

GLENORCHY PLANNING AUTHORITY

AGENDA

MONDAY, 21 MARCH 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

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 7 March 2016 be confirmed.

5. PROPOSED USE AND DEVELOPMENT - EXTENSION TO MUSEUM SUBJECT TO VARIOUS CODES AND RELYING ON PERFORMANCE CRITERIA ON A HERITAGE LISTED PLACE - 651-655 MAIN ROAD, BERRIEDALE

Author: Planning Officer (Chantelle Griffin)

Qualified Person: Planning Officer - Chantelle Griffin

Property ID: 2250425

REPORT SUMMARY:

<i>Application No.:</i>	PLN-16-023
<i>Applicant:</i>	Ireneinc Planning
<i>Owner:</i>	Claremont Partners (Tas) Pty Ltd & the Crown
<i>Zone:</i>	Major Tourism, and Environmental Management
<i>Use Class:</i>	Community Meeting and Entertainment – Museum
<i>Application Status:</i>	Discretionary
<i>Discretions:</i>	Use subject to various codes and relying on performance criteria on a heritage listed place (The proposal meets all other applicable standards as demonstrated in the attached appendices)
<i>Level 2 Activity?</i>	N/A
<i>42 Days Expires:</i>	15 Mar 2016
<i>Existing Land Use:</i>	Museum and winery
<i>Proposal In Brief:</i>	Extension to museum subject to various codes and relying on performance criteria on a heritage listed place

Representations:	0
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL:**PROPOSAL**

The applicant proposes an extension to the Museum of Old and New Art (MONA) as described by the applicant:

The proposed development is for additional gallery space on the western end of the main MONA museum building. The gallery space has been designed for the purpose of housing further artworks by internationally acclaimed artist James Turrell; who was the artist of the “sky space” on the roof of the museum.

The proposed extension is located predominantly to the south of the link tunnel connecting the museum to the Roundhouse/Library building with a further small gallery on the northern side. The development includes a new bar area on level B3 to service these gallery areas. The main gallery space extends into Berriedale Bay with a contemporary form over two floors. A smaller gallery space “dark space” is located under the main gallery on the shore edge.

Access to the development is through the main museum with a number of new ramps to improve circulation around the site and to connect to a further entry, and the Turrell Skyspace located on the roof of the museum.

The proposed museum extension would adjoin the existing museum on the western side and would occupy an area adjacent to the courtyard garden for the Roundhouse. The building would have three main levels, two for the works by artist James Turrell and a bar, and a third above for a plant room. The building would be linked to the existing building by a three-storey foyer and a lift that would connect to a walkway to ‘sky space’ located on the roof of the existing building.

The main level would consist of works by James Turrell and a bar, with the “dark space” by James Turrell on the lower level. The museum extension would have a maximum height of 16.05m from mean sea level (MSL) and a maximum height of 14.65m from high water mark (HWM).

A portion of the building would extend over Berriedale Bay in the Derwent River with an A-frame providing support for the structure. In addition the proposal would include a tunnel leading north, back into the site.

Application:

The applicant submitted a comprehensive proposal including the following:

- A full set of scaled and dimensioned plans;
- Visual three-dimensional views of the proposed museum extension from significant view points around Berridale Bay;
- Planning submission by Irene Inc & Smith Street Studio dated 5 January 2016;

- Service Impact Report by JMG Engineers & Planners dated December 2015;
- Heritage Impact Statement by Paul Johnston Architects dated 21 December 2015;
- Vegetation Survey and Fauna Habitat Assessment by North Barker dated 11 November 2015;
- Marine and Coastal Natural Values Assessment by Aquenal Pty Ltd dated November 2014 (including a survey by Dr Eric J Woehler from Birdlife Tasmania dated October 2014);
- Marine Natural Values Assessment by Aquenal Pty Ltd dated September 2013;
- Preliminary Geotechnical Assessment by Scherzic Ground Investigations dated November 2015;
- Traffic Impact Assessment by Howarth Fisher and Associates dated January 2016; and
- Amended Traffic Impact Assessment by Howarth Fisher and Associates dated February 2016.

