwellings are designed to cater for occupants with accessibility requirements, which explains the need for more hard surfaces. A portion of the private outdoor space would be paved. However, there would be still approximately 44m² of impervious free area per dwelling. This area would allow for gardens and landscaping. The proposal has substantially more than the minimum area 24m² per dwelling required for recreational space, operational needs and storage. In addition, there would be some landscaping along the common driveway.

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

10.4.4 A1 Sunlight and overshadowing of all dwellings

The proposal does not accord with the Acceptable Solution in 10.4.4 A1 with respect to window orientation. The proposal therefore relies on the related Performance Criteria as follows:

10.4.4 P1 Sunlight and overshadowing of all dwellings

A dwelling must be sited and designed so as to allow sunlight to enter at least one habitable room (other than a bedroom).

Comment

Dwellings 1 to 5 would have a living room window each that face 28° east of north, which complies. However, Unit 6 would be conjoined so that there would be no windows on the north elevation. There would be a glazed sliding door for the living room that would face 60° west of north. It is considered that this window would receive sunlight in the afternoon, which satisfies the Performance Criteria.

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

Part E: Codes

The following codes of the Scheme apply to this proposal:

E5.0 Road and Railway Assets Code

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

E5.6.4 Sight distance at accesses, junctions and level crossings

The proposal does not accord with the Acceptable Solution in E.5.6 A1 with respect to sight distances. Therefore, the proposal relies on the related Performance Criteria as follows:

E5.6.4 P1 Sight distance at accesses, junctions and level crossings

The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles, having regard to:

- (a) the nature and frequency of the traffic generated by the use;*

- (b) the frequency of use of the road or rail network;*
- (c) any alternative access;*
- (d) the need for the access, junction or level crossing;*
- (e) any traffic impact assessment;*
- (f) any measures to improve or maintain sight distance; and*
- (g) any written advice received from the road or rail authority.*

Comment

The Engineering Assessment concluded that the proposal accords with the above Performance Criteria but would need fence modification. A condition is recommended accordingly. For further comments, please refer to the Engineering Assessment later in this report.

E6.0 Parking and Access Code

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

E6.7.2 A1 Design of Vehicular Accesses

The application does not accord with the Acceptable Solution in E6.7.2 A1 Design of Vehicular Access with respect to sight distances. Therefore, the application relies on the related Performance Criteria as follows:

E6.7.2 P1 Design of Vehicular Accesses

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

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

Comment

The Engineering Assessment concluded that the proposal accords with the above Performance Criteria but would require fence modification. As noted above, a condition is recommended accordingly. For further details please refer to the Engineering Assessment later in this report.

E6.7.3 A1 Vehicular Passing Areas Along an Access

The application does not accord with the Acceptable Solution in E6.7.3 A1 with respect to passing bays. Therefore, the application relies on the related Performance Criteria as follows:

E6.7.3 1 P1 Vehicular Passing Areas Along an Access

Vehicular passing areas must be provided in sufficient number, dimension and siting so that the access is safe, efficient and convenient, having regard to all of the following:

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

Comment

The Engineering Assessment concluded that the proposal accords with the above Performance Criteria. The first passing bay at the road frontage is not considered necessary because of the low traffic volumes in the cul-de-sacs. For further details please refer to the Engineering Assessment later in this report.

E7.0 Stormwater Management Code

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

PART F: Specific Area Plans

No Specific Area Plan applies.

INTERNAL REFERRALS**Development Engineer***Comments*

The application is for six multiple dwellings.

E5.0 Road and Railway Assets Code

This Code applies to use or development of land:

- (a) that will require a new vehicle crossing, junction or level crossing; or
- (b) that intensifies the use of an existing access; or
- (c) that involves a sensitive use, a building, works or subdivision within 50m metres of a Utilities zone that is part of:
 - (i) a rail network;
 - (ii) a category 1 - Trunk Road or a category 2 - Regional Freight Road, that is subject to a speed limit of more than 60km/h kilometres per hour.

The proposed development is accessed from two road frontages, Wesley Place and Crossin Court, therefore it is considered the acceptable solution of E5.5.1 A3 Road and Railway Assets Code is satisfied in that the proposed development generated

traffic increase is less than the 40 vehicle movements (3 units x 7.4 vehicle movements per day = 22.2 v/m/d) and not greater than 20%.

The access is unable to comply with the acceptable solution of E5.6.4 Sight distance at accesses, junctions and level crossings and Table E5.1 Safe intersection sight distance due to the proximity of the adjacent accesses. It is considered however, that the new accesses can satisfy the relevant clauses of the performance criteria of this code with a condition recommended to improve sight distance for the access each access frontage fence be modified (either side) to a height of maximum 0.9m within 1.0m of the frontage.

E6.0 Parking and Access Code

This code applies to all use and development.

Fourteen (14) car parking spaces are proposed to be provided including two (2) visitor carparking spaces. This satisfies the parking provision of the Acceptable Solution A1 of Clause E6.6.1 of the Glenorchy Interim Planning Scheme 2015.

Clause E6.7.2, which includes the reference to sight distance, states the vehicle accesses must comply with Australian Standard AS 2890.1. The required sight distances from the proposed new driveway/access will not be able to meet the acceptable solution of Clause E6.7.2 due to the location of existing adjacent accesses (minimum sight distance of 40m required for speed of 50km/h). It is considered the new accesses can satisfy the performance criteria of this clause with a condition recommended to improve sight distance for the access each access frontage fence be modified (either side) to a height of maximum 0.9m within 1.0m of the frontage. This will improve sight distance and sightlines to make the accesses safe, efficient and convenient.

The proposed spacing of vehicular passing areas is not in accordance with minimum spacing to satisfy the acceptable solution of clause E6.7.3 (Vehicular passing areas along an access), as there is no passing bay at either road frontage proposed. The first passing bay at the road frontage is not considered to be necessary as the proposed development is not expected to interfere with the flow of traffic if vehicles are required to use either Crossin Court or Wesley Place for passing from/to the proposed development.



With the expected low traffic speeds within this area and the recommended modifications to the access, it is considered the access will be safe and efficient and satisfy the performance criteria of this code.

In accordance with the *Glenorchy Interim Planning Scheme* Clause E.6.7.8, landscaping is required at a rate no less than 5% of the carparking area. A condition is recommended that this landscaping be shown on plans submitted for building approval and installed prior to a certificate being issued.

No other clauses of the parking and access code are applicable to this application.

E7.0 Stormwater Management Code

This code applies to development requiring management of stormwater. This code does not apply to use.

The applicant has shown how stormwater from existing and proposed future impervious areas will be connected by gravity to public stormwater infrastructure to satisfy the acceptable solution A1 of this code.

The applicant has not addressed Water sensitive urban design principles (stormwater treatment) to satisfy *Glenorchy Interim Planning Scheme 2015* Clause E7.1 A2. However, it is recommended details be provided as a condition of the planning permit to satisfy the acceptable solution and that this be submitted and approved as part future building approval application/process.

The applicant has not addressed A3 and A4 of these codes however it is considered the application will satisfy the acceptable solution of these codes and a condition is recommended to address this in association with future plumbing approval.

Other

E3.0 Landslide Code

There are no geotechnical issues identified through Council records that affect this application.

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

There is no waterway and coastal protection issues identified that affect this application

E15.0 Inundation Prone Areas Code

There are no flooding/inundation issues identified through Council records that affect this application.

Waste Management Officer

Waste management services to the proposed multiple dwelling development would be Council's shared bin service, collected weekly. The wheelie bins should be stored in a bin enclosure within the property boundary and are not to be taken to individual units. All wheelie bins should be placed on the existing kerbside for collection. Six dwellings would be eligible for a maximum of two (2) x 240L waste wheelie bins and two (2) x 240L recycling bins and two (2) x 240L FOGO Bins, collected weekly to be shared by all the six (6) dwellings. Collection of bins would be from the kerbside.

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(s) being received.

CONCLUSION

The application is for six two-bedroom, single storey dwellings on vacant land with an internal road along the southeast boundary. The use is classified Residential (Multiple Dwellings), which is a permitted use within the General Residential Zone. The application is discretionary for a setback, for impervious free surface, window orientation, sight distance and passing bays. The proposal satisfies the Performance criteria related to each discretion, as outlined within the report. The application does not raise any other issues.

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 Multiple dwellings (6) at 5 Wesley Place Chigwell, subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-19-325 and Drawing No. P3 submitted on 10/01/20 pages 4-7 and Drawing No. P4 submitted on 23/01/20 pages 1-3, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2019/01663-GCC, dated 22/01/20, form part of this permit.
3. The setback on the southwest boundary adjacent to Unit 6, must be no less than 1.5m and must be shown as a dimension on plans submitted in association with a building permit application.

Engineering

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

- Engineer and be installed prior to the removal of and/or disturbance of any soil or vegetation.
5. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
 6. Fourteen (14) clearly marked car parking spaces must be provided and kept available for these purposes at all times. Car parking spaces, manoeuvring areas and aisles must be provided in accordance with the Australian Standard AS 2890.1 – 2004 Off-Street Parking and must be constructed and sealed with an approved impervious surface treatment prior to occupancy of any dwelling.
 7. The frontage fences on either side of each access from Wesley Place and Crossin Court must be modified to a maximum height of 0.9m within 1.0m of the frontage.
 8. Prior to the issuing of a Building Permit, Water Sensitive Urban Design (WSUD) elements and a WSUD Maintenance plan must be submitted to the satisfaction of Council's Development Engineer. The WSUD elements must be installed and completed prior to a Certificate of Occupancy being issued for any of the dwellings.
 9. Lighting must be provided for the visitor car parking and common ground/s in accordance with Australian Standard AS 1158.3.1. The lighting must be completed and operational prior to occupancy of any of the dwelling units. The running and maintenance costs of the lighting must be managed by an active body corporate.
 10. Landscaping must be provided within common ground at no less than 5% of the area of the carpark area. The landscaping must be incorporated into the development and shown on plans submitted for building approval and installed prior to a certificate of occupancy being issued.
 11. All internal hydraulic service works required for the development shall be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor

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.

Underground Services

The designer must ensure that the needs of all providers including TasWater, TasGas, TasNetworks, and Telstra are catered for both in the design and construction of the works. Underground service providers should be contacted for line marking of their services and any requirements or conditions they may have prior to commencing any works on site.

Phone 1100, Dial Before You Dig or visit www.dialbeforeyoudig.com.au for information on the location of underground services and cables in relation to the proposed development prior to commencing any works on site.

Waste Management

The design for the bin enclosure must comply with the following:

- (a) it 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 approval,
- (b) it must have concrete at the entrance to the bin enclosure;
- (c) it 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) recommended minimum height of the enclosure is 1200mm and minimum recommended depth is 930mm;
- (e) 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;
- (f) there must be no lip on the concrete slab of the bin enclosure;

Prior to occupancy of the dwelling/s the bin enclosure must be constructed to the satisfaction of Council's Waste Services Co-ordinator.

