

**GLENORCHY PLANNING AUTHORITY
AGENDA
MONDAY, 19 SEPTEMBER 2016**



GLENORCHY CITY COUNCIL

- * *The General Manager certifies that the reports contained in this Agenda have been written by qualified persons under Section 65 of the Local Government Act 1993.*
- * Aldermen with an interest or concern in relation to a particular item on this Agenda, are invited to attend the meeting.
- * All application information is available to Aldermen for inspection upon request to the relevant Planning Officer.

Chairperson: Alderman K. Johnston

Hour: 3.00 p.m.

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

2. APOLOGIES/LEAVE OF ABSENCE

3. PECUNIARY INTERESTS

4. CONFIRMATION OF MINUTES

That the minutes of the Glenorchy Planning Authority Meeting held on 5 September 2016 be confirmed.

**5. PROPOSED USE AND DEVELOPMENT - MULTIPLE DWELLINGS
(RESIDENTIAL) RELYING ON PERFORMANCE CRITERIA - 14
JOHNSTON STREET MOONAH**

Author: Planning Officer (Vanessa Tomlin)

Qualified Person: Planning Officer (Vanessa Tomlin)

Property ID: 5432718

REPORT SUMMARY:

<i>Application No.:</i>	PLN-16-034
<i>Applicant:</i>	Preston Lane Architects
<i>Owner:</i>	Jakell Pty Ltd
<i>Zone:</i>	Inner Residential
<i>Use Class</i>	Residential
<i>Application Status:</i>	Discretionary
<i>Discretions:</i>	Setbacks and building envelope (P3), Privacy (P3) and Number of Car Parking Spaces (P1) (The proposal meets all other applicable standards as demonstrated in the attached appendices)
<i>Level 2 Activity?</i>	No
<i>42 Days Expires:</i>	23 September 2016
<i>Existing Land Use:</i>	Single Dwelling (Residential) GPS 2992
<i>Representations:</i>	2
<i>Recommendation:</i>	Approval, subject to conditions

REPORT IN DETAIL:**PROPOSAL**

The proposal involves the construction of two double-storey dwellings to the rear of an existing dwelling at 14 Johnston Street, Moonah. The existing dwelling is to be unaltered apart from privacy screening on habitable room windows that are adjacent to the shared driveway. One parking space for the existing dwelling is to be located to the rear of that dwelling and 72m² of private outdoor space is provided, with a 25m² court yard, accessible from a habitable room. Proposed dwelling 1 is to be separated from the existing dwelling by approximately 4.4m.

Proposed dwelling 1 is to consist of a ground-floor, open-plan kitchen, dining and living area, with access to a 25m² court yard, an entry, a laundry, bathroom and stairs to the first floor. The first floor will consist of three bedrooms, an ensuite and toilet. Proposed dwelling 1 is to have 52m² of private open space and two parking spaces. Proposed dwelling 2 is separated from proposed dwelling 1 by 3.5m.

Proposed dwelling 2 shares the same floor plan as proposed dwelling 1 and direct access to a 25m² court yard. Proposed dwelling 2 will have 66m² of private outdoor space that is to be enclosed by a 1.53m masonry fence. Two parking spaces for this dwelling are proposed. Each dwelling is to have a waste bin storage area and a water tank.

Proposed dwellings 1 and 2 are to setback 1.2m from the south-western side boundary and will be 5.5m in height. The proposal relies on performance criteria to comply with the following standards: 11.4.2 Setbacks and building envelope (P3), 11.4.6 Privacy (P3) and E6.6.1 Number of Car Parking Spaces (P1).

SITE and LOCALITY

The site is located on the north-western side of Johnston Street, approximately 129m south-west of the public transport corridor of Main Road and 296m north-east of Coleman Street, Moonah. The site is set amongst established residential development (Fig. 1).



Figure 1. An aerial snapshot of the site and surrounding use and development, Exponare

The site is reasonably flat and has approximately 15m of frontage to Johnston Street, a depth of 50m and has an area of 759m² (Fig. 2).



Figure 2. A street view snapshot of the streetscape, showing the subject site and the carport of the neighbouring lot.

The site is currently occupied by a single dwelling and associated outbuildings. The adjoining lot (16 Johnston Street) is occupied by a single dwelling and associated outbuildings (carport and sheds), where the outbuildings are located in such a way as to separate the neighbouring dwellings.

ZONE

The site is situated in the Inner Residential Zone (Fig. 3).

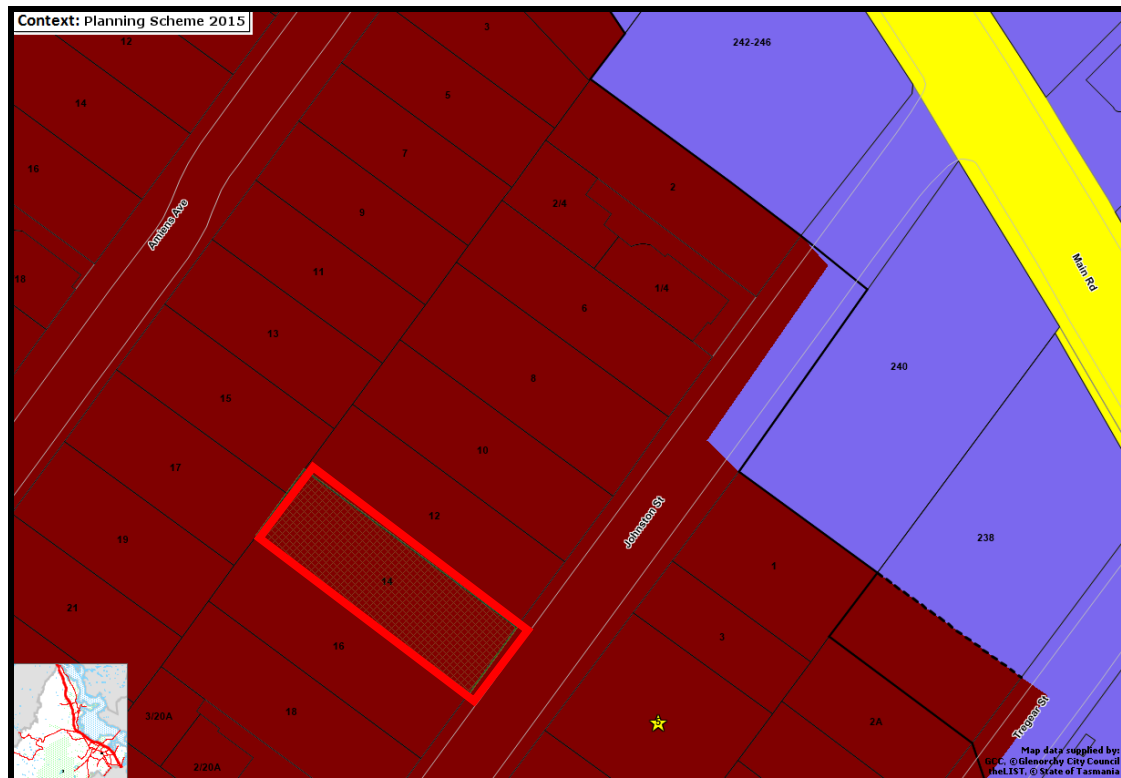


Figure 3. A snapshot of the zoning of the area, showing the site within the Inner Residential Zone (maroon), the Commercial Zone (purple) and the Utility Zone (yellow).

BACKGROUND

There is no background on file relevant to this application.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil

Limited Exemptions

Nil

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

No SAP or Code provisions override Zone provisions in this assessment.

Use Class Description (Table 8.2):

Residential means the 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):

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

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

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

Site area per dwelling means the area of the site (excluding any access strip) divided by the number of dwellings.

Access strip means land, the purpose of which is to provide access to a road.

Site coverage means the proportion of a site (excluding any access strip) covered by roofed buildings.

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

Part C: Special Provisions

No special provisions of the Scheme apply to this proposal.

Part D: Zones

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

Zone Purpose Statement

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

The proposal is assessed as consistent with the purpose of the zone owing to the higher residential density proposed within walkable distance of services, facilities, employment and high frequency public transport corridors, as well as the change in character of housing types that the proposal offers. In addition, the height of the proposal respects the existing variation and pattern of residential development in the locality by maintaining a similar height (Fig. 4).

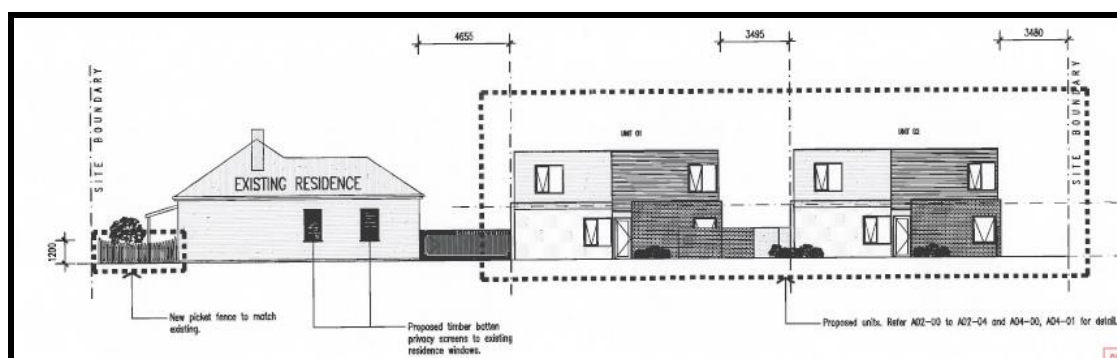


Figure 4. A view of the proposal illustrating the similar height of the proposed dwellings to the existing dwelling.

Use Table

Multiple dwellings (Residential Use Class) are a permitted use within the Inner Residential Zone. However, the proposal relies on performance criteria to comply with standards of the zone. Accordingly, the proposal is discretionary.

Use Standards

The use standards relate to non-residential use, visitor accommodation and local shop. The use standards are not applicable standards to the assessment of this application.

Development Standards for Residential Buildings & Works

11.0 Inner Residential Zone

11.4.2 Setbacks and building envelope

The setback of proposed dwellings 1 and 2 is to be 1.2m from the south-western side boundary. These dwellings will be 5.5m in height. To comply with the acceptable solution, a 2.5m setback is required for a building that is 5.5m in height. In view of the fact that the setback is 1.2m from the side boundary and the collective length of proposed dwellings 1 and 2 exceeds 9m within 1.5m of the side boundary, the proposal does not comply with acceptable solution A3 and relies on performance criteria P3.

Performance criteria P3

The performance criteria requires the siting and scale of a dwelling to not cause unreasonable loss of amenity by reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or overshadowing the private open space of a dwelling on an adjoining lot; or overshadowing of an adjoining vacant lot; or visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.

Shadow diagrams demonstrate the extent of the potential shadow cast from the proposal onto the adjoining lot, which is 16 Johnston Street, Moonah (Fig. 5).



Figure 5. Shadow diagrams showing the potential shadow cast from the proposal onto the adjoining lot on the 21 June.

The shadow diagrams show shadow cast from the proposal at 9am, 12 noon and 3pm on the 21 June. At 9am, much of the private outdoor space of the neighbouring lot and part of the dwelling will be in shadow from the proposal. By 12 noon the neighbouring dwelling will no longer be in shadow from the proposal, although some shadow will be cast onto the private outdoor space. As the sun moves across the sky, the shadow diagram for 3pm shows minimal shadow cast onto the neighbouring lot from the proposal. The shadow diagrams indicate that the proposal would not hinder the dwelling on an adjoining lot from receiving at least three hours of sunlight on the 21 June and at least 50% of the private open space would receive no less than three hours of sunlight between 9.00 am and 3.00 pm on 21st June. It is noted that the proposal would cast minimal shadow in summer (Fig. 6).



Figure 6. Shadow diagrams showing the potential shadow cast from the proposal onto the adjoining lot in summer.

In relation to visual impacts caused by the apparent scale, bulk or proportions, the proposal is similar in height to the existing dwelling on the site and the dwellings on adjoining lots, albeit a different architectural style. With regard to separation between dwellings on adjoining lots, the south-western side boundary setback of the proposed dwellings is the same as the setback of the existing dwelling. As such, it is assessed that the sitting and scale of the proposal does not cause unreasonable loss of amenity through overshadowing, visual impact and separation between dwellings on adjoining lots. The proposal satisfies the performance criteria and complies with the standard.

It is noted that the adjoining lot to the north-east of the proposal will not be overshadowed by the proposal.

11.4.6 Privacy

The existing dwelling and proposed dwelling 1 are to be within 1-2.5m of a shared driveway. Privacy screens are proposed for the windows of the existing dwelling that are adjacent to the shared driveway, although there is to be less than 1m separation to the driveway. No screening to a height of 1.7m or a window sill height of 1.7m is proposed for dwelling 2, where the window is adjacent to the shared driveway, even though the window is setback 1.17m from the shared driveway. The proposal does not comply with the acceptable solution and relies on the performance criteria to comply with the standard.

Performance criteria P3

The performance criteria requires a shared driveway or parking space (excluding a parking space allocated to that dwelling) to 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.

It is assessed that the 1.53m high masonry wall enclosing the private outdoor space and the window to a habitable room of proposed dwelling 1, minimises potential detrimental impacts of vehicle noise or vehicle light intrusion to that habitable room (Fig. 7).