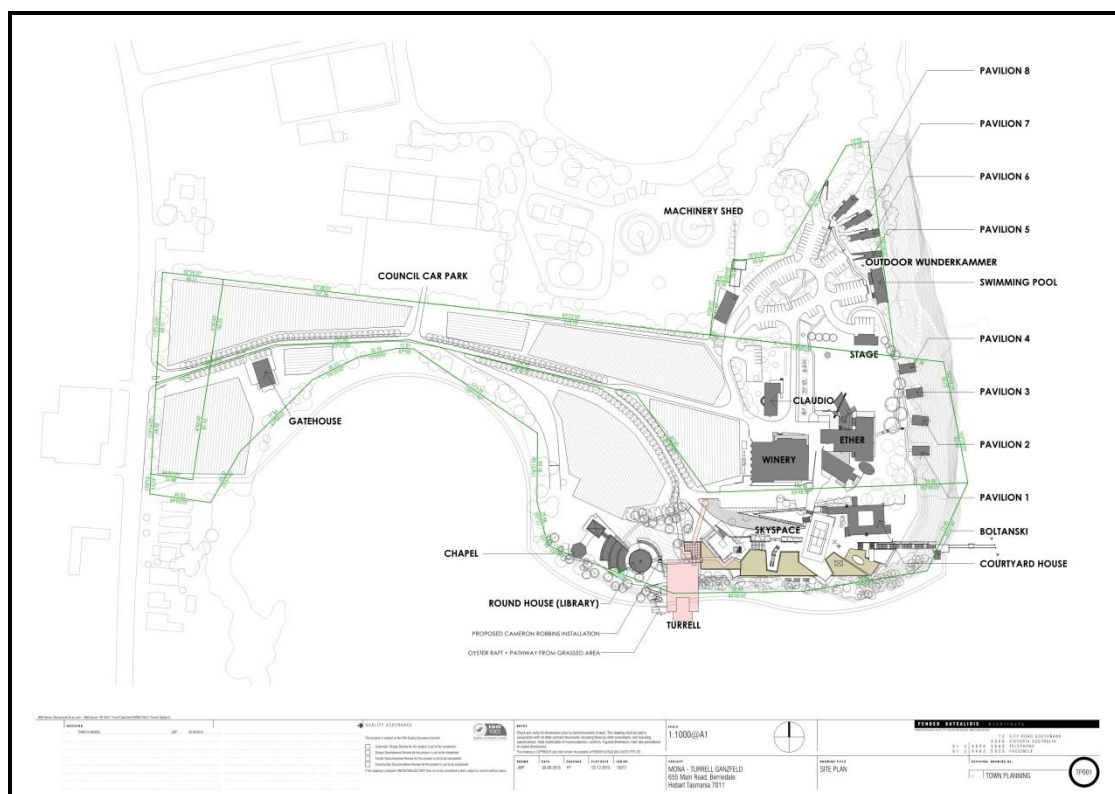


FIGURE 1: Site Plan of Existing and Proposed Development.

SITE AND LOCALITY

Moorilla Estate has an area of approximately 9.5 hectares. The property is located on the western bank of the Derwent River on a small peninsula at Berriedale. The site is accessed via a long driveway bordered by vineyards.

The principal existing site development comprises two heritage-listed houses, a museum, a restaurant, wine making shed and associated storage and production plant and eight guest houses.

The property is bound by Main Road to the west, Cameron Park Reserve to the north, and the Derwent River to the east and south.