Six dwellings would be eligible for a maximum of two (2) x 240L waste wheelie bins and two (2) x 240L recycling bins and two (2) x 240L FOGO Bins, collected weekly to be shared by all the six (6) dwellings. Collection of bins would be from the kerbside.

The bins would be stored in a bin enclosure built within the property boundary.

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 no bin enclosure be built closer than a minimum of 5.5 metres to any residence to avoid odour and nuisance issues arising.

Council's Waste Management Contractor would not enter the property to collect and empty bins. All wheelie bins should be placed on the existing kerbside for collection.

Attachments/Annexures

- 1** GPA Attachments - 5 Wesley Place



APPENDIX

10.0 General Residential Zone

Standard	Acceptable Solution	Proposed	Complies?
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) 325m ² ; 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.	Land 2220m ² / 6 = 370m ²	Yes
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	The land has two frontages of equal width 4.6m on the southwest and north east boundaries. There would be no building within 4.5m of these boundaries as there would be an internal road.	Yes

	(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.		
	A2 A garage or carport must have a setback from a primary frontage of at least: (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.	There would be no garage within 5.5m of the frontages.	Yes
	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	The plans show the rear setback along the north-western boundary. The proposal accords with the frontage setback as there would be no building within 4.5m. Frontage: more than 4.5m - complies Rear boundary: 7.9m - complies Side SE: 6.8m - complies Side SW: 1.5m – conditioned to comply Side NW 1.478m – does not comply, see report	No – discretion

	(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 (b) only have a setback within 1.5 m of a side boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or (ii) 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) 32% (complies) (b) Approximately 90m² (complies) (c) 17.7% (does not comply, see report)	No - discretion
	A2 A dwelling must have an area of private open space that: (a) is in one location and is at least: (i) 24 m²; or (ii) 12 m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m	Each dwelling would have level private outdoor space of more than 24m ² with a minimum width of 4m, orientated to the northwest that is directly accessible from a living area.	Yes

	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 (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).	Units 1-5 have a living room window facing 28° east of north, which complies. Unit 6 would have a living room widow that faces 60° west of north, which does not comply. For further details please see report.	No – discretion

	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. (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.	No dwellings are to the north of a north facing window.	Yes
	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):	No dwellings are to the north of POS of another dwelling.	Yes

	(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: (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).	Garages are not facing any frontages.	Yes
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:	Floor levels are not more than 1m above NGL.	Yes

	(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, 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 (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.	Floor levels are not more than 1m above NGL.	Yes

	(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; 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.	Driveway separation 5.7m	Yes

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).	None 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 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.	There would be shared bins on the far side of the driveway along the southwestern boundary, which would be more than 5.5m from a dwelling and 4.5m from a frontage and screening would be provided.	Yes

APPENDIX

E5 Road and Railway Assets Code

Standard	Acceptable Solution	Proposed	Complies?
5.5 Use Standards			
E5.5.1 Existing road accesses and junctions	A1 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.	Not an applicable standard.	
	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 an applicable standard.	
	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.		Yes

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 an applicable standard.	
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 an applicable standard.	

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.		
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	Not an applicable standard.	
	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.	There would be only one access per street as each access/exit would be at a different street.	Yes
E5.6.3 New Level Crossings	A1 No Acceptable Solutions.	Not an applicable standard.	

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.		No

APPENDIX

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) must be in accordance with that plan; (ii) this provision was not used in this planning scheme.	Fourteen.	Yes

Standard	Acceptable Solution	Proposed	Complies?
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.	Not an applicable standard.	
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.	Not an applicable standard.	
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 an applicable standard.	
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

Standard	Acceptable Solution	Proposed	Complies?
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.		No
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;		No

Standard	Acceptable Solution	Proposed	Complies?
	(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.	Not an applicable standard.	
E6.7.5 Layout of Parking Areas	A1 The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same Standard.		Yes
E6.7.6 Surface Treatment of Parking Areas	A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following; (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.		Yes

Standard	Acceptable Solution	Proposed	Complies?
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.	Not an applicable standard.	
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.	Not an applicable standard.	
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.	Not an applicable standard.	
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;	Not an applicable standard.	

Standard	Acceptable Solution	Proposed	Complies?
	(b) be located within 30 m of the main entrance to the building.		
	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
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 an applicable standard.	
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.	Not an applicable standard.	
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:	Not an applicable standard.	

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

APPENDIX

E7.0 Stormwater Management Code

Standard	Acceptable Solution	Proposed	Complies?
E7.7 Development Standards			
E7.7.1 Stormwater Drainage and Disposal	A1 Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.		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.		Yes - conditioned

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

9. PROPOSED USE AND DEVELOPMENT - CHANGE OF USE TO COMMUNITY MEETING AND ENTERTAINMENT AND THREE RETAIL TENANCIES WITH ASSOCIATED DEMOLITION & WORKS - 80-82 MAIN ROAD, MOONAH

Author: Planning Officer (Bhavna Gungabison)

Qualified Person: Planning Officer (Bhavna Gungabison)

Property ID: 2561004

REPORT SUMMARY:

Application No.:	PLN-19-262
Applicant:	Cbm Sustainable Design
Owner:	W Coogan & Company Pty Ltd
Zone:	General Business Zone
Use Class	Community Meeting and Entertainment, General Retail and Hire
Application Status:	Discretionary
Discretions:	21.3.1 Hours of operation E6.6.1 Number of car parking spaces E6.6.3 Number of motorcycle parking spaces (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	18 Feb 2020
Existing Land Use:	Bulky goods sales (showroom)
Representations:	0
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The application is for a change of use of the existing building at 80-82 Main Road, currently known as the Coogans building. The proposed change of use of the Coogans building involves a community centre with associated components, as well as three retail tenancies with ancillary food services and office spaces.

The ground floor has a floor area of 1051.9m² and comprises of an auditorium for up to 333 people, a café, general open space for kids' recreation, seating and circulation. The 1372.2m² first floor area comprises of a theatre, kid's playrooms, and administrative spaces.

The activities for the church, venue hire, retail, or catering is proposed to be operating between 6am to 10pm during weekdays, 7am - 9pm during Sundays, and public holidays.

The venue will be made available to community events organisers who may wish to hire space / spaces to run events (such as fundraising event, school leaver dinner, or conference) that will be operating their event from 6pm to 12am. The number of occurrences for when the venue operates between 10pm - 12am is to be minimal. On Sundays and public holidays, the church may run a breakfast meeting from 6am - 8am. All events operating at night will occur inside the building. Noise emissions from the building will be minimised with acoustic treatment to the building construction.

The existing 92 on-site car parking spaces are to be retained with 2 disabled parking spaces.

The proposal relies on performance criteria for hours of operation, car parking and motorcycle parking shortfall.

SITE and LOCALITY

The site extends between Charles Street and Main Road, with the main access off Charles Street. Extensive parking covers the area immediately adjacent Charles Street with the building set back nominally 60m from the street. The main building is two storey of concrete panel construction, with a rooftop parapet wall screening view of rooftop equipment from the street.

The existing building is split into three separate tenancies, with Building A located off Hopkins Street and is currently a vacant Bulky Goods Showroom (currently vacant and not part of the current change of use proposal); Buildings B and C were the main Coogans building which are subject to the change of use proposal.

The surrounding locality is characterised by a mix of retail and business uses, along Main Road and residential development along the western side of Charles Street.

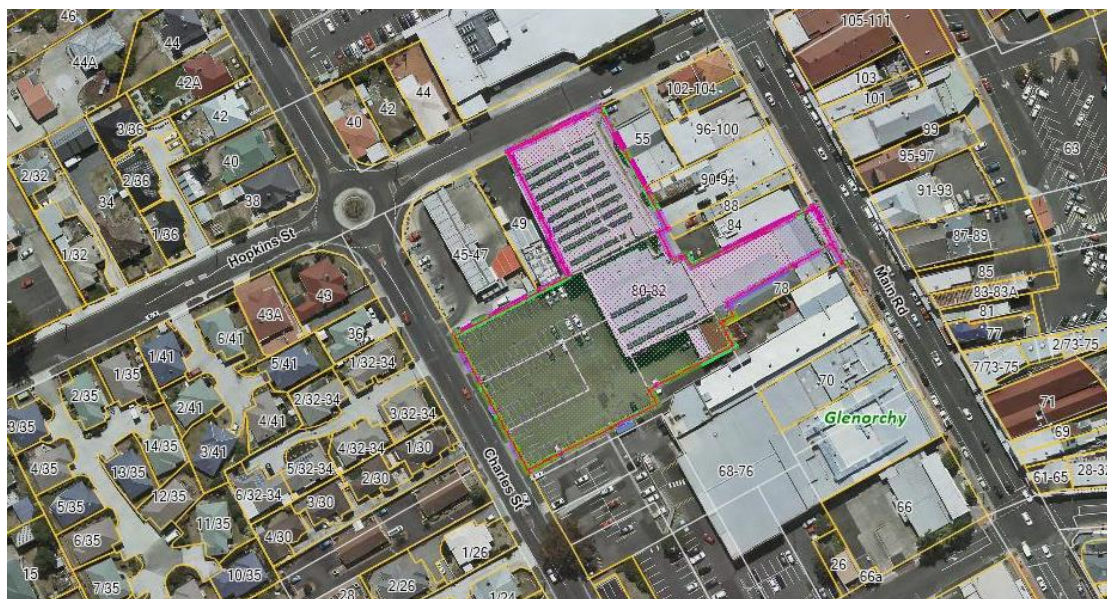


Figure 1: An aerial view of the site and surrounding locality.

ZONE

The subject site is zoned within the General Business Zone.

