

GLENORCHY PLANNING AUTHORITY

MINUTES

MONDAY, 19 SEPTEMBER 2016



Chairperson: Alderman K. Johnston.

Hour: 3.01 p.m.

Present: Aldermen K. Johnston, D. Pearce, M. Stevenson, H. Quick and J. Branch-Allen.

In attendance: Mr. P. Garnsey (Manager – Environment and Development), Mr. P. Meloy (Senior Statutory Planner), Ms. V. Tomlin (Planning Officer), Ms. H. Zimmerman (Senior Environmental Health Officer), Ms. T. Patmore (Environmental Health Officer), Ms. B. Narksut (Senior Development Engineer), Mr. L. Meline (Development Technical Officer) and Mr. A. Mousavi (Transport Engineer).

1. PLANNING AUTHORITY DECLARATION

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

2. APOLOGIES

None.

3. PECUNIARY INTERESTS

None.

4. CONFIRMATION OF MINUTES

Resolution:

PEARCE/QUICK

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

The motion was put.

FOR: Aldermen Johnston, Pearce, Quick and Branch-Allen.

AGAINST:

The motion was CARRIED.

Alderman Stevenson arrived at the meeting at 3.12 p.m.

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

File Reference: 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

Resolution:

BRANCH-ALLEN/PEARCE

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.
6. The first-storey stairwell windows on the south-western elevation of the two proposed multiple dwellings must be of translucent glass and must remain in place for the life of the development.

Engineering

7. 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.
8. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.

9. 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.
10. 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.
11. 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.
12. 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.
13. 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.

The motion was put.

FOR: Aldermen Johnston, Pearce, Stevenson, Quick and Branch-Allen.

AGAINST:

The motion was CARRIED.

Reason for Decision:

After seeking to further the objectives of the Land Use Planning and approvals Act 1993; considering the matters set out in representations (if any); and reference to the current provisions of the Glenorchy Planning Scheme 1992, the Glenorchy Planning Authority decides to **grant a permit** for the reasons set out in the officer's report, except that an additional condition is included in the permit to ensure privacy for the adjoining property on the south-western boundary.

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

File Reference: 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

Resolution:

QUICK/BRANCH-ALLEN

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.

The motion was put.

FOR: Aldermen Johnston, Pearce, Stevenson, Quick and Branch-Allen

AGAINST:

The motion was CARRIED.

Reason for Decision:

After seeking to further the objectives of the Land Use Planning and approvals Act 1993; considering the matters set out in representations (if any); and reference to the current provisions of the Glenorchy Planning Scheme 1992, the Glenorchy Planning Authority decides to **grant a permit** for the reasons set out in the officer's report.

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

File Reference: 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

Resolution:

QUICK/STEVENSON

That a permit be granted for the proposed use and development of change of use to cat (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) (LAm_{ax}) at any time.

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

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

Advice to Applicant

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

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.

The motion was put.

FOR: Aldermen Johnston, Pearce, Stevenson, Quick and Branch-Allen.

AGAINST:

The motion was CARRIED.

Reason for Decision:

After seeking to further the objectives of the Land Use Planning and approvals Act 1993; considering the matters set out in representations (if any); and reference to the current provisions of the Glenorchy Planning Scheme 1992, the Glenorchy Planning Authority decides to **grant a permit** for the reasons set out in the officer's report.

PEARCE/QUICK

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

The motion was put.

FOR: Aldermen Johnston, Pearce, Stevenson, Quick and Branch-Allen.

AGAINST:

The motion was CARRIED.

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 2015 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 2015 Section 15(4).

The meeting closed at 3.52 p.m.

Confirmed,

CHAIRMAN