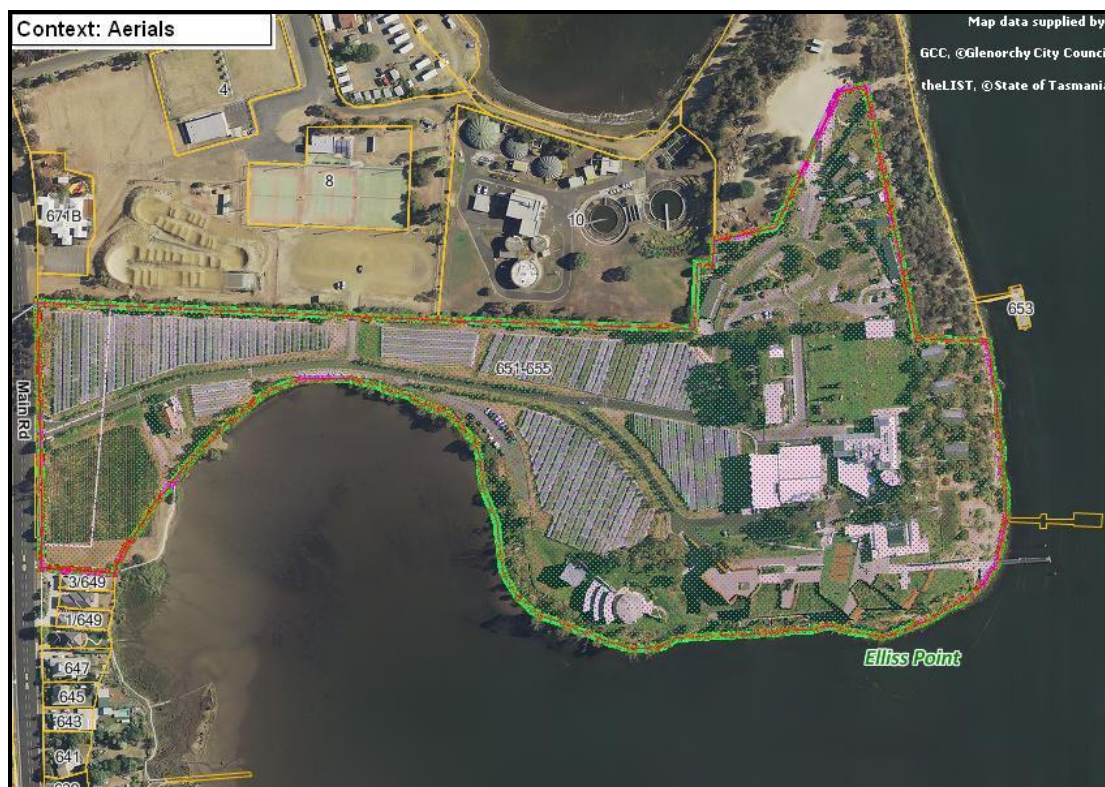


FIGURE 2: Aerial photograph of site and surrounds with cadastral overlay.

ZONE

- 651-655 Main Road, Berriedale

The subject property is within the Major Tourism Zone under the Glenorchy Interim Planning Scheme 2015.

- Derwent River

The subject property is within the Environmental Management Zone under the Glenorchy Interim Planning Scheme 2015.

BACKGROUND

Preliminary Assessment

- The applicant requested preliminary assessment in 2015, and advice was given relating to the sections of the Glenorchy Interim Planning Scheme 2015 that would need to be addressed.
- Prior to lodgement of the application the applicant under testing in the Derwent River for the purpose of providing a geotechnical report.

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. However, Code E6 Parking and Access, Code E7 Stormwater Management, Code E10 Biodiversity (Derwent River), Code E11 Waterway and Coastal Protection, and E15 Inundation Prone do apply to the site and to the proposed development (see later sections of this report).

E13 Historic Heritage Code does not apply because the property at 651-655 Main Road, Berridale is listed on the Tasmanian Heritage Register.

Use Class Description (Table 8.2):

The use of a museum is located within the Community Meeting and Entertainment use class description of the Glenorchy Interim Planning Scheme 2015.

Other relevant definitions (Clause 4.1):

The use of a museum is defined as the following in Clause 4.1 of the Glenorchy Interim Planning Scheme 2015:

means use of land to display archaeological, biological, cultural, geographical, geological, historical, scientific, or other like works or artefacts.

Part C: Special Provisions

Not Applicable.

Part D: Zones

651-655 Main Road, Berriedale

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

Derwent River

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

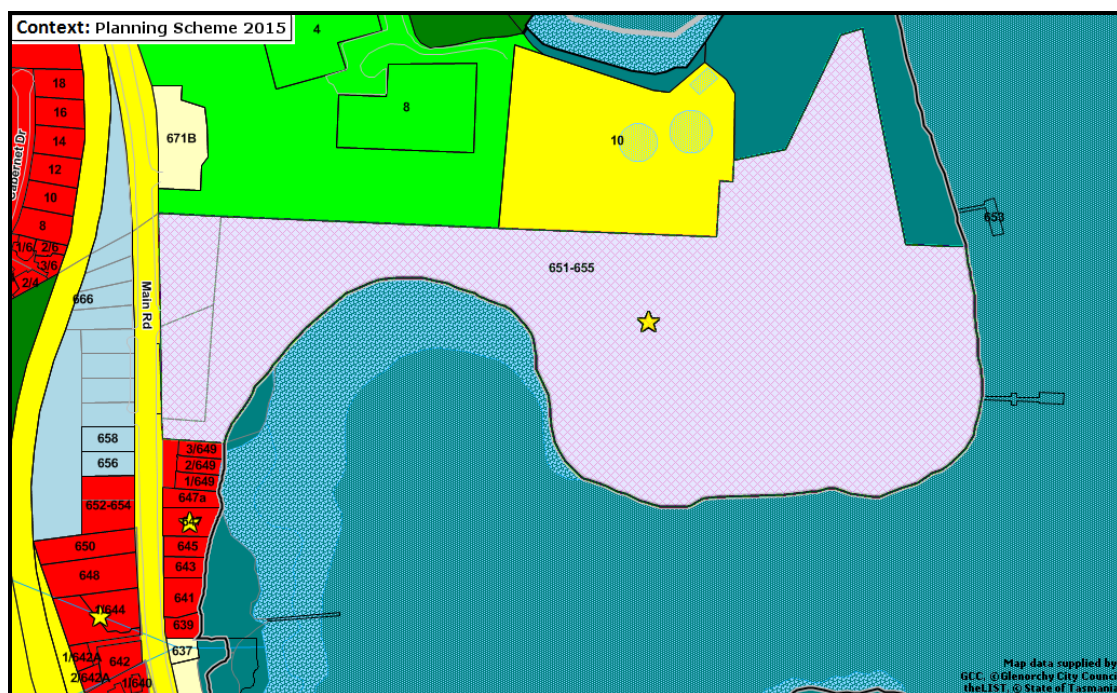


FIGURE 3: Excerpt from Council's Glenorchy Interim Planning Scheme 2015 zoning layer.