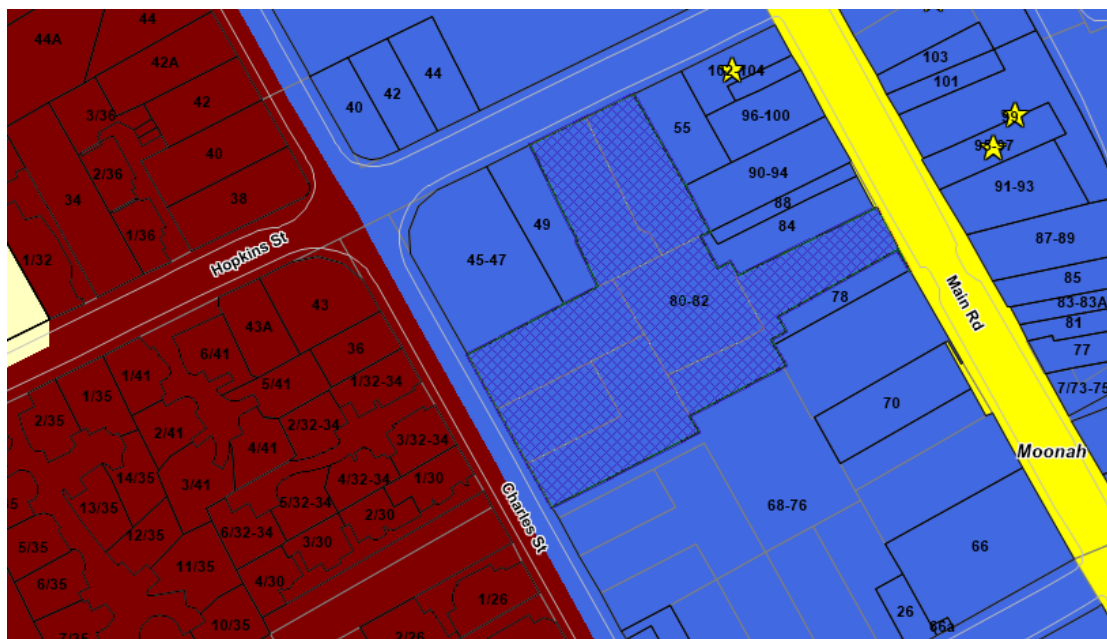


Figure 2: A snapshot of zoning (Blue – General Business Zone; Maroon – Inner Residential Zone)

BACKGROUND

Previous approvals

- PLN-00437 Illuminate Pylon Sign with neon border mounted in rear car park near Charles Street, approved 02/11/00
- PLN-00694 Bus Shelter in Road Reserve in front of 23 Charles Street, Moonah, approved 04/02/02

PLN-00971 Extension to Showroom/warehouse at 51 Hopkins Street, Moonah, approved 21/01/02

PLN-02-01610 Partial Demolition & extensions to showrooms with variations to height limit & car parking requirement, approved 28/01/03

PLN-19-281 Boundary Adjustment, approved 30/10/19

Reason for GPA determination

The estimated cost of works exceeds \$500,000.00 and therefore needs to be determined at the Glenorchy Planning Authority. An extension of time was granted by the applicant till the 18th Feb 2020.

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

5.10 Signs

5.10.1 Signs exempt under clause E17.4.

Comment:

Clause E17.4 of the Signs Code provides exemptions for signs which replace existing approved signage but involve a change in graphics. Since the proposal involves altering existing signs, the signage is exempt from assessment.

Limited Exemptions

Nil

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

No SAP applies.

No conflict between zone and code provisions.

Use Class Description (Table 8.2):

Community meeting and entertainment means the use of land for social, religious and cultural activities, entertainment and meetings. Examples include an art and craft centre, church, cinema, civic centre, function centre, library, museum, public art gallery, public hall and theatre.

General retail and hire means the use of land for selling goods or services or hiring goods. Examples include an adult sex product shop, amusement parlour, beauty salon,

betting agency, commercial art gallery, department store, hairdresser, market, primary produce sales, shop, shop front dry cleaner, supermarket and video shop

Please note:

The proposal consists of café, offices and recreation areas which are considered as being ancillary to the Community meeting and entertainment use.

Other relevant definitions (Clause 4.1):

Function centre means use of land, by arrangement, to cater for private functions, and in which food and drink may be served. It may include entertainment and dancing.

Gross floor area means the total floor area of the building measured from the outside of the external walls or the centre of a common wall.

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

Office means use of land for administration, or clerical, technical, professional or other similar business activities.

Traffic Impact Assessment 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

No special provision of the Scheme applies to this proposal.

Part D: Zones

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

Zone Purpose Statements

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

21.1.1.6 *To provide a safe, comfortable and pleasant environment for workers, residents and visitors through the provision of high quality urban spaces and urban design.*

Comment:

The proposed use involves a mix of retail, community meeting and entertainment spaces and ancillary office and food services, which are to serve the local community and the municipal area. The use is expected to attract a range of employment options for residents of the municipality ranging from retail to catering and community services, together with convenient accessibility via a range of transport modes. The proposal is assessed as meeting the zone purpose statements.

Use Table

The Community Meeting and Entertainment use and the General Retail and Hire use are both permitted within the Use Table. However, the proposal is discretionary due to reliance on performance criteria for the hours of operation, number of car parking spaces and number of motorcycle parking spaces.

Use Standards

21.3.1 Hours of Operation

The proposed use is to operate beyond 10pm during special events and therefore the proposal relies on performance criteria P1 which requires the following:

Hours of operation of a use within 50 m of a residential zone must not have an unreasonable impact upon the residential amenity of land in a residential zone through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent.

Comment:

The subject site is located less than 50m from the Inner Residential Zone of Charles Street. The proposed development is to have commercial vehicle movements during hours which comply with the acceptable solution for commercial vehicle movement Clause 24.3.4 as discussed in the appendix section of the report.

Additionally, a noise assessment report has been submitted as part of the proposal to demonstrate that the proposed use does not cause unreasonable level of noise. The noise report has been assessed by Council's Environmental Health Officer who is in favour of the proposal and has provided comments in the referral section of the report. Two noise conditions have been recommended on the permit to ensure compliance with the noise levels.

Furthermore, even though the site boundary is within 50m of the nearest residential zone, the building subject to the change of use is setback approximately 60m away from the residential zone. The emissions likely to be caused by vehicles coming and going from the car parking area is expected to be reasonable in extent and is to match existing uses along Charles Street. It is therefore not anticipated that there will be emissions caused by an extension to the hours of operation which would cause an unreasonable impact on the residential amenity of land in the residential zone.

The proposal is therefore assessed as complying with the performance criteria and meeting the standard.

Development Standards for Buildings or Works

The proposal complies with the applicable development standards as outlined in the attached Appendix section of the report.

Part E: Codes

The following codes of the Scheme apply to this proposal:

E5.0 Road and Rail Asset Code

Council's Development and Traffic Engineer have assessed the application against the provisions of the Road and Railway Assets Code and have determined that the proposal complies with the acceptable solutions of the applicable standards.

E6.0 Parking and Access Code*E6.6.1 Number of Car parking spaces*

Table E6.1 of the code stipulates that 1 parking space per 15m² of floor area is to be provided for the Community meeting and entertainment use and 1 parking space per 30m² for the General retail and hire use. The proposed development requires a total of 218 car parking spaces but only 92 car parking spaces are to be provided. The proposal therefore relies on performance criteria P1 which requires the following:

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 Traffic Impact Assessment provided as part of the application, demonstrates that the car parking demand for the car parking spaces proposed is considered quite sufficient to meet the reasonable needs of customers. There is availability of on-street and public parking areas in close proximity with good access to public transport due to Main Road being a major transit corridor with frequent bus services. Additionally, the site is easily accessible for pedestrians residing in the surrounding residential catchment.

The proposal was referred to Council's Development and Traffic Engineer, who have provided comprehensive assessment in the referral section below and are in favour of the proposed development.

The proposal is therefore assessed as meeting the standard through compliance with the performance criteria.

E6.6.3 Number of Motorcycle Parking Spaces

The proposal does not include motorcycle parking spaces and therefore relies on performance criteria P1, which requires the following:

The number of on-site motorcycle parking spaces must be sufficient to meet the needs of likely users having regard to all of the following, as appropriate:

- (a) *motorcycle parking demand;*
- (b) *the availability of on-street and public motorcycle parking in the locality;*
- (c) *the availability and likely use of other modes of transport;*
- (d) *the availability and suitability of alternative arrangements for motorcycle parking provision.*

Comment:

A Traffic Impact Assessment was submitted to address the requirements of the performance criteria. As a summary, the TIA states that the proposed use is likely to create a low motorcycle usage which can easily be accommodated in motorcycle parking areas in the surrounding locality. The site is well serviced by other modes of transport, including public transport (Metro busses along Main Road), bicycle (InterCity Cycleway located nearby), pedestrians, and private motor vehicles (with a large pool of private and public parking located in the Precinct).

The TIA was reviewed by Council's Development and Traffic Engineer who are in favour of the proposal and have provided an assessment in the referral section of the report.

The proposal is assessed as complying with the requirements of the performance criteria P1 and therefore meeting the standard.

E7.0 Stormwater Management Code

No new impervious surfaces are proposed as part of the application. The proposal has been referred to Council's Development Engineer who has provided comments in the referral section of the report. Council's Development Engineer is in favour of the proposal and has determined that the application satisfies the acceptable solutions of the applicable standards of the Stormwater Management Code.

E17.0 Signs Code

No new signage types are proposed for the site.

The existing signs are to be retained with alterations to graphics (including text, graphic design and colour) to match the proposed uses. The scale, location and dimensions are to match the existing signs.

The exemption under E17.4 Use or Development Exempt from this Code states the following:

E17.4.3 Changes to the graphics of a legally existing sign, including text, graphic design and colour is exempt from requiring a permit under this planning scheme.

The signs are therefore exempt from consideration under Clause E17.4.3 of the Signs Code.

PART F: Specific Area Plans

No SAP applies.

INTERNAL REFERRALS**Development Engineer***Comments*

The development application seeks an approval for change of use to community meeting and entertainment and three retail tenancies with associated demolition works. The works include partial demolition and new parking arrangements.

The Traffic Impact Assessment (TIA) by Milan Prodanovic date December 2019 is submitted as part of the application as supporting document. The information has been referred to Council's Traffic Engineer, please see Transport Engineer referral for a detailed discussion of traffic matters.

E5.0 Road and Railway Assets Code

The development complies with Code E5 Road and Railway Assets Code.

The TIA addressed the Traffic generation from the development and concluded that the total vehicle movements to and from the site is 1,023 vehicles per day while the existing traffic generated by current use as Coogans retail store is likely to be 1,000 vehicles per day. Therefore, based on the TIA, the proposed development is not expected to increase vehicle movements, to and from the site, over 40 vehicle movements per day (or more than 20% of the traffic volume along Charles Street) and therefore complies with the Acceptable Solution A3 of E5.5.1.

The site can be accessed off the existing vehicle crossing, and no new access is proposed; this complies with Acceptable Solution of E5.6.2. The TIA states that the sight distance at the access frontage exceeds the requirement in the Table E5.1 of 80 metres, and therefore, the sight distance complies with the Acceptable Solution A1 under clause E5.6.4.

E6.0 Parking and Access Code

The development complies with Code E6 Parking and Access Code and is considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected.

The site can be accessed off the existing vehicular accesses onto the driveway and each parking spaces. The TIA stated that the requirement under the Table E6.1, requires the total of 218 car parking spaces for the entire redevelopment. The applicant proposes to retain the existing number of car parking spaces which is the total of 92 on-site car parking spaces; hence the development application is not able to comply with the acceptable solution, A1 under clause E6.6.1. The TIA then addressed each Performance Criteria, P1 under the clause E6.6.1 including the car parking demand, the availability of the on-street and public car parking in the locality, the availability and frequency of public transport within a 500m walking distance and the availability and likely use of other modes of transport. The TIA stated that the actual parking demands of the existing site are likely to be in the order of 53 to 131 cars on weekdays, and 137 cars on weekends. The TIA also advises that larger weekday functions would require a traffic and parking management plan to ensure that car parking does not rely on a large provision of off-site car parking but noted however that large function parking demands can be accommodated in the surrounding public car parking facilities as demonstrated by Council's most recent 2018 car parking surveys. Therefore, it is considered the performance Criteria, P1 is met.