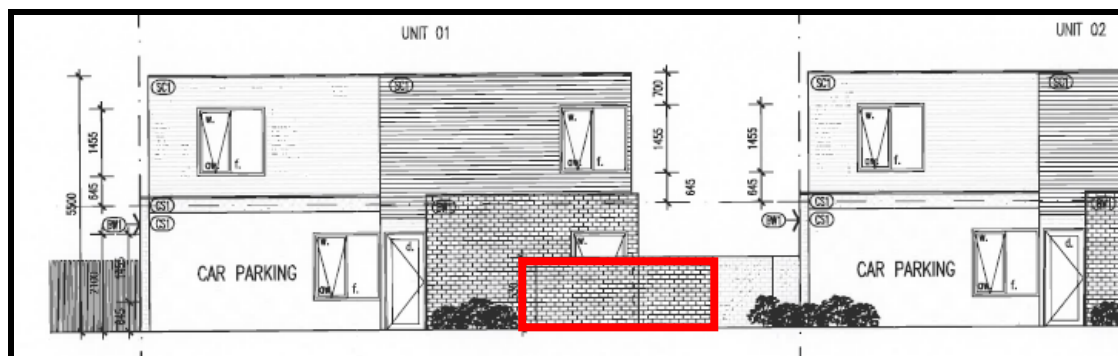


Figure 7. A snapshot of proposed dwelling 1 and proposed dwelling 2 showing the masonry wall separating the window of a habitable room from the shared driveway.

In response to the existing dwelling, even though the separation distance doesn't comply with the acceptable solution, the proposed screening of the habitable room windows is designed to minimise detrimental impacts of vehicle noise or vehicle light intrusion to a habitable rooms. The proposal is assessed as satisfying the performance criteria and complies with the standard.

Part E: Codes

The following codes of the Scheme apply to this proposal:

E6.0 Parking and Access Code

E6.6 Use Standards

E6.6.1 Number of Car Parking Spaces

The acceptable solution requires multiple dwelling containing two or more bedrooms (including all rooms capable of being used as a bedroom) to have two parking spaces for each dwelling. If the proposal included four dwellings or more, one visitor parking space would be required and if the proposal were located on an internal lot or located at the head of a cul-de-sac, one visitor space per three dwellings would be required. The proposal provides two parking spaces for each of the proposed dwellings and one space for the existing dwelling. The proposal relies on the performance criteria.

Performance criteria P1

The performance criteria require the number of on-site car parking spaces to be sufficient to meet the reasonable needs of users, with regard to 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.

Council's Traffic Engineer, in collaboration with Council's Development Engineer has reviewed the proposed parking arrangement and is satisfied that the proposed provision of parking is sufficient to meet the parking demand, given the availability of on-street parking in the locality, together with the availability and frequency of public transport within a 400m walking distance of the site. The proposal is assessed as satisfying the performance criteria and complies with the standard.

E7.0 Stormwater Management Code

Council's Development Engineer has assessed the application against the requirements of the Stormwater Management code and has determined that the proposal complies with the applicable standard. Conditions of approval have been recommended to ensure ongoing compliance.

PART F: Specific Area Plans

A SAP does not apply to the assessment of this proposal.

INTERNAL REFERRALS

Development Engineer

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

Traffic, Access & Parking

Access to the development is from Johnston Street. The development is not expected to have any significant detrimental impacts on the surrounding road network in terms of traffic efficiency or road safety.

The applicant has provided plans demonstrating that adequate on-site turning/manoeuvring is provided so that B85 vehicles (85% of vehicles) can exit the site in a forward direction.

Table E6.1 of the Glenorchy Interim Planning Scheme 2015 requires six car parking spaces for the proposed development. The applicant is requesting a variation from the scheme of one car parking spaces from six, to five car parking spaces. Johnson Street is approximately 10.0m wide with adequate on-street parking available to accommodate the proposed single car park deficiency and with the proposed development being close to public transport (bus route) it is considered the development, as proposed will not create any adverse traffic or parking issues. Council's Traffic Engineer is supportive of the variation to reduce the proposed parking spaces required by the Scheme by a single car parking space.

A representation was received with concerns that the number of parking spaces was not enough to service the development. Car parking is addressed above with the five spaces proposed considered adequate to service the development.

This representation also raised concerns with stormwater and sewer infrastructure. Council records indicate this infrastructure is internal sewer and stormwater drainage with the responsibility falling on the property owner and will not affect the proposed development.

GCC Services (Stormwater)

There are no GCC stormwater mains affected by this application.

Water sensitive urban design principles (stormwater treatment via bio-retention basin/swales) are required to be provided as part of the internal stormwater system under Glenorchy Interim Planning Scheme 2015 Clause E7.1 A2 and is recommended as a condition of approval that this is to be shown on the plans to be submitted for building approval, for approval by Councils Development Engineer. Certification from a registered professional engineer should be provided prior to occupancy, showing that the stormwater treatment system has been constructed in accordance with the approved plans.

Other

Geoscience issues

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

Flooding/Inundation issues

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

Traffic Engineer

Council's Traffic Engineer has commented that the one car parking shortfall associated with the development application of 14 Johnston Street, Moonah (PLN-16-034) can be easily accommodated in the available on-street parking adjacent to the proposed development. For this reason, no objection is raised to the proposed development on traffic engineering or road safety grounds.

Waste Management Officer

Council's Waste Management officer has provided the following comment that is to be included as advice on the permit, should the application be approved.

Waste Services to the proposed multiple dwelling development at 14 Johnston Street Moonah would be Council's standard bin service collected fortnightly. The Council's Standard Bin Service includes one (1) x 140L wheelie bin for Waste and one (1) x 240L wheelie bin for recycling to each of the dwellings, collected fortnightly. Please note that this property would have a total of six (6) bins. This property has an existing kerbside/nature strip area for placement of the bins; therefore the dwellings would have their own individual bins. 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

TasWater is in support of the proposal, subject to conditions and advice.

REPRESENTATIONS

The application was advertised for the statutory 14-day period with two representations received. The issues raised are as follows:

1. Potential loss of privacy

A representor states that the proposed dwellings extend along the length of site, adjacent to their private outdoor space. The first floor windows will look directly into the private outdoor space of both adjoining lots.

Planner's Comment:

The objective of the privacy standard is to reduce the potential for loss of privacy for dwellings. The proposal is assessed as complying with the privacy standard.

It is noted that the proposed dwellings are separated by 4.84m to the north-eastern side boundary, which is shared with 12 Johnston Street. The acceptable separation distance of windows to a habitable room with a floor level of more than 1m above natural ground level is 3m. The proposal complies with the acceptable solution of the standard.

It is noted that the proposed dwellings are to be separated from the neighbouring lot sharing the south-western side boundary, by 1.2m. However, the proposal complies with the acceptable solution of the standard because the first floor window of each dwelling adjacent to this boundary is not a habitable room. Please refer to 'Other relevant definitions (Clause 4.1)' section of the report.

2. Potential Overshadowing

The representors state that the proposed buildings will block afternoon sun to the private outdoor space.

Planner's Comment:

This issue has been previously addressed under the heading '11.4.2 Setbacks and building envelope' in the 'Development Standards for Residential Buildings & Works' section of the report. In summary, it is assessed that the proposal will not cause unreasonable overshadowing to the neighbouring properties.

3. Design

The representor states that the proposed buildings do not blend in with the other single-storey buildings in the street.

Planner's Comment:

It is acknowledged that the proposed dwellings are of a different architectural design compared to the existing dwellings in the street. However, the proposed dwellings are of a similar height to the existing dwellings and are located to the rear of the existing dwelling on the site, resulting in a minimal impact on the streetscape. Furthermore, the proposal is assessed as not causing an unreasonable visual impact in terms of sitting and scale, as discussed under the heading '11.4.2 Setbacks and building envelope' in the 'Development Standards for Residential Buildings & Works' section of the report.

4. Property value

The representor states that the proposal will devalue their property.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application.

5. Infrastructure capacity

A representor claims sewerage and stormwater discharges across their property and concludes that this infrastructure requires upgrading

Planner's Comment:

The application has been reviewed by TasWater. TasWater is in support of the proposal, subject to conditions of approval. Council's Development Engineer has assessed that application against the requirements of the Stormwater Management Code and is satisfied that the proposal would comply with the applicable standards.

6. Parking

The representor states that there is not enough parking proposed.

Planner's Comment:

This issue has been previously addressed under the heading E6.0 Parking and Access Code.

7. Density

The representor is under the impression that 300-350m² is the density requirement for three bedroom dwellings and points out that 217m² and 234m² are proposed in this application.

Planner's Comment:

The proposal is situated in the Inner Residential zone, where the acceptable solution of the Residential density for multiple dwellings standard allows for a site area per dwelling of not less than 200m² and not more than 400m². The assessment of the proposal reveals that the proposal complies with the Residential density for multiple dwellings standard.

CONCLUSION

The proposal relies on performance criteria to comply with the following standards: 11.4.2 Setbacks and building envelope (P3), 11.4.6 Privacy (P3) and E6.6.1 Number of Car Parking Spaces (P1). The proposal is assessed as satisfying the performance criteria and complies with the applicable standards. The proposal is assessed as complying with all other use and development standards in the Inner Residential zone, as well as the applicable standards of the Parking and Access Code and Stormwater Management Code. The application was publicly advertised for the statutory 14-day period and two representations were received. Several issues were raised and addressed through the assessment of the application.

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 multiple dwellings (Residential) relying on performance criteria at 14 Johnston Street Moonah, subject to the following conditions:

Planning

1. Use and development shall be substantially in accordance with planning permit application No. PLN-16-034 and Drawing No. P3 submitted on 19 August 2016, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Appendix A, form part of this permit.
3. The masonry wall enclosing the private outdoor space of proposed dwelling 1, as shown on the approved plan, is designed to minimise potential detrimental impacts of vehicle noise or vehicle light intrusion to the habitable room of that dwelling that is adjacent to the shared driveway. The masonry wall must be in place prior to occupation of this dwelling and must be maintained until the residential use ceases.
4. The screening to habitable rooms on the north-eastern elevation of the existing dwelling, as shown on the approved plans, must be in place prior to occupation of the additional dwellings on the site and must be maintained until the residential use of this building ceases.
5. Each multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5m² per dwelling and is in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling. The storage area must be in place prior to occupation of each dwelling and must be maintained until the residential use ceases.

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 removal of and/or disturbance of any soil or vegetation.
7. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.

8. Detailed engineering drawings showing the driveway and manoeuvring areas, internal service lines and connections to existing infrastructure, surface drainage collection, pavement composition, finished levels and bio-retention details, must be submitted with the Building Application for approval by Council's Development Engineer.
9. To meet acceptable stormwater quality, a bio retention basin for the treatment of stormwater discharging from the development must be incorporated into the development, in accordance with the Glenorchy Interim Planning Scheme Stormwater Management Code and be approved by Council's Development Engineer prior to the issue of a building permit. Certification from a registered professional engineer must be provided prior to occupancy, that the stormwater treatment system has been constructed in accordance with the approved plans.
10. Driveways, car parking and turning areas must be constructed and sealed with an approved impervious surface treatment prior to occupancy of a second dwelling. All runoff from paved and driveway areas must be retained within site boundaries and discharged into Council's stormwater system. Construction details must generally be in accordance with Council's standard requirements. The driveway, parking and manoeuvring areas must be kept clear of obstructions, such as service authority infrastructure, letterboxes or bin enclosures, so that vehicle paths are not restricted.
11. Five (5) clearly marked car parking spaces must be provided and kept available for these purposes at all times prior to occupancy of any of the additional dwellings. Car parking spaces, manoeuvring areas and aisles must be provided in accordance with the Australian Standard AS 2890.1 – 2004 Off-Street Parking. In areas set aside for car parking, securely fixed wheel stops or kerbing must be provided to the satisfaction of Council to prevent damage to fences or landscaped areas. Note that minor amendments are required to the parking as shown on the proposal plan submitted with the application prior to building approval.
12. 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 of Applicant

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

Other Permits or approvals

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 2000 are complied with. In addition to this planning permit, a building permit and/or plumbing permit may also be required. If further clarification is required, please contact Council's Building Section on 62166800.