Zone Purpose Statement

Major Tourism Zone

The Major Tourism zone purpose statements in Clause 30.1.1 of the Glenorchy Interim Planning Scheme 2015 are as follows:

30.1.1.1

To provide for major tourist sites, including those located outside activity centres.

30.1.1.2

To encourage a range of tourist facilities including the provision of large scale mixed use developments particularly in areas near major tourist attractions.

30.1.1.3

To ensure development is of an appropriate scale and intensity for the location and minimises impacts on the surrounding urban or rural activities and cultural and natural attractions.

30.1.1.4

To ensure that any commercial uses support the tourist purpose of the site and do not adversely impact on existing activity centres.

The proposed extension to museum would encourage a range of tourist facilities including the provision of large-scale, mixed-use development for a major tourism attraction. The proposal would be an addition to the existing museum and would be in keeping with the style and materials.

The commercial use of a museum would support the tourist purpose of the site and would enhance existing tourist activities by creating additional space for the works of artist James Turrell. The use of museum is permitted in the Major Tourism zone.

Therefore, the proposal is considered to be in accordance with the zone purpose statement in Clause 30.1.1 of the Glenorchy Interim Planning Scheme 2015.

Environmental Management Zone

The Environmental Management zone purpose statements in Clause 29.1.1 of the Glenorchy Interim Planning Scheme 2015 are as follows:

29.1.1.1

To provide for the protection, conservation and management of areas with significant ecological, scientific, cultural or aesthetic value, or with a significant likelihood of risk from a natural hazard.

29.1.1.2

To only allow for complementary use or development where consistent with any strategies for protection and management.

29.1.1.3

To facilitate passive recreational opportunities which are consistent with the protection of natural values in bushland and foreshore areas.

29.1.1.4

To recognise and protect highly significant natural values on private land.

29.1.1.5

To protect natural values in un-developed areas of the coast.

The application for the proposed extension to museum included the following reports:

- Vegetation Survey and Fauna Habitat Assessment by North Barker dated 11 November 2015;
- Marine and Coastal Natural Values Assessment by Aquenal Pty Ltd dated November 2014 (including a survey by Dr Eric J Woehler from Birdlife Tasmania dated October 2014);
- Marine Natural Values Assessment by Aquenal Pty Ltd dated September 2013; and
- Preliminary Geotechnical Assessment by Scherzic Ground Investigations dated November 2015.

In addition the application was referred to Tasmania Aboriginal Heritage, and Tasmania Heritage Council. Both organisations were supportive of the proposal and did not recommend conditions.

Although there are some areas of significance recognised in the Scheme, the proposal would not be directly located in those areas.

Nonetheless, the reports as stated above were requested to provide confirmation that the proposal would have minimal impact on the adjoining areas.

The proposal would be for an extension to an existing museum with Berriedale Bay, and provides the potential for passive recreation below the structure. Therefore, the proposal is considered to be in accordance with the zone purpose statement in Clause 29.1.1 of the Glenorchy Interim Planning Scheme 2015.

Use Table

Major Tourism Zone

The proposed use of 'museum' is a permitted use without qualifications in accordance with the use table in Clause 30.2 of the Glenorchy Interim Planning Scheme 2015.

Environmental Management Zone

The proposed use of 'museum' is a discretionary use without qualifications in accordance with the use table in Clause 29.2 of the Glenorchy Interim Planning Scheme 2015.

Use Standards

Major Tourism Zone

The proposal complies with the use standards set out in Clause 30.3 of the Glenorchy Interim Planning Scheme 2015. Refer Appendix 1.

Environmental Management Zone

The proposal complies with the use standards set out in Clause 29.3 of the Glenorchy Interim Planning Scheme 2015. Refer Appendix 2.

Development Standards for Buildings or Works

Major Tourism Zone

Clause 30.4.1 – Standard A1

The proposed museum extension would require a maximum height of 10m natural ground level in accordance with Clause 30.4.1 – Standard A1 in the Glenorchy Interim Planning Scheme 2015.