Of the total number of proposed car parking spaces, it is proposed that two (2) accessible car parking spaces be provided or retained. This complies with the acceptable solution, A1 under clause E6.6.2. The Planning Scheme requires the total of four (4) motorcycle parking spaces. The developer proposes no motorcycle parking spaces as part of the application and the TIA assessed the clause against the Performance Criteria, P1 under the clause E6.6.3. The TIA also addressed the bicycle parking spaces are required at the total of 3 spaces of class 1 or 2 and 12 spaces of class 3. It is indicated that these can be provided and therefore comply with the acceptable solution, A1 under clause E6.6.4. The on-site turning area, passing bays and commercial vehicle load and unloading area can be accommodated within the proposed parking and access arrangement and comply with the code acceptable solution. Surface treatment and lighting for parking areas will be conditioned to meet the acceptable solution.

E7.0 Stormwater Management Code

There are no GCC stormwater mains affected by this application. There is no significant addition to the impervious surfaces being created, as the current situation of the site is already fully of an impervious surface. The runoff from the new development area will be discharged to the existing GCC approved outlet. Therefore, the SW arrangement is considered to comply with the Acceptable Solution, A1.

The development is also considered comply with the Acceptable Solution A2 and the stormwater system does not need to incorporate water sensitive urban design for treatment, as the size of the new impervious area is less than 600m², is not more than six car parking spaces proposed, and the application is not for a subdivision. A3 and A4 are also satisfied given the size and scope of the development. Therefore, the development considers meet the requirements in Stormwater Management Code.

Other

E3.0 Landslide Code

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

E11.0 Waterway and Coastal Protection Code (E11.7.1 A4 and P4) - Not applicable.

E15.0 Inundation Prone Areas Code

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

Traffic Engineer

The developer proposes to redevelop to old Coogans site at 80-82 Main Road which has a car park with the accesses off Charles Street. The car park has 92 spaces. The developer proposes to split the building into three separate tenancies being:

- Building A – bulky goods showroom with a gross floor area (GFA) of 1,175m²
- Building B – community centre (with auditorium with 400 seats) and associated components (i.e. office GFA 264.5m²)
- Building C – arcade being possible two retail (GFA 187m²) and one food service possible café (GFA 98m²)

Building A will be subject to a separate development application but is included in the assessment as the parking and traffic numbers to the site will be affected. The assessment below is based on the Traffic Impact Assessment (TIA) undertaken by Midson Traffic Pty Ltd, dated December 2019.

Traffic Generation

The traffic generated by the proposed development is stated in the TIA as being 673 vehicles per day (in and out) during the weekday with a peak hour of 173 vehicles. On the weekend there will be 461 vehicles per day with a peak hour of 120 vehicles. On weekends when there are Church services on Sunday, the traffic numbers for other components of the development are assumed to be lower.

The traffic numbers include 260 vehicles per day with a peak of 100 vehicles for use of the 400-seat auditorium. The auditorium will be used for Church services and available as a function centre, trade show, ball room and dining hall Mondays to Saturdays when there are no church services. These numbers are based on surveys undertaken on Sunday at a similar Church in Kingston that has seating for about 400 people.

The volume of traffic for Building C and the associated components of the Church is 413 vehicles per day (in and out) during the weekday with a peak hour of 73 vehicles. On the weekend there will be about 201 vehicles per day with a peak hour of 20 vehicles.

An allowance of 350 vehicles per day during the weekday with a peak hour of 35 vehicles and lower weekend traffic has been assumed for Building A. The total proposed traffic for the whole site is 1,023 vehicles per day (673 + 350) with a peak of 208 vehicles (173+35) during the weekdays.

The previous site of Coogans retail store is assumed to have generated 3 vehicles per hour per 100m² during Thursday evening peak and 1,000 vehicles per day. The number of vehicles assumed is higher than that referred to in the RMS Guide for bulky goods as the Coogans store sold a range of items.

The assessment of traffic numbers in the TIA is accepted. The proposed development being assessed as part of this development application will generate a lower amount of traffic than the previous site. The proposed site will not increase the traffic by more than 20% or 40 vehicle movements per day – whichever is the greatest. The Acceptable Solution A3 of clause E5.5.1 is met.

The traffic volumes for this proposed development and that of the existing site are very similar, apart from more peak traffic due to functions at the auditorium. The traffic impact should be able to be absorbed by the existing road network, in particular Charles Street, as this is where the car park accesses are. Charles Street is classed as a collector road which distributes traffic from the main arterial roads to properties.

To assist traffic flow for large events at the auditorium it is recommended that a Traffic and Parking Management Plan is undertaken and submitted to Council for approval.

The crash history was assessed as part of the TIA in which there are no pre-existing road safety deficiencies in the road network that might be exacerbated by traffic generated by the proposed development.

Parking

The developer is not proposing any change to the existing car park layout and driveway accesses off Charles Street. There is a total of 92 on-site car parking spaces which includes 2 disabled spaces. The number of car parking spaces does not meet the Acceptable Solution A1 for clause E6.6.1 being 218 spaces (as per Table E6.1).

The TIA has indicated that parking numbers would be between 53 to 131 cars during the weekday and 137 cars during the weekend. This excludes Building A – bulky goods showroom, in which the total car parking numbers for the site would increase by 24 spaces on weekdays and weekends.

The range in car parking numbers is due to the use of the 400-seat auditorium for functions from Monday to Saturdays and for church services. The TIA suggests that 122 car parking spaces are required for the church service on a Sunday based on surveys undertaken at a church in Kingston that has seating for about 400 people too. This equates to about 3 people per car if everyone drives.

Functions booked at the auditorium will have varying parking demands.

The maximum parking demand on a weekday is assumed in the TIA to be 20% less than a Sunday church service due to the availability of public transport and other means of access such as cycling, walking and chartered bus. The range in parking numbers for the function centre is assumed to be between 20 to 98 spaces on weekdays and a maximum of 122 spaces on weekends.

The TIA has stated that the parking during the weekdays with the community centre (church) is 5 spaces and for the offices 7 spaces (based on 1 space per 40m² GFA). On weekends this is assumed to be zero. The parking associated with the arcade during the weekday is 21 spaces (based on 1 space per 30m² for retail and 15 spaces per 100m² for café). On weekends this is reduced by 70% as assumed that there will be less demand.

Based on the TIA assessment for this development, there could be a maximum of 39 car parking spaces shortfall during the weekdays and 45 during the weekend. If building A is included, then this number is increased by 24 spaces, however parking numbers for this development would need to be assessed via a separate development application.

It is proposed in the TIA that if there is a function with more than 210 people, then a traffic and parking plan needs to be undertaken. This is based on 65 car parking spaces for the function combined with the other uses, meaning that the car park would be full.

The TIA has assessed the shortfall in parking against the Performance Criteria P1 for clause E6.6.1 in which the following points are noted:

- Sunday activities will create overflow parking, but it should be able to be catered for as parking demand is lower in the surrounding on-street road network and in Council owned car parks.
- The weekday maximum parking assumes large function at the auditorium, which will not always be the case and many functions will occur during the evening when parking demand in surrounding area is lower.
- Large functions can be accommodated in surrounding public car parking facilities, but a traffic and parking plan is recommended. This plan may involve use of private bus transport and information for function guests about limited parking in the area so they might stay locally, carpool, catch public transport or walk or cycle.
- There is good public transport along Main Road and the intercity cycle way close by.
- There is likely to be a high degree of shared parking associated with Church patrons visiting other sites

The assessment on the surrounding parking availability is based on the current situation which may change over time (i.e. parking maybe removed due to safety reason or land developed). The car parking currently provided on-street or in other car parks is not guaranteed in perpetuity or for the exclusive use by this development. The parking spaces that are not within the development site are not solely for the developer's customers as they are public car parking spaces that can be used by any public member. Private car parks are for private use by that owner.

Base on the TIA, it is accepted that the performance criteria P1 for clause E6.6.1 is met and there is enough parking for the development that will not unreasonable impact on the road network.

Conclusion

As the proposed development is not expected to have any significant detrimental impacts on the surrounding road network in terms of traffic efficiency or road safety, The Traffic Engineer has no objection to the development on traffic engineering or road safety grounds subject to - A traffic and parking management plan is required to be submitted to Council to the satisfaction of the Director of Infrastructure and Works for large functions, being more than 210 people, prior to occupancy of Building B (community centre with auditorium with 400 seats and associated components). This plan must be adhered to for large functions.

Environmental Health Officer

This proposal is of a 2 story, Community Meeting and Entertainment Centre which is located at 80-82 Main Road, Moonah and is zoned General Business. The proposal includes a Café, children's play area, theatre, auditorium and corporate spaces. New air-conditioning units will be installed on the roof space, shielded by an acoustic barrier located on the residential side, with the existing air-conditioning units being removed.

A noise assessment has been conducted by Noise Vibration Consulting, dated 27 September 2019, has been submitted.

Conditions have been recommended to ensure compliance with the noise standards.

EXTERNAL REFERRALS

TasWater

Pursuant to the *Water and Sewerage Industry Act 2008 (TAS) Section 56P (1)* TasWater imposes conditions on the permit for this application.

TasGas (Enwave)

Enwave Australia has no conditions or objections to the planning referral ref: PLN-19-262 at 80-82 Main Road, Moonah.

REPRESENTATIONS

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

CONCLUSION

The proposal is for a change of use to Community meeting and entertainment centre with three retail tenancies at 80-82 Main Road, Moonah. The proposal relies on performance criteria for hours of operation, number of car parking spaces and number of motorcycle spaces. The application is assessed as satisfying the requirements of the performance criteria and meeting the standards. The proposal is also assessed as meeting the applicable use and development standards of the General Business Zone, Road and Railway Assets Code, Parking and Access Code and Stormwater Management Code. Council's Development and Traffic Engineers are satisfied that the proposal complies with the relevant standards of the Road and Railway Assets

Code, Parking and Access Code and Stormwater Management Code. The application was publicly advertised for the statutory 14-day period and no representations were received.

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 Change of use to community meeting and entertainment and three retail tenancies with associated demolition and works at 80-82 Main Road Moonah subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-19-262 and Drawing No. P2, pages 2-12 (inclusive), submitted on 1/10/19, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater and set out in the attached Submission to Planning Authority Notice, reference No. TWDA 2019/01486-GCC, dated 22/10/19, form part of this permit.
3. Commercial vehicle movements must be between:
 - (a) 6.00 am to 10.00 pm Mondays to Saturdays inclusive;
 - (b) 7.00 am to 9.00 pm Sundays and public holidays.