Waste Services

Waste Services to the proposed multiple dwelling development at 14 Johnston Street Moonah would be Council's standard bin service collected fortnightly. The Council's Standard Bin Service includes one (1) x 140L wheelie bin for Waste and one (1) x 240L wheelie bin for recycling to each of the dwelling, collected fortnightly. Please note that this property would have a total of six (6) bins. This property has an existing kerbside/nature strip area for placement of the bins; therefore the dwellings would have their own individual bins. 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

Attachments/Annexures

- 1** Attachment - 14 Johnston Street, Moonah

Appendix 1

11.0 Inner Residential Zone

Standard	Acceptable Solution	Proposed	Complies?
11.3 Use Standards			
11.3.1 Non-Residential Use	A1 Hours of operation must be within 8.00 am to 6.00 pm, except for office and administrative tasks or visitor accommodation.	Not an applicable standard	NA
	A2 Noise emissions measured at the boundary of the site must not exceed the following: (a) 5 dB(A) (LAeq) between the hours of 8.00 am to 6.00 pm; (b) dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 6.00 pm to 8.00 am; (c) 5dB(A) (LAmix) at any time. Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness.	Not an applicable standard	NA

Standard	Acceptable Solution	Proposed	Complies?
	Noise levels are to be averaged over a 15 minute time interval.		
	A3 External lighting must comply with all of the following: (a) e turned off between 6:00 pm and 8:00 am, except for security lighting; (b) e turned off between 6:00 pm and 8:00 am, except for security lighting; security lighting must be baffled to ensure they do not cause emission of light into adjoining private land.	Not an applicable standard	NA
	A4 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site must be limited to 20 vehicle movements per day and be within the hours of: (a) .00 am to 5.00 pm Mondays to Fridays inclusive; (b) .00 am to 12 noon Saturdays; (c) il on Sundays and Public Holidays.	Not an applicable standard	NA
11.3.2	A1	Not an applicable standard	NA

Standard	Acceptable Solution	Proposed	Complies?
Visitor Accommodation	Visitor accommodation must comply with all of the following: (a) s accommodated in existing buildings (b) rovides for any parking and manoeuvring spaces required pursuant to the parking and Access Code on-site; (c) as a floor area of no more than 160m²		
11.3.3 Local Shop	A1 A local shop must comply with both of the following: (a) ave a gross floor area no more than 200m²; (b) ot displace an existing residential use.	Not an applicable standard	NA
11.4 Development Standards for Buildings and Works			
11.4.1 Residential density for multiple dwellings	A1 Multiple dwellings must have a site area per dwelling of not less than 200m² and not more than 400m².	The lot is 759m ² . The site area per dwelling is 253m ² .	Yes
11.4.2 Setbacks and building envelope	A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the	There is no change to the position of the existing dwelling. However, the existing dwelling is setback more than 3m from the frontage.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	frontage setback, must have a setback from a frontage that is: (a) at least 3m, or, if the setback from the frontage is less than 3m, not less than the setback from the frontage of any existing dwelling on the site; (b) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street.		
	A2 A garage or carport must have a setback from a frontage of at least: (a) 4m, or alternatively 1m behind the façade of the dwelling; or (b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.	A garage or carport is not proposed within 4m of the frontage.	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) The setback of proposed dwelling 1 and 2 is to be 1.2m from the south-western side boundary. These dwellings will be 5.5m in height. To comply with the acceptable solution a 2.5m setback is required for a building that is 5.5m in height. The proposal does not fit within the	No

Standard	Acceptable Solution	Proposed	Complies?
	(a) be contained within a building envelope (refer to diagrams 11.4.2A, 11.4.2B, 11.4.2C and 11.4.2D) determined by: (i) a distance equal to the permitted frontage setback or, for an internal lot, a distance of 3m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 3m from the rear boundary; to a building height of not more than 9.5 m above natural ground level; and (b) only have a setback within 1.5 m of a side boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or (ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).	verticle envelope. b) The setback is 1.2m from the side boundary and the collective length of the buildings exceeds 9m. The proposal does not comply with acceptable solution.	
11.4.3 Site coverage and private open space	A1 Dwellings must have: (a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and (b) for multiple dwellings, a total area of private open space of not less than 50m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than	a) Site coverage is 32% and complies. b) Existing dwelling is to have 72m², proposed dwelling 1 is to have 52m² and proposed dwelling 2 is to have 66m². c) 25% of the site area is to be is free from impervious surfaces.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	1.8m above the finished ground level (excluding a garage, carport or entry foyer); and (c) a site area of which at least 25% of the site area is free from impervious surfaces.		
	A2 A dwelling must have an area of private open space that: (a) is in one location and is at least: (i) 24 m²; or (ii) 12 m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (b) has a minimum horizontal dimension of: (i) 3 m; or (ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and (d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and (e) located between the dwelling and the frontage,	a) 24m² is provided in one location; b) horizontal width of 3m is proposed; c) accessible from a habitable room, other than a bedroom, for each dwelling; d) The POS is not located to the south, south-east or south-west of that dwelling; e) The POS is not located between the dwelling and the frontage; f) The gradient is not steeper than 1 in 10; g) And is not to be used for vehicle access or parking.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and (f) has a gradient not steeper than 1 in 10; and (g) is not used for vehicle access or parking.		
11.4.4 Sunlight and overshadowing	A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west and 30 degrees east of north (see Diagram 11.4.4A).	The living room window of proposed dwellings 1 and 2 is to be located between 30 degrees west and 30 degrees east of north.	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 11.4.4A), must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 11.4.4B): (i) at a distance of 3 m from the window; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of	A multiple dwelling is not proposed to be directly north of another dwelling on the same lot. In any event, each dwelling is separated by at least 3m.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.		
	A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 11.4.3, must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 11.4.4C): (i) at a distance of 3 m from the northern edge of the private open space; and (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.	Proposed dwelling 2 is to be north of the POS of dwelling 1 and proposed dwelling 1 is to be north of the POS of the existing dwelling. However, proposed dwelling 2 does not cause 50% of the private open space of dwelling 1 to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. Similarly, proposed dwelling 1 does not cause 50% of the private open space of the existing dwelling to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June The proposal does comply with (b). It is noted that the masonry fence surrounding the private outdoor space of dwelling 1 casts a shadow on to the POS of that dwelling.	Yes

Standard	Acceptable Solution	Proposed	Complies?
11.4.5 Width of openings for garages and carports	A1 A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).	A garage or carport is not proposed within 12m of the frontage	Yes
11.4.6 Privacy for all dwellings	A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: (a) side or rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the boundary; and (b) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m: (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.	A balcony, deck, roof terrace, parking space or carport with a finished floor surface more than 1m above natural ground is not proposed.	Yes
	A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the	a) The first storey windows of dwelling 1 and 2 that area adjacent to the south-western side boundary are to be setback 1.2m from that	Yes

Standard	Acceptable Solution	Proposed	Complies?
	natural ground level, must be in accordance with (a), unless it is in accordance with (b): (a) the window or glazed door: (i) is to have a setback of at least 3 m from a side or rear boundary; and (ii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iii) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site. (b) the window or glazed door: (i) is to be offset, in the horizontal plane, at least 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.	boundary. Although, these windows are not to a habitable room. Therefore, this is not an applicable standard. b) However, these windows are offset, in the horizontal plan of at least 1.5m from the edge of window to a habitable room of another dwelling, owing to the buildings on the neighbouring site, being outbuildings.	
	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	The existing dwelling and proposed dwelling 1 are to be within 1-2.5m of a shared driveway. Privacy screens are proposed for the windows of the existing dwelling that are adjacent to the shared driveway,	No

Standard	Acceptable Solution	Proposed	Complies?
	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.	although there is to be less than 1m separation to the driveway. No screening or a sill height of 1.7m is proposed for dwelling 2, where the window is adjacent to the shared driveway.	
11.4.7 Frontage Fences	A1 A fence (including a free-standing wall) within 3 m of a frontage must have a height above natural ground level of not more than: (a) 1.2 m if the fence is solid; or (b) 1.5 m, if any part of the fence that is within 3m of a primary frontage has openings above a height of 1.2m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).	A 1.2m high picket fence is proposed.	Yes
11.4.8 Waste Storage for multiple dwellings	A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m² per dwelling and is within one of the following locations:	A waste and recycling bin storage area is proposed for each dwelling, that is to be at least 1.5m ² and is not to be located in front of the dwelling. The proposal is conditioned accordingly to ensure ongoing compliance.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) in a communal storage area with an impervious surface that: (i) has a setback of at least 3 m from a frontage; and (ii) is at least 5.5 m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2m above the finished surface level of the storage area.		
11.4.9 Non-dwelling development	A1 Non-dwelling development must comply with all of the following acceptable solutions as if it were a dwelling: (a) 11.4.2 A1 and A3; (b) 11.4.3 A1 (a) and (c); (c) 11.4.7 A1.	Not applicable standard	NA
	A2 Non-residential garages and carports must comply with all of the following acceptable solutions as if they were ancillary to a dwelling: (a) 11.4.2 A2; (b) 11.4.5 A1.	Not applicable standard	NA
		Not applicable standard	NA

Standard	Acceptable Solution	Proposed	Complies?
	A3 Outdoor storage areas 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 area.		

Appendix 2

E6.0 Parking and Access Code

STANDARD	ACCEPTABLE SOLUTION	PROPOSED	COMPLIES
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.	Five proposed, six required under scheme. However considered acceptable to vary one space. Refer to report	No

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	N/A
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	N/A
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;		Yes - conditioned

STANDARD	ACCEPTABLE SOLUTION	PROPOSED	COMPLIES
	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.		
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:	Yes. Drawings demonstration this provided as part of application.	Yes

STANDARD	ACCEPTABLE SOLUTION	PROPOSED	COMPLIES
	(a) it serves no more than two dwelling units; (b) it meets a road carrying less than 6000 vehicles per day.		
E6.7.5 Layout of Parking Areas	A1 The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same Standard.		Yes - conditioned
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 - conditioned
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	Not an applicable standard	

STANDARD	ACCEPTABLE SOLUTION	PROPOSED	COMPLIES
	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.		
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; (b) be located within 30 m of the main entrance to the building.	Not an applicable standard	
	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	Not an applicable standard	

STANDARD	ACCEPTABLE SOLUTION	PROPOSED	COMPLIES
	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.		
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: (a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site; (b) the use is not primarily dependent on outward delivery of goods from the site.	Not an applicable standard	
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 3**E7.0 Stormwater Management Code**

Standard	Acceptable Solution	Proposed	Complies?
E7.7.1 Stormwater Drainage and Disposal	A1 Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.		Yes - conditioned
	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.	Condition to be addressed prior to building approval	Yes - conditioned
	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.	Not an applicable standard	
	A4 A major stormwater drainage system must be	Not an applicable standard	

Standard	Acceptable Solution	Proposed	Complies?
	designed to accommodate a storm with an ARI of 100 years.		

6. PROPOSED USE AND DEVELOPMENT - RESTAURANT (FOOD SERVICE) WITH DRIVE THROUGH FACILITY AND SIGNAGE, RELYING ON PERFORMANCE CRITERIA - 178 MAIN ROAD MOONAH

Author: Planning Officer (Vanessa Tomlin)

Qualified Person: Planning Officer (Vanessa Tomlin)

Property ID: 5436874

REPORT SUMMARY:

<i>Application No.:</i>	PLN-16-105
<i>Applicant:</i>	Zambrero Pty Ltd
<i>Owner:</i>	Z N Li and Y Q L Li
<i>Zone:</i>	Commercial
<i>Use Class</i>	Food Services
<i>Application Status:</i>	Discretionary
<i>Discretions:</i>	Hours of Operation standard, Landscaping standard, Number of Car Parking Spaces standard, Use of Signs standard and Standards for Signs (The proposal meets all other applicable standards as demonstrated in the attached appendices)
<i>Level 2 Activity?</i>	No
<i>42 Days Expires:</i>	11 Jul 2016
<i>Existing Land Use:</i>	Restaurant (GPS 1992)
<i>Representations:</i>	0
<i>Recommendation:</i>	Approval, subject to conditions

REPORT IN DETAIL:**PROPOSAL**

The proposal includes two tenancies, one being a restaurant with a take-away food component and drive-through facility. The second tenancy is yet to be determined, but likely to be a cafe. The proposed restaurant will have a floor area of 216m² and the other tenancy is to have a floor area of 233m². The proposed hours of operation are 10.30am to 10.30pm Sunday to Thursday and 10.30am to 12 midnight Fridays and Saturdays.

The proposal includes signage. The existing pylon sign structure is to be retained and the display area (2m by 6m) is to be replaced with business identification signage. Directional signage, 0.7m by 2.3m, is proposed throughout the site, in addition to menu boards. Two 1.5m by 4.99m light box signs are to be mounted to the roof of the existing building, with one light box facing Main Road and the other facing Maxwell Street. The signage is to be internally illuminated. A wall sign identifying the business is to be painted on the western elevation of the existing building, adjacent to the drive through. Approximately 60% of the existing windows on the Maxwell Street façade are to support window signage, where solid, full-pane vinyl with graphics is to be applied to the existing windows. The window signs graphics are yet to be determined. The existing brick work is to be painted a charcoal colour. Canopies are proposed over the ordering point, pickup and pay windows of the drive through. The existing landscaping is to be retained and supplemented with new plantings. Alterations and signage are not proposed for the other tenancy.

Thirty car parking spaces, eight motor cycle parking spaces, 14 bicycle parking spaces and an area for nine cars queueing for the drive through is proposed. The proposal has a parking shortfall of 33 spaces. Separate entry and exit points are proposed from Main Road and the drive through is to exit onto Maxwell Street. An existing access to Maxwell Street is to be removed. The proposal involves new line marking of the parking and manoeuvring areas, as well as the drive through.

The proposal relies on performance criteria to comply with 23.3.1 Hours of Operation standard, 23.4.5 Landscaping standard, E6.6.1 Number of Car Parking Spaces standard, E17.6.1 Use of Signs standard and E17.7.1 Standards for Signs.

SITE and LOCALITY

The site is located on the western side of Main Road, Moonah, on the corner of Maxwell Street (a no-through road) and Main Road. The site is approximately 112m north of Birdwood Avenue and 103m south of Effingham Street. McDonald's is located on the northern side of Maxwell Street, St John Ambulance is located on the eastern side of Main Road and a mix of commercial and residential uses are in proximity to the site (Fig. 1).



Figure 1. An aerial view of the proposal site, showing the site and surrounds, Council record, Exponare.

The site has approximately 39m of frontage to Main Road and approximately 51m of frontage to Maxwell Street and a site area of 1,523m². The site is currently occupied by a building, formerly used as a restaurant, known as the China Diner with associated parking area. Access to the site is gained from two accesses on the Main Road frontage and two accesses on the Maxwell Street frontage.