The proposal would provide a maximum height of 16.05m from mean sea level (MSL) and a maximum height of 14.65m from high water mark (HWM). Variations may be considered in accordance with the performance criteria in Clause 30.4.1 – P1 as follows:

Building height must satisfy all of the following:

- (a) be consistent with any Desired Future Character Statements provided for the area;*
- (b) be compatible with the scale of nearby buildings;*
- (c) not unreasonably overshadow adjacent public space;*

As discussed below in Clause 30.1.3 – Desired Future Character Statements of the report, the proposal would be consistent with the Desired Future Character Statements for DD01 Moorilla Estate for land at 651-655 Main Road, Berriedale.

The proposed museum extension would be located between two existing buildings onsite and would be in keeping with the existing structures rising up from the escarpment. The proposal would allow for access below and above the structure and would be located in an area which has been significantly developed...

... The reports (provided by the applicant) demonstrate there would be minimal impact on the environmental values, and would minimise the potential for contaminated or sedimented water runoff. The Vegetation Survey and Fauna Habitat Assessment indicated weeds in and around the subject site and a recommendation was made for a weed management plan.

The variation is not considered to cause unreasonable overshadowing because the proposed variation would be located approximately 320m to the east and north-east of the public spaces around Berriedale Bay. The proposed size and scale of the museum extension would be in keeping with the existing museum with the tallest part of the existing. Therefore, it is considered that a variation would be acceptable in this instance.

Clause 30.4.2 – Standard A4

The proposed museum extension would require a minimum setback of 20m from the Environmental Management zone in accordance with Clause 30.4.2 – Standard A4 in the Glenorchy Interim Planning Scheme 2015.

The proposal would provide no setback from the Environmental Management zone. Variations may be considered in accordance with the performance criteria in Clause 30.4.2 – P4 as follows:

Buildings and works must be setback from land zoned Environmental Management to satisfy all of the following:

- (a) there is be no direct impact from the development on environmental values;*
- (b) the potential for the spread of weeds or soil pathogens onto the land zoned Environmental Management is minimised;*

- (c) *there is no potential for contaminated or sedimented water runoff impacting the land zoned Environmental Management;*
- (d) *there are no reasonable and practical alternatives to developing close to land zoned Environmental Management.*

As stated above, the applicant provided several reports from suitably qualified persons including a Vegetation Survey and Fauna Habitat Assessment, Marine and Coastal Natural Values Assessment, Marine Natural Values Assessment, and Preliminary Geotechnical Assessment.

The reports demonstrate there would be minimal impact on the environmental values, and would minimise the potential for contaminated or sedimented water runoff. The Vegetation Survey and Fauna Habitat Assessment indicated the existence of weeds in and around the subject site and a recommendation was made for a weed management plan.

The proposal would be for an extension to the museum between the existing building and the heritage listed Roundhouse. Due to the tight constraints and layout of the development of the site, the extension would extend into the Environmental Management Zone. This would also reduce the potential to impact on areas with a higher environmental value located further east in Berriedale Bay. Therefore, it is considered that a variation would be acceptable in this instance.

Clause 30.4.3 – Standard A1

The scheme has no acceptable solution in accordance with Clause 30.4.3 – Standard A1 in the Glenorchy Interim Planning Scheme 2015. Therefore, the proposed design of the museum extension would be reliant on the performance criteria set out in Clause 30.4.3 – P1. Variations may be considered in accordance with the performance criteria in Clause 30.4.3 – P1 as follows:

The design of development must comply with all applicable desired future character statements.

Clause 30.1.3 – Desired Future Character Statements

The Desired Future Character Statements refer to the site as shown below:

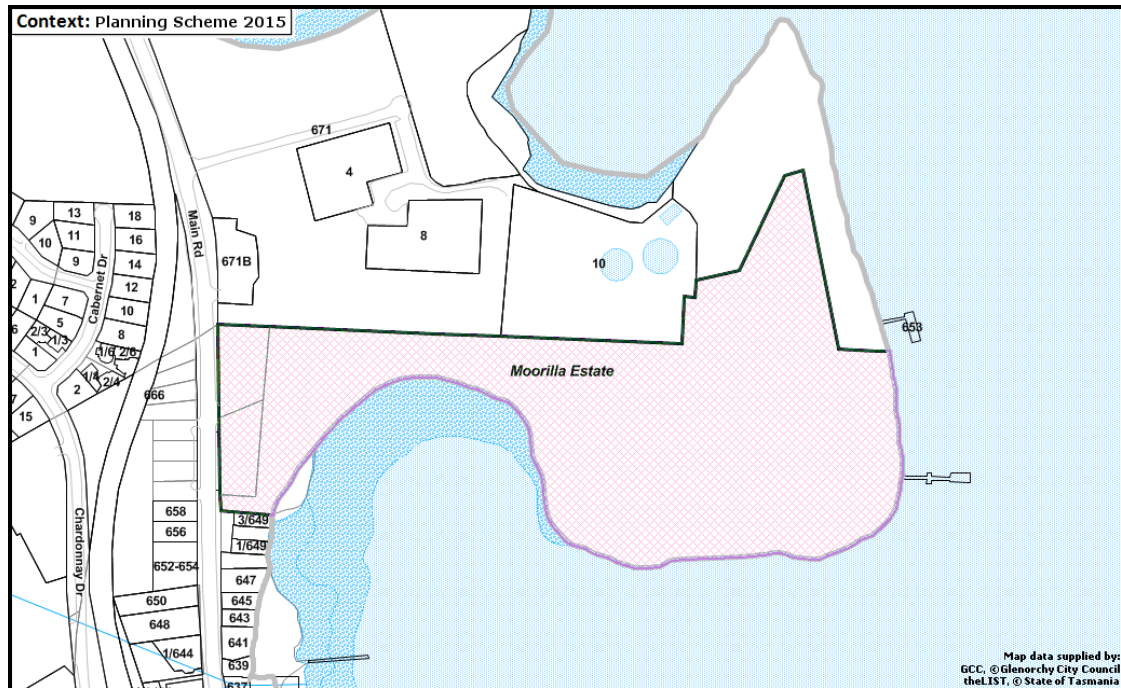


FIGURE4: Site to which Desired Future Character Statements Relate.

DD01 Moorilla Estate

Desired Future Character Statements	Implementation Strategy
These <u>desired future character</u> statements apply to the area of land designated as "DD01" on the planning scheme maps.	
(a) <u>Development</u> respects the landform and landscape setting of peninsula, headland, vineyard approach, treed escarpment and river in its built form and siting.	(a) <u>Development</u> standards for buildings and <u>works</u> .
(b) The prevalent development typology is buildings in space. Built form is characterised by contemporary design, including materials and finishes.	(b) <u>Development</u> standards for buildings and <u>works</u> .
(c) <u>Development</u> creates rich, coherent and linked semi-public spaces that are welcoming, vibrant, safe and walkable.	(c) <u>Development</u> standards for buildings and <u>works</u> .

(d) <u>Development</u> is accessed by way of a range of transport modes to minimise traffic and parking impacts on the adjoining area.	(d) <u>Development</u> standards for buildings and <u>works</u> .
(e) <u>Development</u> retains and frames key views and vistas from and through the <u>site</u> to the Derwent River and foreshore, Meehan Range, Wellington Range, Goat Hills, Mount Faulkner, Dogshear Point and Mount Dromedary.	(e) <u>Development</u> standards for buildings and <u>works</u> .
(f) Foreshore access around the headland is encouraged.	(f) <u>Development</u> standards for buildings and <u>works</u> .
(g) Environmental impacts on surrounding land are carefully managed.	(g) <u>Development</u> standards for buildings and <u>works</u> .

651-655 Main Road, Berriedale

The Desired Future Character Statements are restricted to land at 651-655 Main Road, Berriedale.

Clause 30.1.3(a)

Development respects the landform and landscape setting of peninsula, headland, vineyard approach, treed escarpment and river in its built form and siting.

The proposed museum extension would be located between two existing buildings onsite and would be in keeping with the existing structures rising up from the escarpment. The proposal would allow for access below the structure and would be located in an area which has been significantly developed. The proposal would have minimal impact on the existing vineyard approach and would extend the approach to provide access to the proposed extension.

Clause 30.1.3(b)

The prevalent development typology is buildings in space. Built form is characterised by contemporary design, including materials and finishes.

The proposed museum extension would be located between the extensive buildings in the space on site and would be similar to the prevailing development typology of the existing museum. The built form of the structure would be contemporary and sympathetic to the existing buildings in the space.

Clause 30.1.3(c)

Development creates rich, coherent and linked semi-public spaces that are welcoming, vibrant, safe and walkable.

The proposed museum extension would providing a valuable access and link at the western end of the museum that would provide a semi-public space to welcome people to the museum. The proposal would provide a lift and accessible ramps to allow for access to multiple levels of the museum. The proposal would also provide for access below the structure.

Clause 30.1.3(d)

Development is accessed by way of a range of transport modes to minimise traffic and parking impacts on the adjoining area.

The proposed museum extension would be incorporated into the existing museum which has a range of transport modes to minimise traffic and parking impacts on the adjoining area. This includes bus and ferry services in addition to parking. A planning permit for a boardwalk was also approved on 10 August 2015 as part of a separate application to provide public access from the shore.

Clause 30.1.3(e)

Development retains and frames key views and vistas from and through the site to the Derwent River and foreshore, Meehan Range, Wellington Range, Goat Hills, Mount Faulkner, Dogshear Point and Mount Dromedary.