Environmental Health

4. All recommendations contained in the acoustic report prepared by *Noise Vibration Consulting, 17 September 2019* must be implemented during construction and for the duration of the approved use of the premises.
5. A verification report is required to be submitted to Council within six weeks from issue of the Occupancy Certificate to certify the development or use is complying with acceptable noise levels indicated in the noise report and operating without causing a noise nuisance.

Engineering

6. Soil and water management is to comply with best practice to prevent any transfer of soil material outside of the area specifically and necessarily disturbed for construction. Particular attention is to be paid to ensure no soil material is tracked onto roads and footpaths or to enter the Council's stormwater system. All aspects and protection measures in connection with soil and water management are to comply with the requirements of Council's Development Engineer and be installed prior to the works.
7. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
8. 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.

9. The design 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. The proposed driveway and parking must comply with the following:-

- (a) Be to a sealed finish;
- (b) Ninety-two (92) clearly marked car parking spaces must be provided in accordance with the approved plan received by Council and kept available for these purposes at all times;
- (c) Of the required number of car parking spaces, two (2) car parking spaces must be provided for the exclusive use of people with disabilities, clearly marked and kept available for these purposes at all times;
- (d) Twelve (12) bicycle parking spaces of class 3 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) Be clearly line-marked or physically separated to each space in accordance with the approved plan;
- (g) Lighting must be provided for the parking area in accordance with Australian Standard AS 1158.3.1 – Lighting for roads and public spaces;
- (h) The gradient of any parking areas must not exceed 5%; and
- (i) Minimum carriageway width is to be no less than 3.0 metres.

All works required by this condition must be installed prior to the occupancy of the development.

Traffic

10. A traffic and parking management plan is required to be submitted to Council to the satisfaction of the Director of Infrastructure and Works for large functions, being more than 210 people, prior to occupancy of Building B (community centre with auditorium with 400 seats and associated components). This plan must be adhered to for large functions.

Advice to Applicant

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

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.

Prior to the commencement of any work within the road reservation by a private contractor, the contractor must obtain a road opening permit from the Council's Facilities Co-ordinator. This permit shall include items such as hours of work, road safety, reinstatement, soil and water management, etc. The Road Opening Permit Application Form is available via Council's website <https://www.gcc.tas.gov.au/your-council/council-works/digging-and-construction.aspx>

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.

Environmental Health

The proponent's Building Surveyor must forward copies of the following documents to Council's Environmental Health department prior to any works being undertaken on site (including the installation of fixtures and fittings) that relate to the proposed food premises:

- a) a request in an approved form (Form 42) for an Environmental Health Officer report;
- b) any relevant drawings, specifications or other documents submitted with the application; and
- c) details provided by the owner of the nature of the foods to be prepared, handled, stored or sold and the types of manufacturing processes to be undertaken on the premise

Council's Environmental Health department may require the premises to meet equipment and fit out specifications which exceed those required by the National Construction Code 2016, before the premises can be registered and the food business licensed pursuant to the Food Act 2003.

Attachments/Annexures

- 1 GPA Attachments - 80-82 Main Road Moonah



APPENDIX A

21.0 General Business

Standard	Acceptable Solution	Proposed	Complies?
21.3 Use Standards			
21.3.1 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 site is located within 50m of a residential zone and the proposed use is to exceed beyond the hours of A1 for certain events. The proposal therefore relies on P1.	No – relies on performance criteria.
21.3.2 Noise	A1 Noise emissions measured at the boundary of a residential zone must not exceed the following: (a) 5dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm; (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm to 7.00 am; (c) 65dB(A) (LAmix) at any time. Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental	A noise assessment was submitted as part of the application which demonstrates that the proposal complies with the acceptable solution. The application was referred to Council's Environmental Health Officer who has recommended conditions on the permit to ensure the requirements of the noise assessment is complied with and for a verification assessment to be submitted.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	Management, including adjustment of noise levels for tonality and impulsiveness. Noise levels are to be averaged over a 15 minute time interval.		
21.3.3 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.	No new external lighting within 50m of the residential zone is proposed.	NA
21.3.4 Commercial Vehicle Movements	A1 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must be within the hours of: (a) 6.00 am to 10.00 pm Mondays to Saturdays inclusive; (b) 7.00 am to 9.00 pm Sundays and public holidays.	The applicant has specified that all commercial vehicle movements would be within the time specified in A1. A condition is recommended on the permit to ensure compliance.	Yes - complies
21.4 Development Standards for Buildings and Works			
21.4.1 Building Height	A1 Building height must be no more than: 12m.	There is no change to the building height except for the acoustic screen to be installed to screen the air conditioning unit on the roof top. The maximum height for the section with the screen is to be 10.4m.	Yes – complies.

Standard	Acceptable Solution	Proposed	Complies?
	A2 Building height within 10 m of a residential zone must be no more than 8.5 m.	The building is setback more than 10m from the closest residential zone.	NA
21.4.2 Setback	A1 Building setback from frontage must be parallel to the frontage and must be no more than: (a) nil m, if fronting Main Road: or (b) the alignment of adjoining buildings, if fronting a street other than Main Road.	No change to the frontage setback proposed.	NA
	A2 Building setback from a residential zone must be no less than: (a) 5m; or (b) half the height of the wall, whichever is the greater.	No change to the building setback proposed.	NA
21.4.3 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	a) The location of the main pedestrian entrances to the existing building are to remain unchanged but are currently clearly visible from both Main Road and Charles Street. b) The existing windows and door openings are to be altered along the eastern and western façade	The proposal complies with all requirements of A1.

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.	(front facades) of the existing building. Along the eastern façade, the door and window opening amount to more than 50% of the surface area of the ground floor level. For the western elevation, the façade is to be altered to allow for more window and door openings. The surface area of the façade along the western elevation is 97.5m² and the openings amount to a total of 41m² for the ground floor level only which results in a 42% opening. The proposal therefore complies. c) No single expanse of blank wall of more than 30% of the length of the façade is proposed as design uses different wall colours, openings and construction materials. d) Mechanical plant on the roof top is to be screened e) Roof-top service infrastructure is to be incorporated within the design of the roof. f) The existing awning along main road frontage is to remain unchanged. g) No security shutters are proposed on new door or window openings along the frontage.	

Standard	Acceptable Solution	Proposed	Complies?
	A2 Walls of a building facing a residential zone must be coloured using colours with a light reflectance value not greater than 40 percent.	The wall of the western façade is to be painted predominantly with chimney ash and ash grey colour which are to have a light reflectance value of less than 40%.	Yes - complies
21.4.4 Passive Surveillance	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 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.	a) The main entrances through Main Road and Charles Street are clearly visible from the road, with new entry awnings proposed along the southern elevation. b) the existing windows and door openings are to be altered along the eastern and western façade (front facades) of the existing building. Along the eastern façade, the door and window opening amount to more than 50% of the surface area of the ground floor level. For the western elevation, the façade is to be altered to allow for more window and door openings. The surface area of the façade along the western elevation is 97.5m² and the openings amount to a total of 41m² for the ground floor level only which results in a 42% opening. The proposal therefore complies. c) 42% of openings face the car parking area of the site and Charles Street. d) no entrapment spaces are proposed	The proposal complies with all requirements of A1.

Standard	Acceptable Solution	Proposed	Complies?
		e) the car parking area has exiting lighting which are to be maintained. f) the public accesses are to be well-lit at all times.	
21.4.5 Landscaping	A1 Landscaping is not required along the frontage in this zone.		Yes - complies
	A2 Along a boundary with a residential zone landscaping must be provided for a depth no less than: 2m.	The site does not share a boundary with a residential zone	NA
21.4.6 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 new outdoor storage area proposed	NA
21.4.7 Fencing	A1 Fencing must comply with all of the following: (a) fences, walls and gates of greater height than 1.5 m must not be erected within 4.5 m of the frontage;	No new fence proposed as part of this application.	NA

Standard	Acceptable Solution	Proposed	Complies?
	(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.		

APPENDIX B

E5 Road and Railway Assets Code

Standard	Acceptable Solution	Proposed	Complies?
5.5 Use Standards			
E5.5.1 Existing road accesses and junctions	A1 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.		NA
	A2 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.		NA

Standard	Acceptable Solution	Proposed	Complies?
	A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.		Yes
E5.5.2 Exiting Level Crossings	A1 Where use has access across part of a rail network, the annual average daily traffic (AADT) at an existing level crossing must not be increased by greater than 10% or 10 vehicle movements per day, whichever is the greater.		NA
5.6 Development Standards			
E5.6.1 Development adjacent to roads and railways	A1.1 Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h: (a) new buildings; (b) other road or earth works; and (c) building envelopes on new lots.		NA

Standard	Acceptable Solution	Proposed	Complies?
	A1.2 Buildings, may be: (a) located within a row of existing buildings and setback no closer than the immediately adjacent building; or (b) an extension which extends no closer than: (i) the existing building; or (ii) an immediately adjacent building.		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.	No change to the existing approved access arrangement proposed.	NA
E5.6.3 New Level Crossings	A1 No Acceptable Solutions.		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, and as existing

APPENDIX C

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		No – Performance criteria addressed

Standard	Acceptable Solution	Proposed	Complies?
	case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (ii) this provision was not used in this planning scheme.		
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.		No – Performance criteria addressed

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.		Yes
E 6.7 Development Standards			
E6.7.1 Number of Vehicle Accesses	A1 The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.		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		N/A

Standard	Acceptable Solution	Proposed	Complies?
	Roadways" of AS2890.2 - 2002 Parking 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.		Yes
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

Standard	Acceptable Solution	Proposed	Complies?
E6.7.5 Layout of Parking Areas	A1 The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 "Design of Parking Modules, Circulation Roadways and Ramps" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 "Headroom" of the same Standard.		Yes
E6.7.6 Surface Treatment of Parking Areas	A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following; (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.		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

Standard	Acceptable Solution	Proposed	Complies?
E6.7.8 Landscaping of Parking Areas	A1 Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.		N/A
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.		N/A
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

Standard	Acceptable Solution	Proposed	Complies?
	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.		
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.		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 E7 s	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:		Yes

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

APPENDIX D

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:		Not required

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

10. PROPOSED USE AND DEVELOPMENT - ADDITIONS TO BOAT BUILDING (MANUFACTURING AND PROCESSING) - 100 DERWENT PARK ROAD DERWENT PARK

Author: Planning Officer (Bhavna Gungabison)
 Qualified Person: Planning Officer (Bhavna Gungabison)
 Property ID: 7671632

REPORT SUMMARY:

Application No.:	PLN-19-406
Applicant:	Johnstone McGee & Gandy Pty Ltd (JMG)
Owner:	Inter Cats (Tasmania) Pty Ltd
Zone:	General Industrial Zone
Use Class	Manufacturing and processing
Application Status:	Discretionary
Discretions:	E2.6.2 Excavation E6.6.1 Number of car parking spaces E11.7.1 Buildings and works within the Waterway and Coastal protection Code E15.7.3 Coastal Inundation Low Hazard Areas E16.7.1 Buildings and works within the Coastal Erosion Hazard Code (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	18 Feb 2020
Existing Land Use:	Boat building (Manufacturing and Processing)
Representations:	0

Recommendation:

Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The application is for stage two development for the relocated plate store at 100 Derwent Park Road, Derwent Park.