ZONE

The site is wholly located within the Commercial Zone (Fig. 2). It is noted that no residential zoning is in proximity to the site.

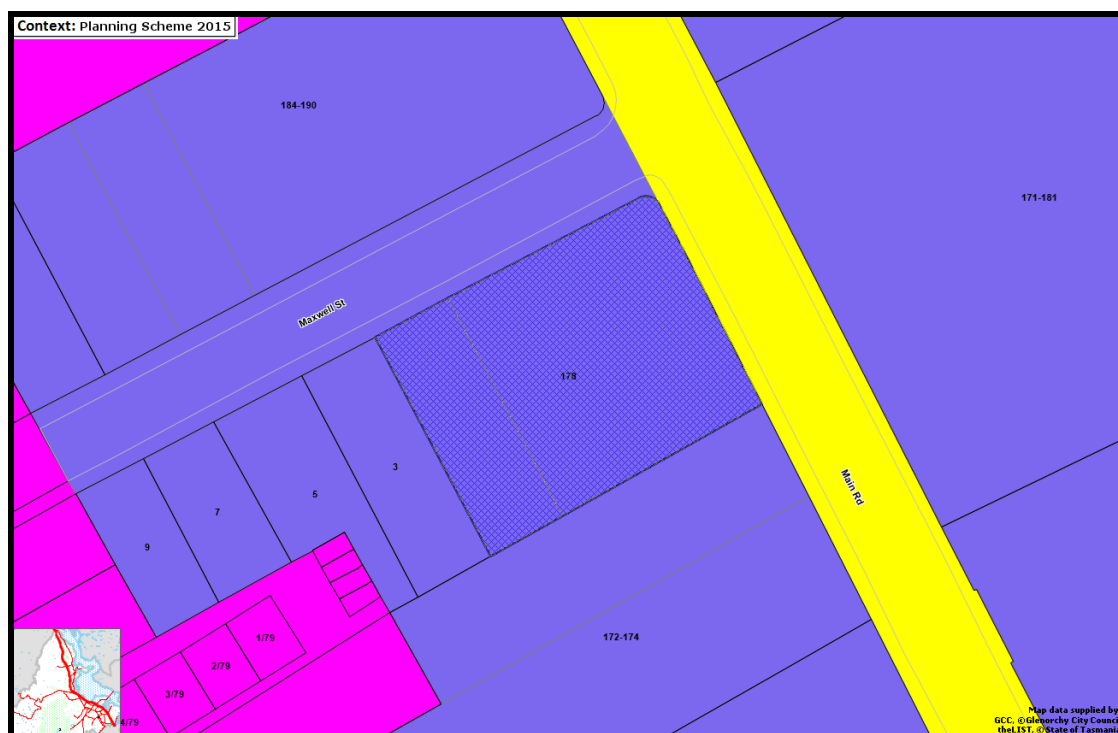


Figure 2. An excerpt of the zoning, showing the site zoned Commercial (purple), Main Road zoned Utility (yellow) and Light Industrial Zone (pink) nearby.

BACKGROUND

- DA 17/81 Self-serve petrol station and fast food outlet, approved on 15 June 1981. The existing use was a petrol filling station and partially erected restaurant and fast-food outlet.
- DA 151/86 Establishing a licensed restaurant, approved 17 November 1986. Twenty-eight parking spaces were required.
- DA 31/90 Change of use from vacant restaurant to video sales and rental, approved 26 March 1990.
- DA 214/90 Illuminated signage for China Diner, approved 1 October 1990.
- DA 09/97 Additions and alterations to restaurant involving variation to road alignment setback, approved 18 February 1997. Thirty nine parking spaces were required and a service lane ran along the rear (eastern side) of the building (Fig. 3).

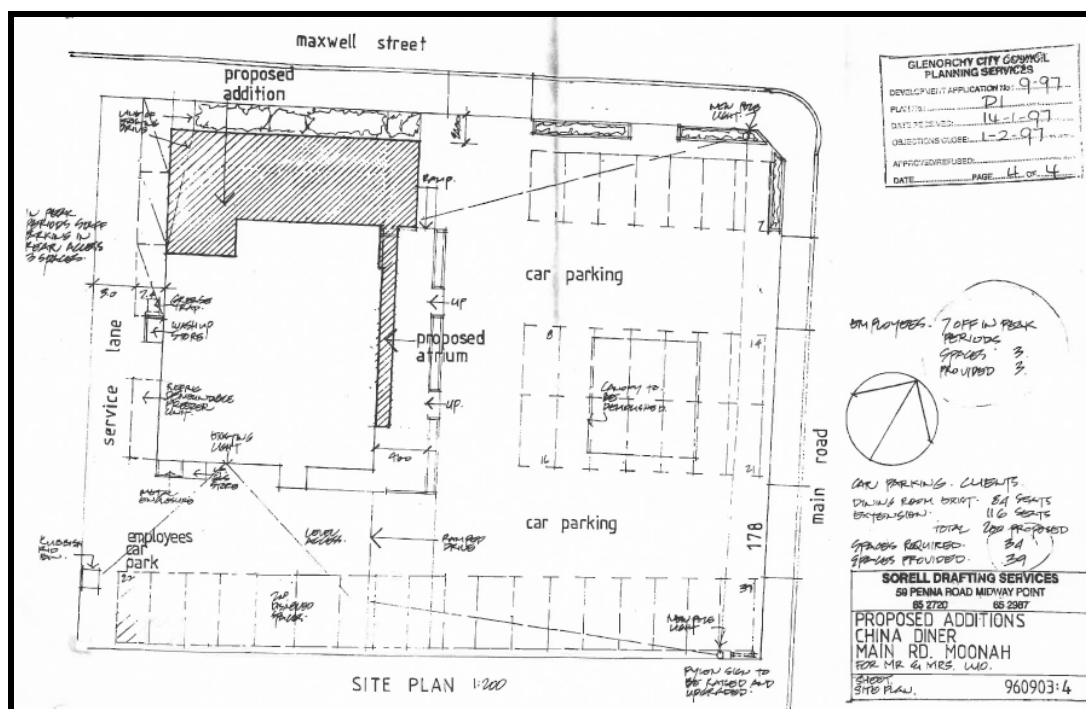


Figure 3. A snapshot of the layout of the site approved under DA 9-97

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

Clause 5.10.1 makes provision to exempt certain signs under clause E17.4. The proposal includes a pylon sign, ground-based signs (directional signage and menu boards), roof signs, and wall mural and window signage. E17.4 does not make provision to exempt any of the proposed signs from assessment under the signs code.

Limited Exemptions

Nil

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

No SAP or Code does not override Zone provisions.

Use Class Description (Table 8.2):

The use class is Food services. Food services mean the use of land for preparing or selling food or drink for consumption on or off the premises. Examples include a cafe, restaurant and take-away food premises. The proposed use is Restaurant. The take-away food use and drive through facility are directly associated with and a subservient part of the Restaurant use.

Other relevant definitions (Clause 4.1):

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

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

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

Take-away food premises means use of land to prepare and sell food and drink primarily for immediate consumption off the premises.

Part C: Special Provisions

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

9.2 Development for Existing Discretionary Uses

Notwithstanding Clause 8.8.1, Clause 9.2 makes provision to consider a discretionary use class specified in an applicable Use Table, as a use class with permitted status in that Use Table, where the proposal for development does not establish a new use, or substantially intensify the use.

Food services are a discretionary use in the applicable use table and it is acknowledged that the establishment of a new use is not proposed. Pursuant to Clause 9.2, the proposal would be considered as a permitted use. However, the proposal relies on performance criteria and is discretionary.

Part D: Zones

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

Zone Purpose Statements

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

The proposed drive through restaurant is considered to be consistent with the purpose of the zone, owing to the need for high levels of vehicle access.

Use Table

23.2 Use Table

Food service has permitted status in the use table, if for a take-away food premises or cafe. The proposal includes a restaurant, which means the proposal has a discretionary use status. Notwithstanding Clause 9.2, the proposal is discretionary because it relies on performance criteria to comply with applicable standards.

Use Standards

23.3.1 Hours of Operation

The proposal relies on performance criteria P1 of Clause 23.3.1. The performance criteria requires the hours of operation of a use within 50m of a residential zone to 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.

The proposed hours of operation are:

Weekdays 10.30am to 10.30pm (12.00 midnight Friday)

Saturdays 10.30am to 12.00 midnight

Sundays 10.30am to 10.30pm

Public Holidays 10.30am to 10.30pm

In view of the fact that the proposal is separated from a residential zone by more than 50m, any noise or other emissions produced by the drive through would be attenuated by this separation distance. In addition, the proposed drive through is consistent with nearby restaurants along this section of Main Road, which offer this service. The proposal satisfies the performance criteria and complies with the standard.

Development Standards for Buildings or Works

23.4.5 Landscaping

Landscaping is required along the frontage of the site and the proposal relies on performance criteria P1. The objective of the standard is to ensure that a safe and attractive landscaping treatment enhances the appearance of the site and if relevant provides a visual break from land in a residential zone.

The performance criteria requires landscaping that enhances the appearance of the development and provides a range of plant height and forms to create diversity, interest and amenity; and does not create concealed entrapment spaces.

It is proposed that the existing landscaping is to be retained and supplemented with new plantings. The existing planter boxes on the eastern elevation, adjacent to the main parking area, will be retained and the existing plants in these planters will be replaced with low-scale plantings.

The variation in plantings offers a range of height and forms, that are expected to create diversity, interest and amenity that would enhance the appearance of the development. No concealed entrapment spaces appear to be created by the proposed landscaping. The proposal is assessed as satisfying the performance criteria and complies with the standard.

Part E: Codes

The following codes of the Scheme apply to this proposal:

E6.0 Parking and Access Code

E6.6.1 Number of Car Parking Spaces

In accordance with Table E6.1 the site has a parking shortfall of 33 spaces. A Traffic Impact Assessment (TIA) was submitted to determine the actual parking demand created by the proposal and the ability for such demand to be satisfied in the vicinity of the site. It is noted that the previous uses on the site have been approved with parking shortfalls.

Council's Traffic Engineer has reviewed the TIA and provides detailed comment in the 'Internal referrals' section of this report. In summary, it is concluded that the nature of the development with reliance on passing trade, the use of the drive-through facility, proximity to nearby businesses, proximity to public transport and the similarity of the site to other successful Zambrero sites throughout Australia, the proposal is assessed as satisfying the performance criteria.

E17.0 Signs Code

The proposal involves signage. The signage proposed is roof signage, directional signage described as ground-based signs, a wall sign, window signs and a pole/pylon sign (Fig. 4).

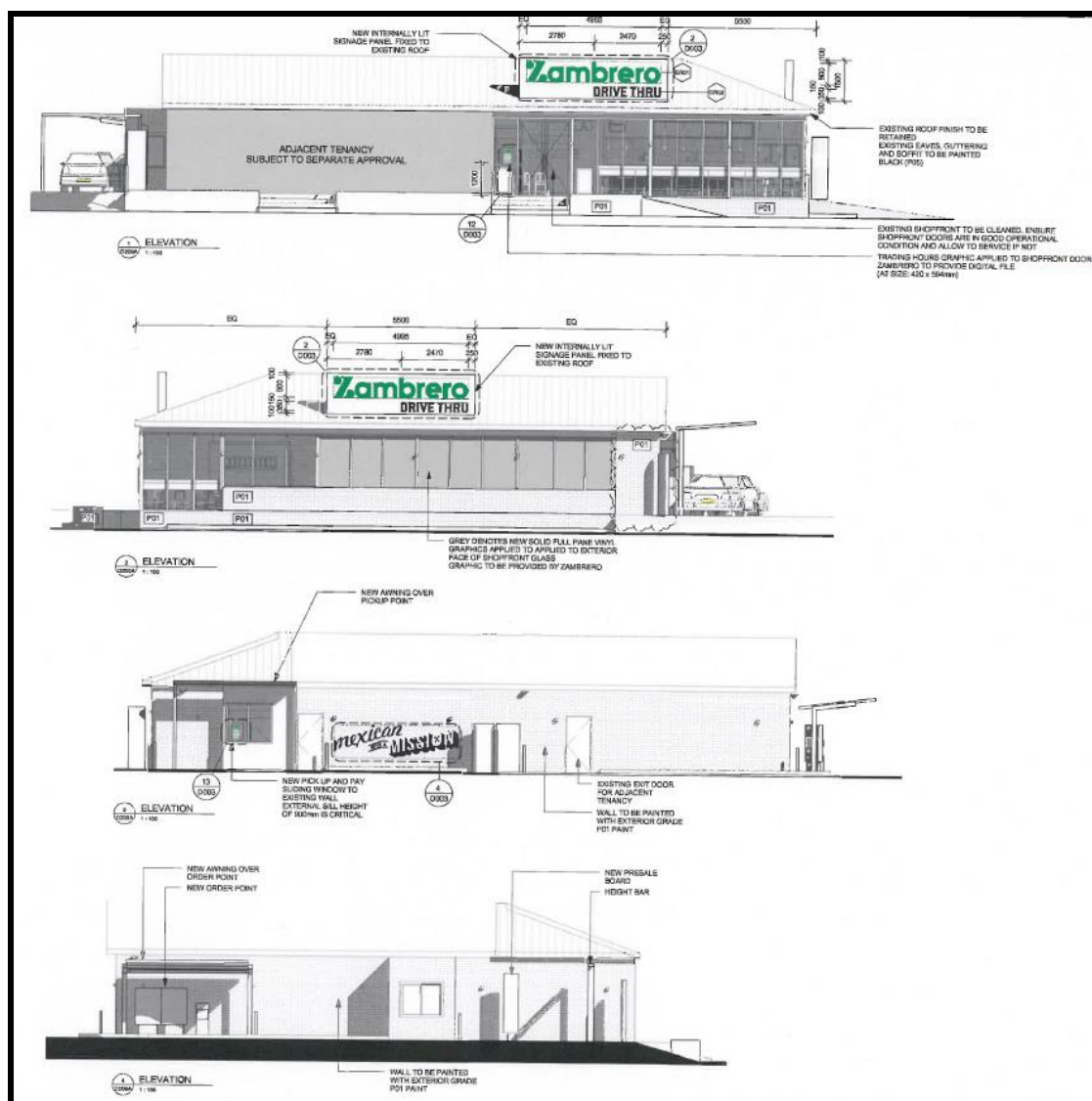


Figure 4. A snapshot of the proposed signage on and around the existing building.