The proposal included montages (below) demonstrating that the proposed museum extension would retain and frame key views and vistas from and through the site.





FIGURES 5-11: Photomontages of the proposed museum addition.

Clause 30.1.3(f)

Foreshore access around the headland is encouraged.

The proposed museum extension would allow for access below the structure. A Permit for a boardwalk was approved on 10 August 2015 to provide public access from the shore. In addition the proposal would allow sufficient area below to keep access to the path and Heavy Metal Oyster Raft.

Clause 30.1.3(g)

Environmental impacts on surrounding land are carefully managed.

As stated in response to Clause 30.4.2:

As stated above, the applicant provided several reports from suitably qualified persons including a Vegetation Survey and Fauna Habitat Assessment, Marine and Coastal Natural Values Assessment, Marine Natural Values Assessment, and Preliminary Geotechnical Assessment.

The reports demonstrate there would be minimal impact on the environmental values, and would minimise the potential for contaminated or sedimented water runoff. The Vegetation Survey and Fauna Habitat Assessment indicated weeds in and around the subject site and a recommendation was made for a weed management plan.

Therefore, the proposed museum extension is considered to be consistent with the desired future character statements. Therefore, it is considered that reliance on the performance criteria would be acceptable in this instance.

Clause 30.4.4 – Standard A1

The scheme has no acceptable solution in accordance with Clause 30.4.4 – Standard A1 in the Glenorchy Interim Planning Scheme 2015. Therefore, the proposed design of the museum extension would be reliant on the performance criteria set out in Clause 30.4.4 – P1. Variations may be considered in accordance with the performance criteria in Clause 30.4.4 – P1 as follows:

A landscaping plan, prepared by a suitably qualified landscape architect demonstrates to the satisfaction of the planning authority that publicly accessible spaces between buildings are landscaped to a high standard and integrate with other spaces, with a shared palette of paving materials, lighting and the like throughout.

The proposal includes a landscape management plan by a suitably qualified landscape architect. The proposed landscape management plan would provide accessible spaces between the buildings that would be integrated with other spaces with a shared palette for paving, lighting and the like. The landscape management plan would include designs for access into the proposed museum extension, on the roof, and below the structure. It would also include access to the Roundhouse, and the existing buildings on site by linking with the existing pathways. Therefore it is considered that reliance on the performance criteria would be acceptable in this instance.

Overall, it is considered that the variations and reliance on performance criteria for the height, setback, design, and landscaping would be acceptable as it would accord with the Performance Criteria set forth in Clause 30.4.1 – P1, and Clause 30.4.2 – P4, and Clause 30.4.3 – P1, and Clause 30.4.4 – P1 in the Glenorchy Interim Planning Scheme 2015.

Environmental Management Zone

Clause 29.4.1 – Standard A1

The proposed museum extension would require a maximum height of 7.5m natural ground level to be in accordance with Clause 29.4.1 – Standard A1 in the Glenorchy Interim Planning Scheme 2015.

The proposal would have a maximum height of 16.05m AHD from mean sea level (MSL) and a maximum height of 14.65m from high water mark (HWM). Variations may be considered in accordance with the performance criteria in Clause 29.4.1 – P1 as follows:

Building height must satisfy all of the following:

- (a) be consistent with any Desired Future Character Statements provided for the area or, if no such statements are provided, have regard to the landscape of the area;*

- (b) be sufficient to prevent unreasonable adverse impacts on residential amenity on adjoining lots by:*
 - (i) overlooking and loss of privacy;*
 - (ii) visual impact when viewed from adjoining lots, due to bulk and height;*
- (c) be reasonably necessary due to the slope of the site or for the functional requirements of infrastructure.*

There are no Desired Future Character Statements provided for this portion of the Environmental Management zone. The proposal would be approximately 284m from the nearest residence. The proposed main windows would face directly south and contained within a large concrete A-frame. This would minimise the potential impact on residential amenity by means of overlooking or loss of privacy. The bulk and height of the proposal would be located within close proximity to the existing structures and would be located a considerable distance from the nearest neighbouring residences. The proposal would be integrated into the existing slope and would be located close to existing infrastructure. Therefore, it is considered that a variation would be acceptable in this instance.

Clause 29.4.2 – Standard A2

The proposed museum extension would require a minimum setback of 30m from the side setbacks to be in accordance with Clause 29.4.2 – Standard A2 in the Glenorchy Interim Planning Scheme 2015.