The first stage of the development as shown on figure 1 below, has been approved under PLN-19-264 and subsequent s56 application PLN-19-264.01.

The second stage of the development involves an increase in storage capacity and thus floor area by 1178m² as shown on figure 1 below.

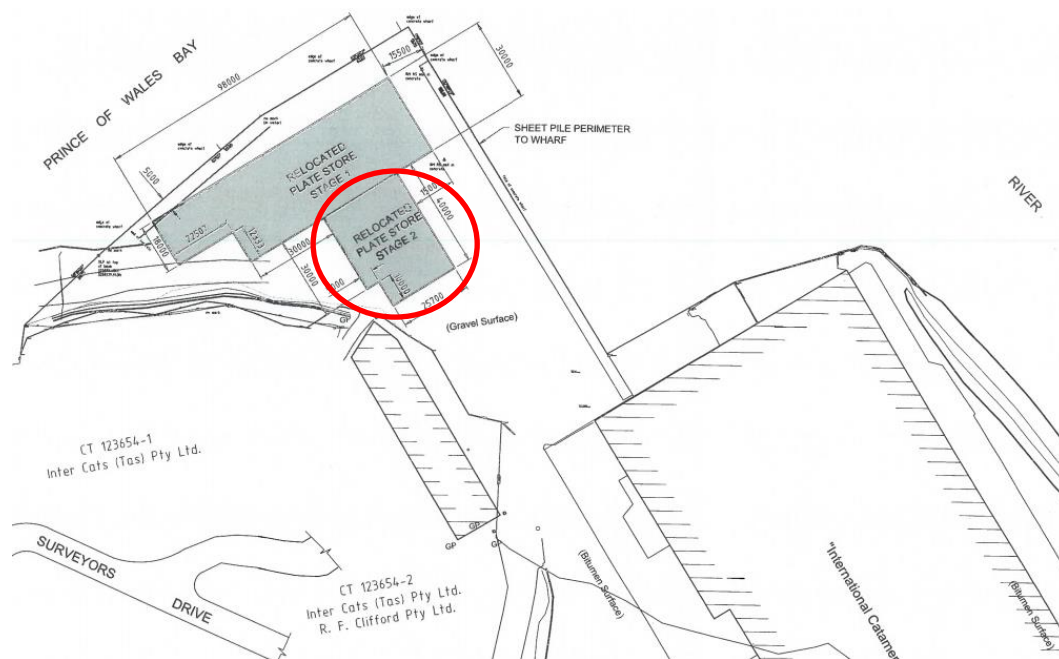


Figure 1: Proposed site plan (Proposed Stage 2 extension subject to assessment is encircled; Stage 1 previously approved under PLN-19-264 and PLN-19-264.01)

The proposed structure is an extension to a previously approved building to increase the storage capacity by a floor area of 1178m². The purpose is to provide undercover storage and handling of increased aluminium plate options and quantities for the construction of catamarans.

The proposed structure is to have a maximum height of 9.8m, with a minimum setback of 30m from the Prince of Wales Bay to the east.

The building extension is to be constructed on an existing concrete pad, with colorbond steel roof and walls. The building is to have an open internal layout, with no increase to the existing number of employees on the site. The existing approved boat building (manufacturing and processing) use of the site remains unaltered as part of this application.

The proposal relies on performance criteria to comply with applicable standards in the Potentially Contaminated Land code, Parking and Access code, Waterway and Coastal Protection code, Inundation Prone Areas code and Coastal Erosion Hazard code.

SITE and LOCALITY

The subject site is located at the northern end of Derwent Park Road, Derwent Park. The property is irregular in shape and has a front boundary of 18.38m, a depth of approximately 215m and a total area of 7.181ha.

The main building is located in the middle of the property and vehicular access is via an existing crossover and internal driveway extending to the centre of the site.

The figure 2 below shows the subject site and the location of the proposed stage 2 development.



Figure 2 - An aerial view of the subject site (the arrow indicates the location of the proposed extension/stage 2 development) and surrounds.

ZONE

The site is located in the General Industrial zone as shown in Figure 3 below.



Figure 3: A snapshot of the zoning of the site (Purple – General Industrial Zone)

BACKGROUND

Previous approvals

- | | |
|--------------|--|
| PLN-00834 | Jetty for dry dock facility, approved 15/10/01 |
| PLN-06-04353 | Land reclamation within 30m of a listed watercourse (marine development) and construction of a wharf for the purposes of a marine industry, approved 28/07/08 |
| PLN-11-195 | Land reclamation within 30m of a listed water course (Marine development) and construction of a wharf for the purposes of a marine industry (adjacent to 100 Derwent Park Road), approved 09/01/12 |
| PLN-15-001 | Proposed wharf/marina to existing boat building facility (Manufacturing and Processing), approved 09/08/18. |
| PLN-16-280 | Alterations to boat building structure (Manufacturing and processing) relying on performance criteria, approved 11/01/17 |
| PLN-17-383 | Additions for ancillary storage for boat building (manufacturing and processing), approved 14/05/2018 |
| PLN-19-240 | Extension to boat building structure, approved 11/12/19 |
| PLN-19-264 | Boat building (manufacturing and processing), approved 16/12/19 |
- This approval is for the stage 1 development as shown on the plans for current planning application (PLN-19-406)
- PLN-19-264.01 Boat building (manufacturing and processing), approved 28/01/20
- The s56 application involved a minor alteration to the floor plan and the external materials of the building

Reason for GPA determination

The estimated cost of works exceeds \$500,000.00 and therefore needs to be determined at the Glenorchy Planning Authority. An extension of time was granted by the applicant till the 18th Feb 2020.

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 applies.

No conflict between zone and code provisions.

Use Class Description (Table 8.2):

The proposal is for a storage building addition to an existing approved use of Boat Building, which fits within the use class of Manufacturing and Processing.

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

Other relevant definitions (Clause 4.1):

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.

Building area means the area shown on a plan or plan of subdivision to indicate where all buildings will be located.

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.

Part C: Special Provisions

No special provision of the Scheme applies to this proposal.

Part D: Zones

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

Zone Purpose Statements

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

Comment:

The proposal is considered to be consistent with the purpose of the General Industrial zone because the proposal is an addition to an existing industrial use and development that has good access to strategic transport networks and promotes efficient use of existing industrial land stock.

Use Table

Manufacturing and Processing use is a permitted use within the General Industrial zone. However, the proposal is discretionary due to reliance on performance criteria to comply with the applicable standards in the Potentially Contaminated Land Code, Parking and Access Code, Waterway and Coastal Protection Code, Inundation Code and the Coastal Erosion Hazard Code.

Use Standards

There are no use standards in the General Industrial zone.

Development Standards for Buildings or Works

The proposal is assessed as satisfying the acceptable solutions of the applicable standards in the General Industrial zone.

Part E: Codes

The following codes of the Scheme apply to this proposal:

E2.0 Potentially Contaminated Land Code

The site is subject to the Potentially Contaminated Land Code, since history of the site suggests that potentially contaminating activities may have taken place on or near the site. As a result, the development standard of the code needs to be addressed.

E2.6.2 Excavation

The excavation standard does not provide for an acceptable solution and therefore the performance criteria P1 needs to be addressed as follows:

Excavation does not adversely impact on health and the environment, having regard to:

- (a) an environmental site assessment that demonstrates there is no evidence the land is contaminated; or*
- (b) a plan to manage contamination and associated risk to human health and the environment that includes:*
 - (i) an environmental site assessment;*
 - (ii) any specific remediation and protection measures required to be implemented before excavation commences; and*
 - (iii) a statement that the excavation does not adversely impact on human health or the environment.*

Comment:

A Geotechnical Site Assessment was submitted to address the issue of potentially contaminated land, by providing a plan to manage any contaminated soils and confirmed that the soils would not adversely impact human health and the environment.

Furthermore, the proposal was referred to Council's Environmental Health Officer, who has reviewed the site assessment report and has provided comments in the referral section of the report. The Environmental Health Officer is in favour of the proposal.

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

E6.0 Parking and Access Code

E6.6.1 Number of Carparking Spaces

The Manufacturing and Processing use requires one (1) car parking space per 50m² of floor area as per Table E6.1. Therefore, additional 24 car parking spaces are triggered for the new storage building extension. No additional parking is proposed as part of the application and therefore relies on performance criteria P1.

The proposed building extension is to provide additional sheltered storage for aluminium plates and cranes, utilised during catamaran construction. The storage building is to sustain the boat building use of the site and no additional staff members are to be employed.

The proposal is therefore not expected to create additional traffic movements from the current arrangement and the existing demand for car parking is not expected to increase. The proposal was referred to Council's Development Engineer who has investigated the shortfall in car parking proposed and has determined that the site has ample parking due to the shift work arrangement of the site.

The proposal is assessed as satisfying the performance criteria because there is enough car parking provided on-site to meet the reasonable needs of all users of the approved use and the proposed development. The proposal is assessed as meeting the standard.

Please refer to Council's Development Engineer's comments in the referral section of the report.

E7.0 Stormwater Management Code

The proposal does not increase the impervious surface on the site. There is therefore no applicable standards for assessment. The proposal was referred to Council's Development Engineer who is satisfied with the proposal and has provided comments in the referral section of the report.

E11.0 Waterway and Coastal Protection Code

The proposal is to be located within the Waterway and Coastal Protection Area as shown in Figure 4 below.

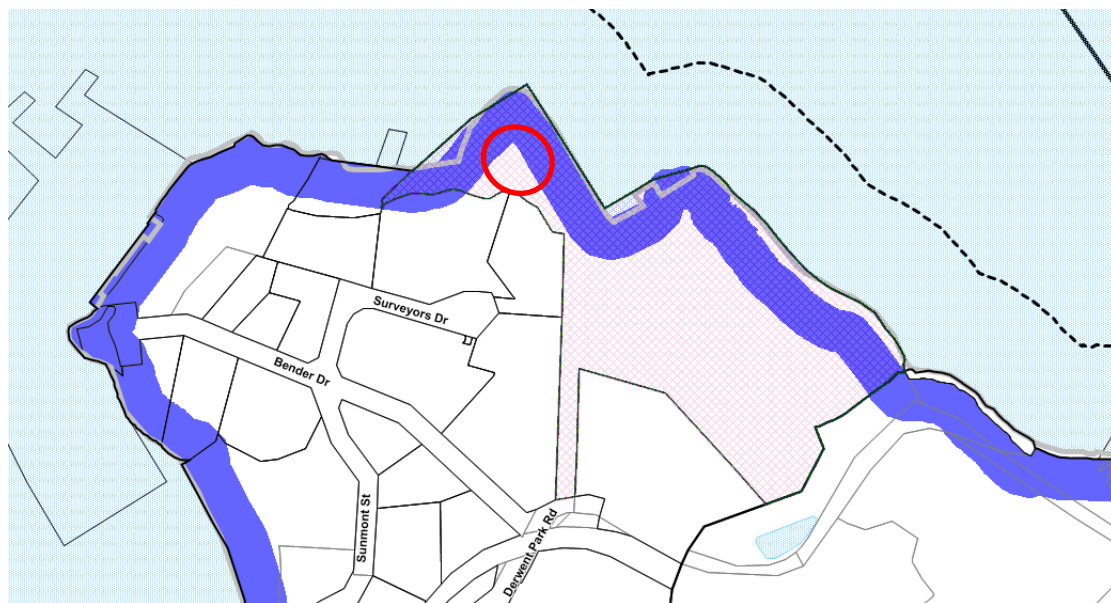


Figure 4: Waterway and Coastal Protection Code (blue) and proposed location of storage building (encircled)

The development standard below applies.