For the purpose of E17.0 Signs Code, the following definitions apply.

Pole/pylon sign means a sign erected on a pole, poles or pylon independent of any building, provided it is not designed or used as a poster panel (billboard).

Ground based sign means a sign permanently attached to the ground on its own supportive structure, independent of any building, primarily intended to identify the premises or its access on arrival and not be seen from a distance. Does not include a pole or pylon sign or ground based panel sign.

Roof sign means a sign erected on the roof or parapet of a building with the highest point of its base not exceeding a vertical distance of 300mm above the roof or parapet

Wall sign means a sign painted on or attached parallel to the wall of a building or fence surrounding a building.

Window signs mean a sign on the glass surface of a window or located less than 150mm behind a surface.

*E17.6.1 Use of Signs**Performance criteria P4*

The proposal includes illuminated signage within 30m of residential uses. The proposal relies on performance criteria. The performance criteria requires an illuminated sign within 30m of a residential use to not have an unreasonable impact upon the residential amenity of that use caused by light shining into windows of habitable rooms.

All proposed signage is to be internally lit with florescent tubes or LED strip lighting. It is considered that the design of the proposed signage does not allow light to be projected onto neighbouring sites and the signage does not otherwise have the capacity to spill light into windows of habitable rooms, particularly when the site is separated from the residential uses by at least 20m. The proposal is assessed as complying with the standard.

*E17.7.1 Standards for Signs**Performance criteria P1*

The proposed signage does not comply with the standards listed in Table E17.2 and relies on performance criteria. The performance criteria require a sign not complying with the standards in Table E17.2 or having discretionary status in Table E17.3 to be integrated into the design of the premises and streetscape so as to be attractive and informative without dominating the building or streetscape; be of appropriate dimensions so as not to dominate the streetscape or premises on which it is located; be constructed of materials which are able to be maintained in a satisfactory manner at all times; not result in loss of amenity to neighbouring properties; not involve the repetition of messages or information on the same street frontage; not contribute to or exacerbate visual clutter; and to not cause a safety hazard.

The proposed signage integrates into the design of the premises without dominating the building or the streetscape. The proposed signage is positioned on different facades of the premises and designed to provide direction within the site. As such, the proposed signs are not causing a repetition of messages or contributing to visual clutter. Accordingly, the proposed signage compliments the built environment and satisfies the performance criteria and complies with the standard.

PART F: Specific Area Plans

No Specific Area Plan applies to the assessment of this application.

INTERNAL REFERRALS**Traffic Engineer**

Council's Traffic Engineer has made the following comments and recommended a condition of approval.

I have reviewed the proposed restaurant (food services) with drive-through facility relying on performance criteria at 178 Main Road, Moonah. The application documentation included a Traffic Impact Assessment (TIA) prepared by Midson Traffic (dated August 2016).

The proposed development involves the conversion of the existing restaurant to two separate commercial sites. One site is a restaurant (Zambrero Mexican Restaurant) and the other is yet to be determined, but most likely a restaurant/café use. The Zambrero Restaurant will have a drive-through facility located along the western boundary of the site, exiting onto Maxwell Street.

The key elements of the proposed development are summarised as follows:

- Zambrero restaurant floor area 216m²
- Vacant tenancy floor area 233m²
- Zambrero total seating 66 seats
- Drive through facility 9-car queue storage (from pick-up point)

Traffic Generation

The New South Wales RTA *Guide to Traffic Generating Developments* recommends a traffic generation rate of 60 trips per day per 100m² Gross Floor Area (GFA) for a restaurant. The TIA states that based on total floor area of 449m² for restaurant, the daily traffic generation of the proposed development would be:

- Zambrero 130 vehicles per day
- Vacant tenancy (assumed restaurant use) 140 vehicles per day
- Total 270 vehicles per day

In addition, the report indicates that the traffic generation of the existing use would be similar to the proposed use (the existing use of the site is a single restaurant that utilises the total building floor area); therefore, the change in daily traffic generation is unlikely to alter significantly from the existing use.

I agree that the traffic generated by the proposed development will not adversely impact upon the surrounding road network in terms of traffic efficiency or road safety.

Access

The subject site has currently two accesses from Main Road (they both currently permit two-way movements at each access) and two accesses from Maxwell Street. The TIA states that Main Road accesses are proposed to be converted to one-way entry and exit driveways. The report also notes that the Maxwell Street car park access is proposed to be closed while the western access on Maxwell Street will provide the drive-through exit for the site.

I concur that the proposed access configuration is appropriate for the site. However, regulatory signage will be required at these accesses in accordance with Australian Standards requirements.

Drive-Through Lane

The proposed development will incorporate a drive-through facility that consists of an order point on the southern side of the building and a pick-up point on the western side (that is, the entry will be via Main Road and the exit via Maxwell Street).

The New South Wales RTA *Guide to Traffic Generating Developments* recommends that the drive-through capacity for a McDonald's outlet should be 10 car lengths. However, the queue must be able to extend to 12 car lengths without reasonably disrupting car parking operations or extending onto the street for restaurants with single booths or potential high turnover. The Guide also recommends that for a KFC outlet, a drive-through capacity of 6 car lengths should be provided. This requirement could be reduced to 5 car lengths for restaurants with low potential turnover. However, the queue must be able to extend to 8 car lengths without unreasonably disrupting car parking operations or extending onto the street for restaurants with single booths or potential high turnover.

The proposed development provides a total of nine spaces within the drive-through facility along the western and southern boundary. The TIA states that this would satisfy the minimum requirements of a KFC drive-through restaurant in accordance with the recommendations of the RTA Guide.

The report also indicates that drive-through data was obtained from the recently opened Zambrero development in Devonport. The report mentions that the Devonport site has a floor area of 175m², with a drive-through facility that wraps around its perimeter, and parking for six cars on site. Based on the patronage data obtained for the Zambrero Devonport site, the TIA states that peak patronage days are typically Friday and Saturday. The report also indicates that average drive-through patronage is approximately 85 customers per day while Fridays have an average drive-through patronage of approximately 115 customers per day.

The TIA also claims that Zambrero drive-through patronage differs dramatically to other typical fast-food sites (such as McDonalds, KFC and Hungry Jacks). The report indicates that comparative hourly drive-through data for Hungry Jacks in Devonport and Launceston stores shows that the peak hourly rate for the Hungry Jacks sites is approximately 90 vehicles per hour, which is equivalent to the full daily rate for Zambrero's Devonport site. The report, then, concludes that the required queue storage areas are likely to be significantly lower than other typical fast-food drive-through facilities.

I agree with the conclusion that based on the likely arrival rate of the proposed Moonah Zambrero site, the available drive-through will function with little to no queuing for the majority of the time.

Parking

The proposed development provides a total parking provision of 30 spaces. The TIA states that when considering the relative floor areas of the two tenancies in the proposed development, and assuming the land uses of the two tenancies are similar, the parking provision is divided as follows:

- Tenancy 1 (vacant, assumed future restaurant) 16 spaces
- Tenancy 2 (Zambrero) 14 spaces
- Total parking provision 30 spaces

In terms of required parking provision, based on the Glenorchy Interim Planning Scheme 2015, the parking requirement for a take-away food premises is 15 spaces per 100m² of floor area or 1 space for each 3 seats, whichever is greater. The TIA states that with the floor area of 216m² associated with the Zambrero restaurant, the total parking provision for the proposed development is 31 spaces. The report, then, indicates that the proposed Zambrero development is deficient by 17 spaces in accordance with Planning Scheme requirements (considering the pro-rata parking provision of 14 spaces based on floor area).

In addition, the TIA assessed the likely parking demands of the proposed development through the investigation of similar Zambrero sites throughout Australia. In this regard, the TIA states that Zambrero provide a quick-service restaurant and take-away experience for customers which results in high turnover of customers, with a reduced accumulation of parking as a result. The report also indicates that this service model differs from traditional restaurants (sit-down dining, often booked in advance) which results in customers staying for extended periods of time, with longer parking duration requirements.

In terms of the parking provision of similar Zambrero sites, the report states that the parking requirements for Zambrero sites range between 4 and 22 spaces, with drive-through storage provision varying between 6 and 13 cars. The report, then, argues that the provision of approximately 14 parking spaces and drive-through of 9 spaces works well for typical Zambrero restaurant developments throughout Australia. The report also adds that the use of the drive-through facility also enables vehicles to access the site without being required to park to collect their order.

Finally, the TIA concludes that the actual car parking demand is likely to be lower than the Scheme requirements based on the following key points:

- Zambrero provides a fast and efficient service compared to traditional restaurants, thus the turnover is relatively high, and the resulting parking accumulation is relatively low.
- Zambrero is likely to attract customers from the nearby catchment area (professionals working nearby, residents, etc.).
- The overall provision of parking and drive-through facilities at the site is consistent with other Zambrero sites throughout Australia.
- The provision of a drive-through facility reduces the need for physical parking spaces on site
- Metro Tasmania operates regular bus services along Main Road past the site (Bus stops are located on both sides of the road in close proximity to the site, within a short walking distance). It is expected that some of the customers use this mode of transport.

- The site is located near residential and commercial catchments within a reasonable walking distance (including the Springfield Bus Interchange, Harvey Norman, JMC, St John Ambulance, TasWater, etc.). Many customers may walk to the site from these areas.
- The proposed development also provides a total of 8 motorcycle spaces, which will increase the attractiveness of the development for this mode of transport.

I agree with the conclusion that the provision of 14 spaces (pro-rata of total car park based on floor areas of two tenancies of site), along with the provision of 9 drive-through spaces is considered adequate for the proposed development.

Conclusion

As the proposed development is not expected to have any significant detrimental impacts on the surrounding road network in terms of traffic efficiency or road safety, I have no objection to the development of the proposed restaurant (food services) with drive-through facility relying on performance criteria at 178 Main Road, Moonah on traffic engineering or road safety grounds, subject to the following conditions being met:

- Relevant regulatory signage in accordance with Australian Standards requirements must be installed at the access points

Development Engineer

Council's Development Engineer has made the following comments and recommended condition of approval.

The scope of the proposed works includes the removal of a redundant access on Maxwell Street, new parking layout and line-marking for 30 spaces, with 14 spaces allocated to the proposed restaurant, motor-bike parking for eight spaces and bicycle parking areas for 14 bicycles, drive-through and queuing areas for nine cars, internal alterations and signage. The entry is via Main Road on the southern side of this frontage and the exit is off the northern side of this frontage, while there is a second exit from the drive-thru, onto Maxwell Street (Fig. 5).

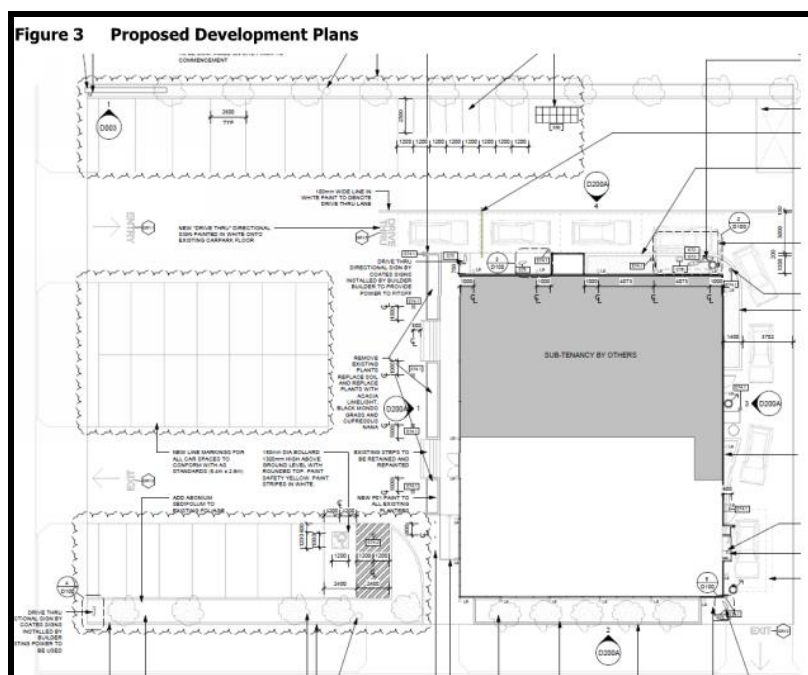


Figure 5. Proposed site plan showing the parking layout.