E11.7.1 Buildings and Works

The proposal is not within a building area on a plan of subdivision approved under this planning scheme, therefore, the proposal relies on performance criteria P1 which requires the following:

Buildings and works within a Waterway and Coastal Protection Area must satisfy all of the following:

- (a) avoid or mitigate impact on natural values;*
- (b) mitigate and manage adverse erosion, sedimentation and runoff impacts on natural values;*
- (c) avoid or mitigate impacts on riparian or littoral vegetation;*
- (d) maintain natural streambank and streambed condition, (where it exists);*
- (e) maintain in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;*
- (f) avoid significantly impeding natural flow and drainage;*
- (g) maintain fish passage (where applicable);*
- (h) avoid landfilling of wetlands;*
- (i) works are undertaken generally in accordance with 'Wetlands and Waterways Works Manual' (DPIWE, 2003) and "Tasmanian Coastal Works Manual" (DPIPWE, Page and Thorp, 2010), and the unnecessary use of machinery within watercourses or wetlands is avoided.*

Comment:

The proposed building extension is to be constructed on concrete pad and pedestals which minimises the need for excavation and earth works. A soil and water management plan is recommended as standard condition to manage and mitigate any erosion, sedimentation and runoff during construction. The requirements (c) – (h) are not applicable to this proposal and no works are proposed within the watercourse.

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

E15.0 Inundation Prone Areas Code

The proposal is located within a Coastal Inundation Low Hazard Areas for the section encircled in Figure 5 below.

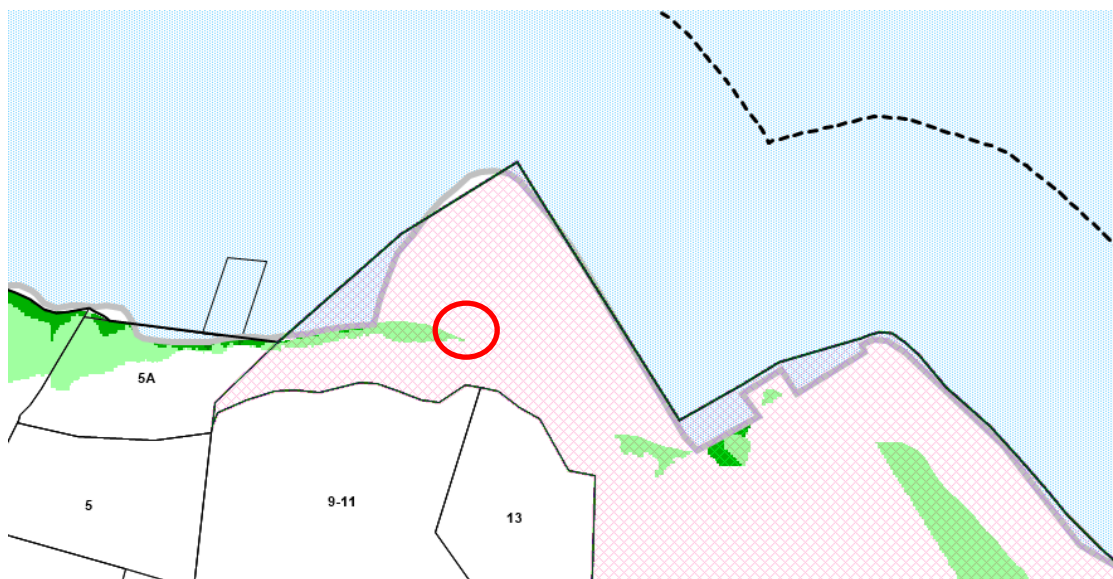


Figure 5: A small section of the proposed building is to be located on the encircled section of the Coastal Inundation Prone Area.

The proposal is therefore subject to the E15.7.3 Coastal Inundation Low Hazard Areas standard.

E15.7.3 Coastal Inundation Low Hazard Areas

The proposed building extension is classified as a non-habitable building that is to be more than 60m². As a result, the proposal does not comply with the acceptable solution and therefore relies on performance criteria, which requires the following:

A non-habitable building to satisfy all of the following:

- (a) risk to users of the site, adjoining or nearby land is acceptable;*
- (b) risk to adjoining or nearby property or public infrastructure is acceptable;*
- (c) need for future remediation works is minimised;*
- (d) provision of any developer contribution required pursuant to policy adopted by Council for coastal protection works;*

except if it is a building dependent on a coastal location

Comment:

The building is to be an extension of a previously approved storage building, constructed on the existing hardstand utilised as outdoor/unsheltered storage for aluminium plates. The inundation area affects a small part of the proposed building extension and is considered as causing minimal risk to users of the site. The proposed development is not expected to cause unacceptable risk to adjoining land or public infrastructure. Requirements (c – d) within the performance criteria are not applicable to this assessment.

The proposal is assessed as complying with the performance criteria and therefore meeting the standard.

E16.0 Coastal Erosion Hazard Code

A small section of the proposal involves development on land in the Coastal Erosion Hazard Area, as shown in Figure 6 below.

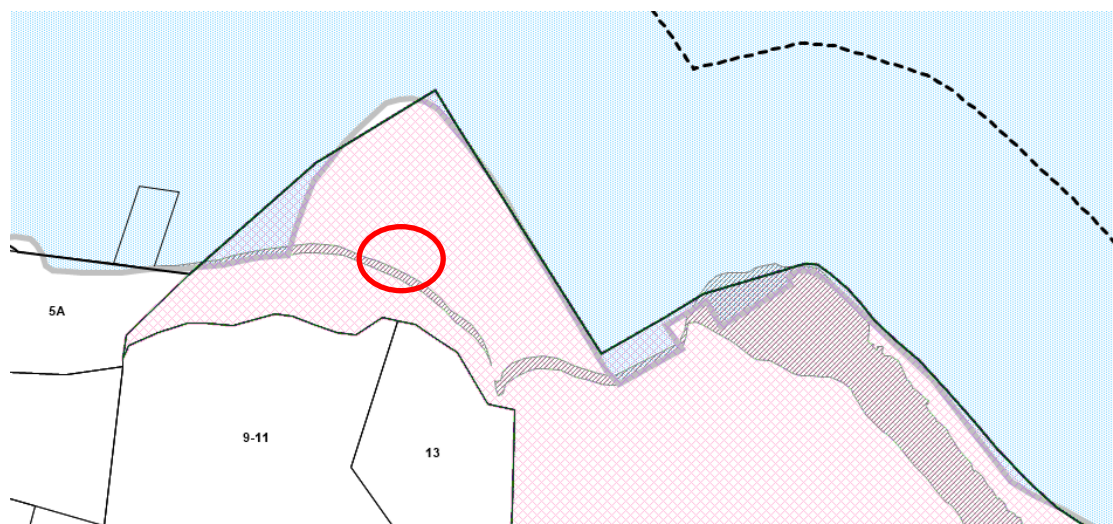


Figure 6: Location of section of proposed building (encircled) within the Coastal Erosion Hazard Area.

The development standard below applies.

E16.7.1 Buildings & Works

There is no acceptable solution and so the proposal relies on performance criteria, which requires buildings and works to satisfy all of the following:

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

Comment:

The buildings and works are proposed on concrete pads and pedestals with minimal earth works proposed. The foreshore is to remain unaffected by the works due to existing sheet pile perimeter. The proposal is not expected to cause erosion hazard or increased risk level to life on site or on adjoining properties. The existing sheet pile perimeter minimises erosion risks and the proposal is considered as acceptable.

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

PART F: Specific Area Plans

No SAP applies.

INTERNAL REFERRALS

Development Engineer

E5.0 Road and Railway Assets Code

The development complies with Code E5 Road and Railway Assets Code; and the safety and efficiency of the road is not expected to reduce by the proposed development. The extension is not expected to increase vehicle movements to and

from the site by over 40 vehicle movements and therefore complies with the Acceptable solution A3 of E5.5.1. The site can be accessed off the existing vehicle crossing, and no new access is proposed; this complies with A1 and A2 under the Clause E5.6.2.

E6.0 Parking and Access Code

The development complies with Code E6 Parking and Access Code and it is considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected. There is no change to the existing parking and access arrangement; and the proposed building extension is not expected to generate additional traffic and parking spaces. The existing carpark has an existing shortfall but has ample capacity mainly due to the current shift work arrangements employed at the site.

E7.0 Stormwater Management Code

The code is not applicable for the development proposal as there is no new impervious area created as part of the proposal. The building extension is proposed over an existing concrete pad and the existing stormwater infrastructure will be retained to manage the run-off from the roof area. There could be a very minimal increase in the run-off coefficient, but there will be no impact to the existing installed stormwater system.

Other

E3.0 Landslide Code

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

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

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

E15.0 Inundation Prone Areas Code

Given there is no change in the area being utilised for material storage, it is considered that the site is capable of being developed and the risks to inundation are not expected to be increased. The development application can comply with the requirements in the performance Criteria P2 (a), (b) and (c) under the clause E15.7.3.

Environmental Health Officer

This site was identified as adjoining potentially contaminated land and as such required consideration of E2.0 potentially contaminated land code. Geo-Environmental Solutions (GES) was commissioned to undertake an environmental site assessment (ESA) to determine the extent of contamination, if any, and to provide recommendations to ensure that any contamination would not cause a health and/or environmental impact.

In conclusion to the GES report it was noted that there are *"no human health guideline exceedances for soil on site, and the site is safe for construction"*. In addition, Council's Development Engineer has requested a soil and water management plan (SWMP) to be provided prior to building permit approval, which will address the GES

recommendation for a SWMP to control erosion of excavated soil and prevent environmental impacts.

Environmental Health does not have any conditions to recommend.

EXTERNAL REFERRALS

TasWater

Pursuant to the *Water and Sewerage Industry Act 2008 (TAS) Section 56P (1)* TasWater has assessed the application and has determined that the proposed development does not require a submission from TasWater.