Traffic, Access & Parking

The TIA and plans dated 29 August 2016 are accepted and generally comply with AS 2890.1, AS 2890.3 and AS 2890.6. The proposed restaurant and drive-through generates significant shortfall in on-site parking. This issue has been addressed by Council's Transport Engineer. Please refer to Traffic Engineer Referral above.

GCC Services (Stormwater)

There are no GCC stormwater mains affected by this application.

Other

Geoscience issues

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

Flooding/Inundation issues

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

Environmental Health Officer

Council's Environmental Health Officer has made the following comments and recommended conditions.

The proposed use will operate at a site which is already utilised for food service. The distance to residential areas attenuates any noise which may be produced from the drive-through. The proposed drive-through is consistent with nearby restaurants along this section of Main Road which offer this service. The requested hours of operation have been applied as a condition.

EXTERNAL REFERRALS**TasWater**

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

REPRESENTATIONS

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

CONCLUSION

The proposal is relying on the performance criteria to comply with the 23.3.1 Hours of Operation standard, 23.4.5 Landscaping standard, E6.6.1 Number of Car Parking Spaces standard, E17.6.1 Use of Signs standard and E17.7.1 Standards for Signs standard. The proposal is assessed as satisfying the performance criteria and complies with the applicable standards. The proposal is assessed as complying with all other use and development standards in the Commercial Zone, as well as 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. 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 Restaurant (food services) with drive-through facility and signage, relying on performance criteria at 178 Main Road Moonah, subject to the following conditions:

Planning

1. Use and development shall be substantially in accordance with planning permit application No. PLN-16-105 and Drawing No. P1 (pages 1 and 2) submitted on 24 May 2016 and Drawing No. P2 submitted on 29 August 2016, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Appendix A, form part of this permit.
3. Hours of operation must be within the following:
 - Monday to Thursday 10:30am to 10:30pm;
 - Friday and Saturday 10:30am to 12 midnight; and
 - Sunday and public holidays 10:30am to 10:30pm.
4. Mechanical plant and miscellaneous equipment such as heat pumps, air conditioning units, switchboards, hot water units or similar must be screened from view from the street and other public spaces.

Engineering

5. 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.
6. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
7. Car parking spaces, motor bike and bicycle parking and driveway area must be provided as shown on the Site Plan D100 submitted with the development application dated 29 August 2016 and kept available for these purposes at all times. The car parking spaces, motor bike and bicycle parking and driveway area must be in accordance with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004.
8. Of the total required number of car parking spaces of the completed development, one (1) car parking space must be provided for the use of accessible parking. The parking space to be provided must be marked, with clearly painted markings, as "Disabled Parking", kept available for these purposes at all times and be in accordance with the Australian Standard, Parking facilities, Part 6: Off-Street Car parking for people with disabilities, AS 2890.6 – 2009.
9. The proposed driveway and parking areas must comply with the following:-
 - The main section of the carpark is to be one-way traffic flow as indicated in the submitted and approved drawing;
 - Line-marking and signage to indicate the traffic flow must be incorporated into the car park design and installed to the satisfaction of Council's Development Engineer. The "left turn only" signage must be installed at the exit off Main Road.;
 - Appropriate 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, must be provided for vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces when used outside daylight hours;
 - The design and installation 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.;

- Be constructed to a sealed finish and reline-marked to the approved drawing D100 submitted to Council dated 29 August 2016; and
- All runoff from paved and driveway areas must be discharged into Council's stormwater system.
- "NO PARKING" is to be painted in reflective yellow on the surface of the area adjacent to the proposed drive-through lane to deter parking in this location and prevent conflict with cars waiting in the drive-through queue.
- All existing car park line marking shall be permanently removed.

To comply with the above requirements, the developer must submit engineering drawings, to scale, demonstrating compliance with the requirements, to the satisfaction of Council's Development Engineer, prior to the issue of the Building Permit.

10. The redundant vehicular crossing must be reinstated to footpath/nature strip and kerbing to the satisfaction of Council's Development Engineer at the developer's cost, prior to the occupancy of the building. Any driveway/crossover work within Council's road reservation must be carried out by a Council approved contractor and all work, including redundant vehicular access points must be reinstated to match the existing adjacent footpath/nature strip profile.
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.

Traffic

12. Relevant regulatory signage required in accordance with Australian Standards, must be installed at the access points at the developer's cost, prior to the occupancy of the building.

Environmental Health

13. A noise level from an activity/building must enable compliance with the following:

The equivalent continuous A-weighted sound pressure level measured over 15 minutes (LAeq15min) emitted from a noise source must not exceed 5dB above the background (LA90) noise level at any time when assessed at the boundary of an affected receiver. The background noise level must be measured in the absence of noise emitted from the proposed use in accordance with AS 1055.1-1997 Acoustics – Description and Measurement of Environmental Noise General Procedures.

14. The loading and unloading of vehicles on the land and the transportation of any materials to or from the land must only take place between the following hours:

Monday through to Saturday 0700 to 1800

Sunday and Public Holidays 0900 to 1800

15. The discharge of liquids, other than unpolluted rainwater, to Council's stormwater system, receiving water bodies or water courses is strictly prohibited.

Any area where liquid wastes (including spills) are generated must be suitably graded and bunded to direct the liquid waste to sewer.

16. All solid wastes must be managed in accordance with the hierarchy of waste management summarised below, unless otherwise approved in writing by the Senior Environmental Health officer:
- a) waste must be minimised, that is, the generation of waste must be reduced to the maximum extent that is reasonable and practicable, having regard to best practice environmental management;
 - b) waste must be re-used or recycled to the maximum extent that is reasonable and practicable; and
 - c) any residual waste must be disposed of only at a site and in a manner approved by the Senior Environmental Health Officer.

Advice to Applicant

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

- 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: <http://gcc.tas.gov.au/content/Driveways.GCC?ActiveID=1304>.
- A road-opening permit from Council's Planning Services Program is required. An inspection fee is payable upon application. Prior to the commencement of any work within the road reservation by Council's approved contractor, the contractor shall obtain a road opening permit from the Council's Development Engineer. 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 on Council's website. Please contact Council's Development Engineer on (03) 6216 6439 to organise for Council to provide the Permit.
- 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.

- If asbestos is identified during demolition/renovation then removal must be undertaken in accordance with the Building Regulations 2014. The regulations outline a number of mandatory requirements covering the removal of asbestos, this includes ensuring that all practicable steps are taken before a demolition occurs to identify the presence of asbestos and only permits waste asbestos to be disposed of at an approved waste management facility.
- The proponent's Building Surveyor must forward copies of the following documents to the Senior Environmental Health Officer 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
 - d) Council's Senior Environmental Health Officer may require the premises to meet equipment and fit out specifications which exceed those required by the National Construction Code 2014, before the premises can be registered and the food business licensed pursuant to the Food Act 2003.

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 2000 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** Attachment - 178 Main Road, Moonah

Appendix 1**23.0 Commercial Zone**

Standard	Acceptable Solution	Proposed	Complies?
23.3 Use Standards			
23.3.1 Hours of Operation	A1 Hours of operation of a use within 50 m of a residential zone must be within: (a) 6.00 am to 10.00 pm Mondays to Saturdays inclusive; (b) 7.00 am to 9.00 pm Sundays and Public Holidays. except for office and administrative tasks.	The proposed hours of operation are: Weekdays 10.30am to 10.30pm (12.00 midnight Friday) Saturdays 10.30am to 12.00 midnight Sundays 10.30am to 10.30pm Public Holidays 10.30am to 10.30pm	No
23.3.2 Noise	A1 Noise emissions measured at the boundary of a residential zone must not exceed the following: (a) 55dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm; (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm to 7.00 am; (c) 65dB(A) (LAmix) at any time. Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness. Noise levels are to be averaged over a 15 minute time interval.	The site is more than 50m from nearest residential zone and assessed as unlikely to cause a noise nuisance. The standard condition is recommended..	Yes

Standard	Acceptable Solution	Proposed	Complies?
23.3.3 External Lighting	A1 External lighting within 50 m of a residential zone must comply with all of the following: (a) be turned off between 11:00 pm and 6:00 am, except for security lighting; • (b) security lighting must be baffled to ensure they do not cause emission of light outside the zone.	The site is more than 50m from nearest residential zone and assessed as unlikely to cause light spill onto residential zoned land.	Not applicable standard.
23.3.4 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.	Greater than 50m from nearest residential zone	Not applicable standard
23.3.5 Outdoor Work Areas	A1 Outdoor work areas and noise-emitting services such as air conditioning equipment, pumps and ventilations fans must not be located within 50 m of a residential zone.	Greater than 50m from nearest residential zone	Not applicable standard
22.4 Development Standards for Buildings and Works			
22.4.1 Building Height	A1 Building height must be no more than: 9m.		

Standard	Acceptable Solution	Proposed	Complies?
	A2 Building height within 10 m of a residential zone must be no more than 8.5 m.	No change to height of existing building	Not applicable standard
23.4.2 Setback	A1 Building setback from frontage must be parallel to the frontage and must be no more than: (a) 8 m, if fronting a street other than the Brooker Highway; or (b) 10 m, if fronting the Brooker Highway or on CT46976/2 (115 Central Avenue Derwent Park).	No change to frontage setback of existing building	Not applicable standard
	A2 Building setback from the General Residential or Inner Residential Zone must be no less than: (a) 5m; or (b) half the height of the wall, whichever is the greater.	No change to frontage setback of existing building	Not applicable standard
23.4.3 Design	A1 Building design must comply with all of the following: (a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site; (b) for new building or alterations to an existing facade provide windows and door openings at ground floor 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	a) The main pedestrian access is to be clearly visible from the road. b) More than 40% of the Main Road façade, which is the front façade, is to consist of windows. c) No single expanse of blank wall is proposed on any façade. d) mechanical plant and miscellaneous equipment is not proposed to be visible from the street or public places. e) No change proposed to roof-top service infrastructure.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	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.	f) The existing building is setback from the foot path and awnings are not proposed or required. g) security shutters over windows or doors is not proposed.	
	A2 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.	No wall of the existing building faces a residential zone	Yes
23.4.4 Passive Surveillance	A1 Building design must comply with all of the following: (a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site; (b) for new buildings or alterations to an existing facade provide windows and door openings at ground floor	a) The main pedestrian entrance to the building is clearly visible from the road or publicly accessible areas on the site; b) More than 40% of the Main Road façade, which is the front façade, is to consist of windows.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	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.	c) More than 30% of the surface area of the ground floor level façade that faces a public space or a car park comprises of windows; d) It is assessed that no entrapment spaces around the building site are proposed given the main pedestrian access points and the drive through encircling part of the building. e) The plan shows two existing light poles that are to be mounted with 150W LED floodlighting of the carpark. f)	
23.4.5 Landscaping	A1 Landscaping is not required along the frontage of a site if all of the following apply: (a) the building extends across the width of the frontage, (except for vehicular access ways); (b) the building has a setback from the frontage of no more than 1m.	Landscaping is required because the building does not extend across the width of the frontage and the building does not have a setback from the frontage of no more than 1m.	No
	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 land within a residential zone	Not an applicable standard
23.4.6 Outdoor Storage Areas	A1 Outdoor storage areas for non-residential uses must comply with all of the following:	Outdoor storage area is not proposed	Not an applicable standard

Standard	Acceptable Solution	Proposed	Complies?
	(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.		
23.4.7 Fencing	A1 Fencing must comply with all of the following: (a) fences, walls and gates of greater height than 1.5 m must not be erected within 10 m of the frontage; (c) fences along a frontage must be at least 50% transparent above a height of 1.2 m; (d) 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.	A frontage fence is not proposed	Not an applicable standard

APPENDIX 2

E5.0 Road and Railway Assets Code

Standard	Acceptable Solution	Proposed	Complies?
5.5 Use Standards			

Standard	Acceptable Solution	Proposed	Complies?
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	
	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.	N/A	
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			

Standard	Acceptable Solution	Proposed	Complies?
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	
	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	

Standard	Acceptable Solution	Proposed	Complies?
	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.	Comply	Yes
E5.6.3 New Level Crossings	A1 No Acceptable Solutions.	N/A	
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.	Existing situation and comply	Yes

Appendix 3

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: (c) no less than the number specified in Table E6.1 and no more than 10% greater than that number;	30	Performance Criteria

Standard	Acceptable Solution	Proposed	Complies?
	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.		
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.	1	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.	Provided	Yes
E6.6.4 Number of Bicycle Parking Spaces	A1 The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.	Provided	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.	4 existing → proposed to have 3 in total	Yes
E6.7.2 Design of Vehicular Accesses	A1 Design of vehicle access points must comply with all of the		

Standard	Acceptable Solution	Proposed	Complies?
	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; (d) 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 change	
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.	One-way circulation	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	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	Provided	Yes

Standard	Acceptable Solution	Proposed	Complies?
	section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same Standard.		
E6.7.6 Surface Treatment of Parking Areas	A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following; (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.	Sealed as existing	Yes
E6.7.7 Lighting of Parking Areas	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 “Basis of Design” and clause 3.6 “Car Parks” in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.	Condition	Condition
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.	Yes	Yes

Standard	Acceptable Solution	Proposed	Complies?
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	Yes
	A2 The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.	To condition	To condition
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.	Provided	Yes
E6.7.1.13 Facilities for Commercial Vehicles	A1 Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless: (a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site; (b) the use is not primarily dependent on outward delivery of goods from the site.	N/A	

Standard	Acceptable Solution	Proposed	Complies?
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements of the road authority.	Will condition re signage	To be conditioned

Appendix 4

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	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: (d) the size of new impervious area is more than 600 m ² ; (e) new car parking is provided for more than 6 cars; (f) a subdivision is for more than 5 lots.	N/A	
	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.	N/A	
	A4 A major stormwater drainage system must be designed to		

Standard	Acceptable Solution	Proposed	Complies?
	accommodate a storm with an ARI of 100 years.	N/A	

Appendix 5

E17.0 Signs Code

Standard	Acceptable Solution	Proposed	Complies?
E17.6 Use Standards			
E17.6.1 Use of Signs	A1 A sign must be a permitted sign in Table E17.3	The proposed Pylon sign, ground based signs (directional signage and menu boards), roof signs, wall mural and window signage are permitted.	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 signage relates directly to the use of the building or site to which it is affixed.	Yes
	A3 A sign must not contain flashing lights, moving parts or changing messages or graphics, except if a Statutory Sign	The proposed signage does not include 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.	An illuminated sign is to be located within 30m of a residential use, 'thank you sign'.	No
E17.7 Development Standards			
	A1	The proposed signs do not comply with the	No

Standard	Acceptable Solution	Proposed	Complies?
E17.7.1 Standards for Signs	A sign must comply with the standards listed in Table E.17.2 and be a permitted sign in Table E17.3.	standards listed in Table E17.2. The signs are permitted in Table E17.3.	
	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) A maximum of one sign type is proposed per frontage. b) One window sign is proposed across the three windows on the Maxwell Street frontage (each window consists of three panes). c) Not applicable d) No more than 6 signs are proposed on the Maxwell Street frontage	Yes
	A3 Signs must not obscure or prevent or delay a driver from seeing a Statutory Sign or a Tourist Information Sign.	No proposed sign obscure or prevent or delay a driver from seeing a Statutory Sign or a Tourist Information Sign	Yes
	A4 Signs must not resemble Statutory Signs because of the same or similar shape, size, design, colour, letter size or	The proposed signs do not resemble Statutory Signs.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	lighting.		
	A5 For properties that have a common boundary with Brooker Avenue, any advertising sign must be located at least 5m from that boundary.	Not applicable standard	NA
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	Not applicable standard	NA

7. PROPOSED USE AND DEVELOPMENT - CHANGE OF USE TO CAFE (FOOD SERVICES) RELYING ON PERFORMANCE CRITERIA AND SIGNAGE 2/4 EADY STREET GLENORCHY

Author: Planning Officer (Vanessa Tomlin)

Qualified Person: Vanessa Tomlin (Planning Officer)

Property ID: 2019805

REPORT SUMMARY:

<i>Application No.:</i>	PLN-16-151
<i>Applicant:</i>	S L J A Harris and C Hinson
<i>Owner:</i>	Gennaio No.2 Pty Ltd
<i>Zone:</i>	Central Business
<i>Use Class</i>	Food Services
<i>Application Status:</i>	Discretionary
<i>Discretions:</i>	Number of Car Parking Spaces P1; Number of Bicycle Parking Spaces P1; and Standards for Signs P1
	(The proposal meets all other applicable standards as demonstrated in the attached appendices)
<i>Level 2 Activity?</i>	No
<i>42 Days Expires:</i>	12 October 2016
<i>Existing Land Use:</i>	Shop (GPS 1992)
<i>Representations:</i>	0
<i>Recommendation:</i>	Approval, subject to conditions

REPORT IN DETAIL:**PROPOSAL**

The proposal is for a change of use from Shop (Butcher) to Food Services (café). The applicant seeks to operate the café between 7.30am to 6.00pm Monday to Saturday and on public holidays. The proposal is to cater for approximately 40 sit-down customers, as well as offering a take-away service. The proposal is to have six staff.

Business identification signage is proposed and is to be attached to the fascia of the existing building. The signage is not illuminated. The site has a parking credit of six spaces, owing to previous approvals and a parking shortfall of 21 spaces.

The proposal relies on performance criteria of E6.6.1 Number of Car Parking Spaces P1; E6.6.4 Number of Bicycle Parking Spaces P1; and E17.7.1 Standards for Signs P1.

SITE and LOCALITY

The subject tenancy is located in the southern corner of the Village Cinema Complex, which is situated on the corner of Eady and Terry Street. The site is situated between Centro Glenorchy Shopping Centre to the west, the Big W shopping complex to the north, and Council-owned sports fields to the east, on the far side of Eady Street (Fig. 1).

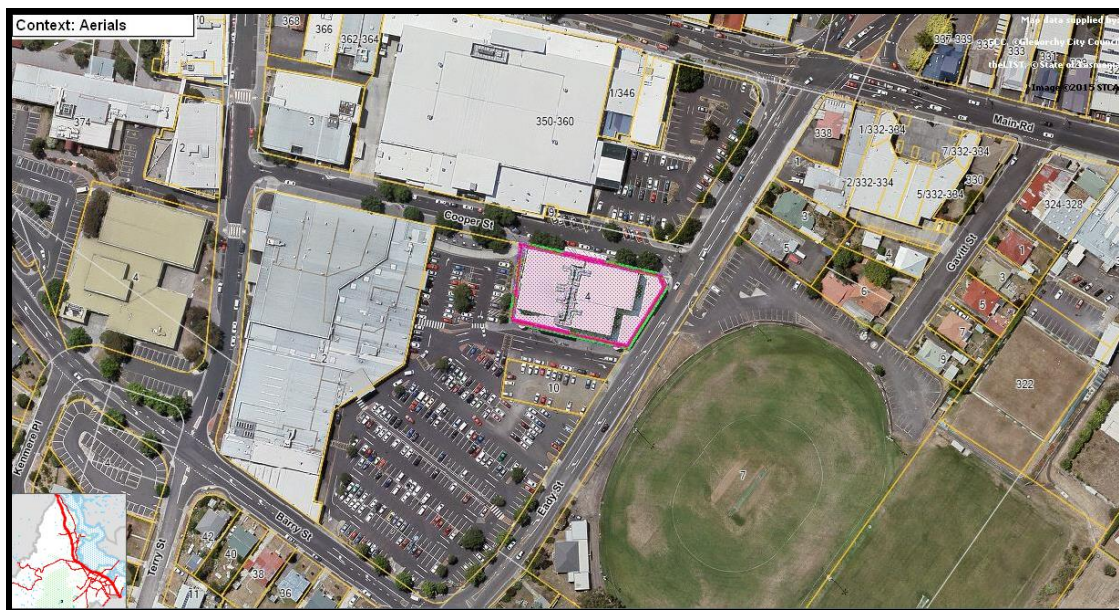


Figure 1: A snapshot of the site and surrounds, Location map (source: council records)

ZONE

The site is located in the Central Business zone (Fig. 2). The zone adjoins land zoned Recreation to the east (Eady Street sports grounds) and land to the north-east is zoned Commercial.



Figure 2. The site is located in the Central Business zone (royal blue), with the Recreation zone (green) and the Commercial zone (lilac) in close proximity.

BACKGROUND

DA 189-99

Cinema Complex, Civic Centre, Restaurant and Shops, approved on 19 October 1999. The proposal site, 2/4 Eady Street was approved as Retail (shop) with 182m² of floor area. This resulted in a parking credit of 6 spaces. In total, 527m² of retail space and a 150m² coffee shop (currently occupied by Subway ®) was approved as part of this application. This proposal had a parking shortfall and \$240,000 was paid to Council as cash-in-lieu.

PLN-04-03026-01 Butcher shop and associated signage, approved on 11 January 2005. This change of use application do not attract additional parking owing to a parking rate of 1 per 35m², which is equivalent to a shop (GPS 1992).

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

Clause 5.10.1 makes provision to exempt some signs, in accordance with E17.4. The proposed signage is not exempt from assessment under the provisions of the signs code, owing to the proposal not meeting the exemption criteria.

Limited Exemptions

Nil

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

The Specific Area Plan, F9 Glenorchy Activity Centre Urban Design Specific Area Plan applies to the development proposed on the proposal site. This Specific Area Plan overrides the following development standards of the Central Business Zone:

Development Standards for Buildings and Works:

22.4.1 Building height

22.4.2 Setback

22.4.3 Design

22.4.4 Passive Surveillance

22.4.5 Landscaping

The proposal does not involve changes the existing building. Therefore, the development standards of the SAP are not applicable standards to the assessment of this application.

It is noted that no provision of a code overrides the zone provisions in this assessment.

Use Class Description (Table 8.2):

Food services mean use of land for preparing or selling food or drink for consumption on or off the premises. Examples include a cafe, restaurant and take-away food premises.

Other relevant definitions (Clause 4.1):

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

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

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

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.

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

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 provisions of the Scheme apply to this proposal.

Part D: Zones

The land is within the Central Business 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 Central Business Zone is:

- To provide for business, civic and cultural, community, food, hotel, professional, retail and tourist functions within a major centre serving the region or sub-region.
- To maintain and strengthen the principal activity centre providing for a wide range of services and facilities to serve the surrounding subregion, with a strong focus on the retail and commercial sector.
- To facilitate high density residential development and visitor accommodation within the activity centre above ground level and surrounding the core commercial activity centre.
- To ensure development is highly accessible by public transport, walking and cycling.
- To maintain and strengthen Hobart's Central Business District and immediate surrounds including, the waterfront, as the primary activity centre for Tasmania, the Southern Region and the Greater Hobart metropolitan area with a comprehensive range of and highest order of retail, commercial, administrative, community, cultural, employment areas and nodes, and entertainment activities provided.
- To provide a safe, comfortable and pleasant environment for workers, residents and visitors through the provision of high quality urban spaces and urban design.

- To facilitate high density residential development and visitor accommodation within the activity centre above ground floor level and surrounding the core commercial activity centre.

Use Table

Food services are a permitted use category in the Central Business Zone. However, the proposal relies on performance criteria in relation to car parking requirements.

Use Standards

Clause 22.3 sets out the acceptable solutions in relation to hours of operation, noise, external lighting and commercial vehicle movements.

The proposal is assessed as satisfying the acceptable solutions of the Use Standards and complies with the applicable standards. A condition of approval is recommended for the hours of operation.

Development Standards for Buildings or Works

No changes to the existing building are proposed; as such the development standards are not applicable.

Part E: Codes

The following codes of the Scheme apply to this proposal:

E6.0 Parking and Access Code

The proposal site has a parking credit of six spaces, as a result of previous uses in the tenancy. However, the parking generation for a café is higher than the parking generation of the previous uses, which causes a parking shortfall for this application. To justify the parking shortfall against the performance criteria, a Traffic Impact Statement (TIS) was required.

E6.6 Use Standards

E6.6.1 Number of Car Parking Spaces

Council's Traffic Engineer has peer reviewed the TIS and is satisfied that the parking generated from the proposal can be catered for in the Glenorchy Central Shopping Centre car parking area. For more detailed comment, refer to Council's Traffic Engineer's assessment in the Internal Referrals section of the report.

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

E6.6.4 Number of Bicycle Parking Spaces

The proposal does not include bicycle parking as required by the acceptable solution of the standard. The performance criteria requires the number of on-site bicycle parking spaces provided to have regard to the nature of the use and its operations; the location of the use and its accessibility by cyclists; the balance of the potential need of both those working on a site and clients or other visitors coming to the site.

Given that the proposal is relying on a shared car parking arrangement with other business in the vicinity of the Glenorchy Central Shopping Centre car parking area, it is considered reasonable that the bicycle parking requirement should be catered for in the share arrangement. Therefore, cyclists visiting the site can use the bicycle facilities in the public car park. Should employees require bicycle parking facilities, a secure area could be provided within the 'staff only' section of the premises. Accordingly, the proposal is assessed as satisfying the performance criteria and complies with the standard.

E17.0 Signs Code

The proposed signage is to wrap around the existing fascia of the tenancy. The signage is to have a black background and white graphics. The graphics include the business name and a coffee cup shape (Fig. 3).



Figure 3. An excerpt of the proposed awning signs, showing a black background and white graphics.

The proposed signage is defined as an awning fascia sign, which means a sign on the fascia or return ends of cantilever or suspended awnings.

E17.7.1 Standards for Signs P1

The proposal does not satisfy the acceptable solution, owing to the height of the graphics. The proposal relies on the performance criteria to comply with the standard. The performance criteria require the signage to:

- (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.

The proposed signage identifies the associated business without dominating the building or streetscape. Owing to the proposed design, the signage does not repeat messages or information unnecessarily. The assessment concludes that the proposed signage complements the characteristics of the built environment in which it is located and complies with the standard, through the performance criteria.

PART F: Specific Area Plans

F9 Glenorchy Activity Centre Urban Design Specific Area Plan

The objective of F9.6 Use Standards is *“to ensure that uses at ground floor level create active frontages that attract pedestrian activity and contribute to the liveliness, vitality and security of adjoining streets and other public spaces.”*

The Acceptable Solutions for the use standard requires:

- A1 Except for minimal interruptions necessary to provide access to foyers, arcades, tenancies, parking or servicing, including for residential uses on upper levels, building uses at ground floor level must be for retail, business, community or other non-residential purposes.*

The proposed café, in an existing tenancy is expected to create an active frontage and attract pedestrian activity to the proposed commercial activity. Accordingly, the proposal is assessed as satisfying the acceptable solution and complies with the standard.