REPRESENTATIONS

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

CONCLUSION

The proposal is relying on the performance criteria to comply with applicable standards of the Potentially Contaminated Land code, Parking and Access code, Waterway and Coastal Protection code, Inundation Prone Areas code and Coastal Erosion code. The proposal is assessed as satisfying the respective performance criteria and complies with the applicable standards. The application was publicly advertised for the statutory 14-day period and no representation was received.

The proposal is assessed to substantially comply with the requirements of Schedule 1 of the Land Use Planning 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 Additions to Boat building (Manufacturing and Processing) at 100 Derwent Park Road Derwent Park subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-19-406 and Drawing No. P1 pages 1 and 2 of 4 submitted on 19/12/19 and Drawing No. P2 page 1 of 1 submitted on 14/01/2020, except as otherwise required by this permit.

Engineering

2. Prior to the issuing of a Building Approval or the commencement of works on site, including demolition (whichever occurs first), submit a Soil and Water Management Plan detailing proposed sediment and erosion control measures to the satisfaction of Council's Development Engineer.

The approved control measures must be installed prior to any disturbance of soil or construction activity such as concrete cutting, demolition and must be regularly inspected and maintained during the construction and demolition period to

prevent soil and other materials entering the local stormwater system, roadways or adjoining properties.

The approved control measures must remain in place until such time as all construction activity likely to generate sediment has been completed or all disturbed areas have been stabilised using vegetation and/or restored or sealed to the satisfaction of the Council. The approved Soil and Water Management Plan (SWMP) forms part of this permit and must be complied with.

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

3. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
4. 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.

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.

Attachments/Annexures

- 1 GPA Attachments - 100 Derwent Park Road, Derwent Park



APPENDIX A

25.0 General Industrial

Standard	Acceptable Solution	Proposed	Complies
25.4 Development Standards for Buildings and Works			
25.4.1 Building Height	A1 Building height must be no more than: 20m.	The proposed building has a maximum height of 9.8m only.	Yes
25.4.2 Setback	A1 Building setback from frontage must be no less than: 10m.	The building is not proposed along the frontage.	NA
25.4.3 Design	A1 Building design must address the street by complying with all of the following: (a) provide the main pedestrian entrance to the building at the frontage; (b) screen mechanical plant from view from the street and other public spaces; (c) incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof.	No change is proposed to the main building of the site and the pedestrian access to the building along the frontage. The proposed building is not visible from the street and no mechanical plants are proposed. Roof-top service infrastructure are to be incorporated into the roof design.	Yes

Standard	Acceptable Solution	Proposed	Complies
24.4.4 Fencing	A1 Fencing must comply with all of the following: (a) fences, walls and gates of greater height than 2.4 m must not be erected within 10 m of the frontage; (b) fences along a frontage must be at least 50% transparent above a height of 1.2 m.	No fencing proposed.	NA

APPENDIX B

E2.0 Potentially Contaminated Land Code

Standard	Acceptable Solution	Proposed	Complies?
E2.5 Use Standards			
E2.5 Use Standards	A1 The Director, or a person approved by the Director for the purpose of this Code: (a) certifies that the land is suitable for the intended use; or (b) approves a plan to manage contamination and associated risk to human health or the environment that will ensure the land is suitable for the intended use.	No change to existing use.	NA

Standard	Acceptable Solution	Proposed	Complies?
E2.6 Development Standards			
E2.6.1 Subdivision	A1 For subdivision of land, the Director, or a person approved by the Director for the purpose of this Code: (a) certifies that the land is suitable for the intended use; or (b) approves a plan to manage contamination and associated risk to human health or the environment, that will ensure the subdivision does not adversely impact on health or the environment and is suitable for its intended use.	Not applicable	NA
E2.6.2 Excavation	A1 No acceptable solution.	Relies on Performance criteria	No – see report

APPENDIX C

E5 Road and Railway Assets Code

Standard	Acceptable Solution	Proposed	Complies?
5.5 Use Standards			
E5.5.1 Existing road accesses and junctions	A1 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h, must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.		NA
	A2 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.		NA
	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.	There will be no increase in traffic affected by this application.	YES

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.		NA
5.6 Development Standards			
E5.6.1 Development adjacent to roads and railways	A1.1 Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h: (a) new buildings; (b) other road or earth works; and (c) building envelopes on new lots.		NA

Standard	Acceptable Solution	Proposed	Complies?
	A1.2 Buildings, may be: (a) located within a row of existing buildings and setback no closer than the immediately adjacent building; or (b) an extension which extends no closer than: (i) the existing building; or (ii) an immediately adjacent building.		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	Existing access to be utilised.	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.		NA
E5.6.3 New Level Crossings	A1 No Acceptable Solutions.		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.	Utilising previously approved access.	NA

Appendix D

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	The existing carpark provided has a shortfall, but the proposal will have no impact on or require additional parking. The existing carpark is mainly utilised by employees and an on-site inspection revealed that it is not at capacity.	No – see report

Standard	Acceptable Solution	Proposed	Complies?
	parking provision (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
E6.6.3 Number of Motorcycle Parking Spaces	A1 The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.	No requirement	NA
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.	No requirement	NA

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.	Utilising previously approved access.	NA
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.	Utilising previously approved access.	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 access:		NA

Standard	Acceptable Solution	Proposed	Complies?
	(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 headroom to comply with clause 5.3 “Headroom” of the same Standard.	Utilising existing carpark	NA

Standard	Acceptable Solution	Proposed	Complies?
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.	Previously approved carpark	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 landscaping is required.	Previously approved carpark	NA
E6.7.9 Design of Motorcycle Parking Areas	A1 The design of motorcycle parking areas must comply with all of the following:	No requirement	NA

Standard	Acceptable Solution	Proposed	Complies?
	(b) 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.		
E6.7.10 Design of Bicycle Parking Facilities	A1 The design of bicycle parking facilities must comply with all the following; (a) be provided in accordance with the requirements of Table E6.2; (b) be located within 30 m of the main entrance to the building.	No requirement	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.	No requirement	NA
E6.7.11 Bicycle End of Trip Facilities	A1 For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.	No requirement	NA

Standard	Acceptable Solution	Proposed	Complies?
E6.7.12 Siting of Car Parking	A1 Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.		NA
E6.7.1.13 Facilities for Commercial Vehicles	A1 Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless: (a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site; (b) the use is not primarily dependent on outward delivery of goods from the site.	Existing facility being utilised	YES
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements of the road authority.		YES

APPENDIX E

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.	Existing approved system	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.	Existing approved system	NA
	A3 A minor stormwater drainage system must be designed to comply with all of the following: (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed; (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.	Disposal to existing approved system	YES

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

APPENDIX F

E11 Waterway and Coastal Protection Code

Standard	Acceptable Solution	Proposed	Complies?
E11.7 Development Standards			
E11.7.1 Buildings and Works	A1 Building and works within a Waterway and Coastal Protection Area must be within a building area on a plan of subdivision approved under this planning scheme.	Relies on performance criteria	No – see report
	A2 Building and works within a Future Coastal Refugia Area must be within a building area on a plan of subdivision approved under this planning scheme.	Not applicable	NA
	A3 Buildings and works within a Potable Water Supply Area must be within a building area on a plan of subdivision approved under this planning scheme.	Not applicable	NA

Standard	Acceptable Solution	Proposed	Complies?
	A4 Development must involve no new stormwater point discharge into a watercourse, wetland or lake.	No new stormwater point discharge is proposed into the Prince of Wales Bay	Yes
E11.7.2 Building and Works Dependent on a Coastal Location	A1 An extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date.	Not applicable	NA
	A2 No Acceptable Solution for dredging and reclamation.	Not applicable	NA
	A3 No Acceptable Solution for coastal protection works initiated by the private sector.	Not applicable	NA

APPENDIX G

E15.0 Inundation Prone Areas Code

Standard	Acceptable Solution	Proposed	Complies?
E15.7 Development Standards for Buildings and Works			
E15.7.1 Coastal Inundation High Hazard Areas	A1 For a habitable building, including extensions to existing habitable buildings, there is no Acceptable Solution.	Not applicable	NA
	A2 For a non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, there is no Acceptable Solution.	Not applicable	NA
E15.7.2	A1 For a new habitable building there is no acceptable solution.	Not applicable	NA

Coastal Inundation Medium Hazard Areas	A2 Except for new rooms associated with habitable buildings other than dwellings, for which there is no acceptable solution, an extension to an existing habitable building must comply with one of the following: (a) new habitable rooms must comply with both of the following: (i) floor level no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1, (ii) floor area of the extension no more than 40 m ² from the date of commencement of this planning scheme; (b) new habitable rooms must be above ground floor.	Not applicable	NA
	A3 A non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, must have a floor area no more than 40 m ² .	Not applicable	NA
E15.7.3 Coastal Inundation Low Hazard Areas	A1 A new habitable building must comply with the following: (a) floor level no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1.	Not applicable	NA
	A2 An extension to a habitable building must comply with either of the following:	Relies on performance criteria	No – see report

	(a) floor level of habitable rooms is no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1; (b) floor area is no more than 60 m².		
	A3 A non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, must have a floor area no more than 60 m².	Not applicable	NA
E15.7.4 Riverine Inundation Hazard Areas	A1 A new habitable building must have a floor level no lower than the 1% AEP (100 yr ARI) storm event plus 300 mm.		
	A2 An extension to an existing habitable building must comply with one of the following: (a) floor level of habitable rooms is no lower than the 1% AEP (100 yr ARI) storm event plus 300 mm; (b) floor area of the extension no more than 60 m² as at the date of commencement of this planning scheme.	Not applicable	NA
	A3 The total floor area of all non-habitable buildings, outbuildings and Class 10b buildings under the Building Code of Australia, on a site must be no more than 60 m².	Not applicable	NA

15.7.5 Riverine, Coastal Investigation Area, Low, Medium, High Inundation Hazard Areas	A1 For landfill, or solid walls greater than 5 m in length and 0.5 m in height, there is no acceptable solution.	Not applicable	NA
	A2 No acceptable solution.	Not applicable	NA
	A3 A land application area for onsite wastewater management must comply with all of the following: (a) horizontal separation distance from high water mark or from the top of bank of a watercourse or lake must be no less than 100 m; (b) vertical separation distance from the water table must be no less than 1.5 m.	Not applicable	NA
E15.7.6 Development Dependent on a Coastal Location	A1 An extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date.	Not applicable	NA
	A2 No acceptable solution	Not applicable	NA
	A3 No Acceptable Solution for coastal protection works initiated by the private sector.	Not applicable	NA

APPENDIX H

E16.0 Coastal Erosion Hazard Code

Standard	Acceptable Solution	Proposed	Complies?
E16.7 Development Standards			
E16.7.1 Buildings and works	A1 No Acceptable Solution	Relies on performance criteria	No – see report
E16.7.2 Development Dependent on a Coastal Location	A1 An extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date.	Not applicable	NA
	A2 No Acceptable Solution.	Not applicable	NA
	A3 No Acceptable Solution for coastal protection works initiated by the private sector.	Not applicable	NA