INTERNAL REFERRALS

Development Engineer

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

Traffic, Access & Parking

The applicant provided a Traffic Impact Statement (TIS) as part of the planning permit application to address the parking shortfall the proposed development attracts under the Glenorchy Interim Planning Scheme 2015. The TIS concluded and Council's Traffic Engineer agreed (please refer to Council Traffic Engineers report for a detailed discussion of these issues) that the six existing car parking spaces currently credited to the approved use is adequate to satisfy the parking demand for the proposed development. The TIS concluded that the Glenorchy Central Shopping Centre car parking area has more than adequate capacity to accommodate the six parking spaces credited to the shop once the business commences operation. It also has more than sufficient capacity to accommodate the seven parking spaces should the proposed café business occasionally generate this demand.

Car parking spaces for people with a disability are included within the Glenorchy Central Shopping Centre car parking area and are considered adequate to satisfy the Building Code of Australia Clause E6.6.2 of the Glenorchy Interim Planning Scheme 2015 refers to.

In accordance with table E6.2 of the Glenorchy Planning Scheme 2015 bicycle parking facilities are required to be provided, however, owing to the car parking being provided within a Council operated carpark, it is considered unreasonable for the applicant to provide this.

GCC Services (Stormwater)

There are no GCC stormwater mains affected by this application.

Other

Geoscience issues

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

Flooding/Inundation issues

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

Traffic Engineer

Council's Traffic Engineer has made the following comments.

I have reviewed the proposed change of use to cafe (food services) relying on performance criteria at 4 Eady Street, Glenorchy. The application documentation included a Traffic Impact Statement (TIS) prepared by Milan Prodanovic (dated August 2016).

The TIS states that the location of the proposed café business is a shop located in the Glenorchy Village Cinema complex on the corner of Eady Street and Cooper Street with a floor area of 176m². The report indicates that the development proposal is to modify the shop into a café business. The report also states that the café will include a counter sales area for food and beverage, both take-away and sit-down purchases and have seating for up to 42 people while the proposed café will operate with a maximum of five staff at the busiest time of the day.

In terms of parking requirement, the TIS state that Glenorchy City Council has confirmed the shop has a car parking credit of six parking spaces. The report also indicates that the required parking supply for the proposed development has been considered against the *Glenorchy Interim Planning Scheme 2015* requirements. Based on the assessment undertaken by the TIS, the car parking requirements for the proposed development is 27 car parking spaces as shown in the following table.

USE OR DEVELOPMENT CATEGORY	SCHEME PARKING REQUIRMENTS	GROSS FLOOR AREA OR SEATINGS	REQUIRED PARKING SPACES
Restaurant or Take-away Food Premises	15 spaces per 100m ² or 1 space per 3 seats	176m ² 42 seats	27 spaces 14 spaces

However, the TIS argue that the scheme does not differentiate car parking requirements for different types of food services (i.e. a takeaway food shop, a café or a restaurant) while service times and turnover of customers at a café type business are quite different to other food service businesses. The TIS also indicates that an alternative and more realistic approach in determining the required parking for the proposed café is to base it on the customer numbers and operations at existing cafés. For this reason, the TIS used the results of a survey at the Northgate Banjo's Bakery during the 12:00 noon to 1:00 pm period on Friday 1 May and Monday 4 May 2015 and the results of a survey at the Moonah Banjo's Bakery during the 12:15pm to 1:15pm period on Friday 25 September and 3:00pm to 3:30pm Thursday 8 October 2015. The surveys recorded the number of take-away and sit-down groups of people and customers at the shops over this period of time on the above days.

The results from these surveys show that the average occupancy rate of the surveyed shops was approximately 40%. Based on the finding from the surveys, the TIS concludes that the new café will generate a maximum parking demand of 10 car parking spaces.

In addition, the report indicates that from observations during the above customer surveys, approximately 10% of customers are employees from other businesses or offices (parking demand by these customers would already be accounted for with their place of employment and they would not be generating an additional car parking demand). The report also states that based on the advice from the *NSW RTA Guide to Traffic Generating Developments*, it is assumed 40% of the café customers will use private cars.

Applying a 10% reduction for other employees (not requiring parking) and a car modal split factor of 0.40 for other customers, the TIS calculates the required parking supply as follows:

$$10 \text{ spaces} \times 0.90 \text{ (other employees)} \times 0.40 \text{ (modal split)} = 3.6 \text{ (round up to 4)}$$

The TIS, then, concludes that the actual car parking demand for the new café will be four (4) car parking spaces. The report also states that there are six car parking spaces credited to the development site. Therefore, there will be no car parking short fall associated with the proposed development.

It should be noted that according to Council's Parking Occupancy Survey Report – Glenorchy Commercial Precinct (May 2016), the available parking spaces in the Glenorchy Centro Car Park is in the order of 162 spaces in the hour commencing 12pm and 136 spaces in the hour commencing 1pm.

This means that the public car park in the vicinity of the proposed development can be used for any unexpected increase in the parking demand.

Based on the above discussion, I concur that this parking estimation is appropriate for the case of the proposed development and any unexpected increase in the parking demand can be accommodated in the available car parking supply within the Glenorchy Centro Car Park without any serious impact on the road network.

Overall, 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. As a result, I have no objection to the development of the proposed change of use to cafe (food services) relying on performance criteria at 4 Eady Street, Glenorchy on traffic engineering or road safety grounds.

Environmental Health Officer

Council's Environmental Health Officer has made the following comments and recommended conditions.

This site is located greater than 50 metres from the closest residential zone; therefore the application is exempt from most of the use standards assessed by Environmental Health under Section 22.3 of the *Glenorchy Interim Planning Scheme 2015* (the Scheme). Hours of operation requested by the applicants have been assessed and fall within the hours outlined in A1 of section 22.3.1 (hours of operation) of the Scheme. These hours are therefore deemed as reasonable for this area and are recommended to be applied as a condition of the permit.

This use has been assessed as low-noise generating and unlikely to impact on residential premises. However, to safeguard the residential amenity of residential zones in proximity to this use it is recommended to apply A1 of Section 22.3.2 (Noise) of the Scheme as a condition of this permit.

The food verification process has already commenced for this application therefore advice regarding this is not required to be applied to the permit.

EXTERNAL REFERRALS

TasWater

The proposal was referred to TasWater. The conditions of approval required by that agency are attached to the permit being issued and marked "A".

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 E6.6.1 Number of Car Parking Spaces standard; E6.6.4 Number of Bicycle Parking Spaces standard; and E17.7.1 Standards for Signs. The proposal is assessed as satisfying the performance criteria and complies with the applicable standards. The proposal is assessed as complying with all other use and development standards in the Central Business zone, as well as the applicable standards of the Parking and Access Code and Stormwater Management Code. The application was publicly advertised for the statutory 14-day period and 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 change of use to cafe (food services) relying on performance criteria and signage at 4 Eady Street Glenorchy, subject to the following conditions:

Planning

1. Use and development shall be substantially in accordance with planning permit application No. PLN-16-151 and Drawing No. P1 submitted on 18 July 2016 and Drawing No. P2 submitted on 25 August 2016, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Appendix A, form part of this permit.
3. Hours of operation for the use must be within:
 - (a) 7.30 am to 6.00 pm Mondays to Saturdays inclusive;
 - (b) 7.30 am to 6.00 pm Sundays and Public Holidays.except for office and administrative tasks.

Engineering

4. 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.
5. Six 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.

Environmental Health

6. 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) (LAmax) at any time.

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

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

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 2000 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** Attachment - 2/4 Eady Street, Glenorchy

APPENDIX 1**22.0 Central Business Zone**

Standard	Acceptable Solution	Proposed	Complies?
22.3 Use Standards			
22.3.1 Hours of Operation	A1 Hours of operation of a use within 50 m of a residential zone must be within: (c) 6.00 am to 10.00 pm Mondays to Saturdays inclusive; (d) 7.00 am to 9.00 pm Sundays and Public Holidays. except for office and administrative tasks.	Proposed hours of operation are 7.30am to 6.00pm Monday to Saturday and Public Holidays	Yes
22.3.2 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 adjustment of noise levels for tonality and impulsiveness. Noise levels are to be averaged over a 15 minute time interval.	The proposal is assessed as low noise generating. However, a condition of approval is recommended to discourage any potential noise nuisance.	Yes
22.3.3 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,	The site is not within 50m of a residential zone	NA

Standard	Acceptable Solution	Proposed	Complies?
	except for security lighting; (b) security lighting must be baffled to ensure they do not cause emission of light outside the zone.		
22.3.4 Commercial Movements Vehicle	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 site is not within 50m of a residential zone	NA
22.4 Development Standards for Buildings and Works			
22.4.1 Building Height	A1 Building height must be no more than: 20m.	No change to existing building proposed	NA
	A2 Building height within 10 m of a residential zone must be no more than 8.5 m.	No change to existing building proposed	NA
22.4.2 Setback	A1 Building setback from frontage must be parallel to the frontage and must be no more than: (c) nil m, if fronting Main Road: or (d) the alignment of adjoining buildings, if fronting a street other than Main Road.	No change to existing building proposed	NA
	A2 Building setback from a residential zone must be no less than: (e) 6m; or	No change to existing building proposed	NA

Standard	Acceptable Solution	Proposed	Complies?
	(f) half the height of the wall, whichever is the greater.		
22.4.3 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 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;	No change to existing façade proposed	NA

Standard	Acceptable Solution	Proposed	Complies?
	(f) not include security shutters over windows or doors with a frontage to a street or public place;		
	(g) provide awnings over the public footpath if existing on the site or on adjoining lots.		
	A2 Walls of a building facing a residential zone must be coloured using colours with a light reflectance value not greater than 40 percent.	No change to existing façade proposed	NA
22.4.4 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;	No change to existing façade proposed	NA

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.		
22.4.5 Landscaping	A1 Landscaping is not required along the frontage in this zone.	Not applicable standard	NA
	A2 Along a boundary with a residential zone landscaping must be provided for a depth no less than: 2m.	Not applicable standard	NA
22.4.6 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.	Not applicable standard	NA
22.4.7 Fencing	A1 Fencing must comply with all of the following: (a) fences, walls and gates of greater height than 1.5m must not be erected within 4.5m of the frontage; (b) fences along a frontage must be at least 50% transparent above a height of 1.2m;	Not applicable standard	NA

Standard	Acceptable Solution	Proposed	Complies?
	(c) height of fences along a common boundary with land in a residential zone must be no more than 2.1m and must not contain barbed wire.		

APPENDIX 2**E6.0 Parking and Access Code**

STANDARD	ACCEPTABLE SOLUTION	PROPOSED	COMPLIES
Use Standards			
E6.6.1 Number of Car Parking Spaces	A1 The number of on-site car parking spaces must be: (e) 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.	6 currently credited to use. Refer to TIS and Traffic Engineer report	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.	Disability parking included within Glenorchy Central Shopping Centre car parking area.	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.	Not an applicable standard	N/A
E6.6.4 Number of Bicycle Parking Spaces	The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.	The proposal does not include bicycle parking.	No

STANDARD	ACCEPTABLE SOLUTION	PROPOSED	COMPLIES
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; (f) 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; (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.	Not an applicable standard	
E6.7.4 On-Site Turning	A1 On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following: (a) it serves no more than two dwelling units;		Yes

STANDARD	ACCEPTABLE SOLUTION	PROPOSED	COMPLIES
	(b) it meets a road carrying less than 6000 vehicles per day.		
E6.7.5 Layout of Parking Areas	A1 The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same Standard.		Yes - conditioned
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.	Glenorchy Central Shopping Centre car parking area.	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.	Glenorchy Central Shopping Centre car parking area.	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.	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	Not an applicable standard	

STANDARD	ACCEPTABLE SOLUTION	PROPOSED	COMPLIES
	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. 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.	2 medium to high security and 2 low security bicycle parking required	No
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 3

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	Yes, the proposed awning signage is listed as 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.	Yes, the signage is for business identification only.	Yes
	A3 A sign must not contain flashing lights, moving parts or changing messages or graphics, except if a Statutory Sign	The signage does not include 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.	No illumination is proposed.	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.	Considering that the graphics are to be approximately 0.6m in height, the signage is not exempt from assessment and does not comply with the standards listed in table E17.2. The signage has permitted status in table	No

Standard	Acceptable Solution	Proposed	Complies?
		E17.3.	
	A2 The number of signs per business per street frontage must comply with all of the following: (e) maximum of 1 of each sign type; (f) maximum of 1 window sign per window; (g) if the street frontage is less than 20 m in length, the maximum number of signs on that frontage is 3; (h) 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.	One sign type is proposed per frontage and one sign per frontage is proposed. The signage is limited to the awning.	Yes
	A3 Signs must not obscure or prevent or delay a driver from seeing a Statutory Sign or a Tourist Information Sign.	The proposed awning signs will not interfere with Statutory Sign or a Tourist Information Sign	Yes
	A4 Signs must not resemble Statutory Signs because of the same or similar shape, size, design, colour, letter size or lighting.	The black and white awning signage does not resemble Statutory Signs.	Yes
	A5 For properties that have a common boundary with Brooker	Not applicable standard.	NA

Standard	Acceptable Solution	Proposed	Complies?
	Avenue, any advertising sign must be located at least 5m from that boundary.		
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	Not applicable standard.	NA

CLOSED TO MEMBERS OF THE PUBLIC

8. APPEALS REPORT

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

9. COMPLIANCE REPORT

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