The proposal would provide no setback from the side setbacks. Variations may be considered in accordance with the performance criteria in Clause 29.4.2 – P2 as follows:

Building setback from side and rear boundaries must satisfy all of the following:

- (a) be consistent with any Desired Future Character Statements provided for the area or, if no such statements are provided, have regard to the landscape;*
- (b) be sufficient to prevent unreasonable adverse impacts on residential amenity on adjoining lots by:*
 - (i) overlooking and loss of privacy;*
 - (ii) visual impact, when viewed from adjoining lots, through building bulk and massing.*

The proposed museum extension would be connected to the existing building on the adjoining lot. As such the proposal would not have an unreasonable impact on the adjoining lot at 651-655 Main Road, Berriedale. Therefore, it is considered that a variation would be acceptable in this instance.

Overall, it is considered that the variations and reliance on performance criteria for the height and setback would be acceptable as it would accord with the Performance Criteria set forth in Clause 29.4.1 – P1, and Clause 29.4.2 – P2 in the Glenorchy Interim Planning Scheme 2015.

Part E: Codes

The following codes of the Scheme apply to this proposal:

Parking and Access Code

Clause E6.6.1 – Standard A1

The proposed museum extension of approximately 1,500m² would require an additional of 75 car parking spaces to be in accordance with Clause E6.6.1 – standard A1 of the Glenorchy Interim Planning Scheme 2015. The proposal provides an additional 10 car parking spaces. A variation may be considered in accordance with the performance criteria in clause E6.6.1 – P1 as follows:

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

- (a) car parking demand;*
- (b) the availability of on-street and public car parking in the locality;*
- (c) the availability and frequency of public transport within a 400m walking distance of the site;*
- (d) the availability and likely use of other modes of transport;*
- (e) the availability and suitability of alternative arrangements for car parking provision;*
- (f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;*
- (g) any car parking deficiency or surplus associated with the existing use of the land;*
- (h) any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site;*
- (i) the appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;*
- (j) any verified prior payment of a financial contribution in lieu of parking for the land;*

- (k) any relevant parking plan for the area adopted by Council;*
- (l) the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;*
- (m) whether the provision of the parking would result in the loss, directly or indirectly, of one or more significant trees listed in the Significant Trees Schedule.*

The subject site is located on Main Road in the Major Tourism Zone with access to public transport. In addition, the existing museum has been operating bus and ferry transport for visitors to and from the site.

The proposal would be for additions to extend the existing use of a museum that would operate in the same manner. The existing business has been in operation for several years and has provided visitor numbers from 2011 onwards. The size and scale of the museum extension would primarily be to accommodate the size of works by artist James Turrell, and has had minimal impact on existing car parking facilities.

Therefore, the proposal would comply with the performance criteria in clause E6.6.1 – P1 in accordance with the Scheme. Please refer to the report by Council's Transport Engineer below.

Clause E6.6.3 – Standard A1

The proposed museum extension of approximately 1,500m² would require an additional a total of 4 motorcycle parking spaces to be in accordance with Clause E6.6.3 – standard A1 of the Glenorchy Interim Planning Scheme 2015. The proposal does not provide motorcycle parking spaces. A variation may be considered in accordance with the performance criteria in clause E6.6.3 – P1 as follows:

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

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

As stated previously, the subject site is located on Main Road within the Major Tourism Zone, with access to public transport, in addition to bus and ferry services run by the existing museum (MONA). Therefore, the proposal would comply with the performance criteria in clause E6.6.3 – P1 in accordance with the Scheme. Please refer to the report by Council's Traffic Engineer below.

Clause E6.6.4 – Standard A1

The proposed museum extension of approximately 1,500m² would require an additional 23 bicycle parking spaces (3 for employees and 20 for visitors) to be in accordance with Clause E6.6.4 – standard A1 of the Glenorchy Interim Planning Scheme 2015. The proposal would include an additional 22 bicycle parking spaces (19 for visitors and 3 for staff). The bicycle parking spaces for staff would be provided within the buildings on site. A variation may be considered in accordance with the performance criteria in clause E6.6.4 – P1 as follows:

The number of on-site bicycle parking spaces provided must have regard to all of the following:

- (a) the nature of the use and its operations;*
- (b) the location of the use and its accessibility by cyclists;*
- (c) the balance of the potential need of both those working on a site and clients or other visitors coming to the site.*

As stated previously, the subject site is located on Main Road within the Major Tourism Zone, with access to public transport, in addition to bus and ferry services run by the existing museum (MONA). Therefore, the proposal would comply with the performance criteria in clause E6.6.4 – P1 in accordance with the Scheme. Please refer to the report by Council's Traffic Engineer below.

Stormwater Management Code

The proposal is not exempt under Clause E7.4 of the Glenorchy Interim Planning Scheme 2015 but the proposal complies with the standards in Section E7.0 of the Scheme. Therefore, the proposal would in accordance with Section E7.0 of the Glenorchy Interim Planning Scheme 2015 (refer Appendix 4).

Biodiversity Code

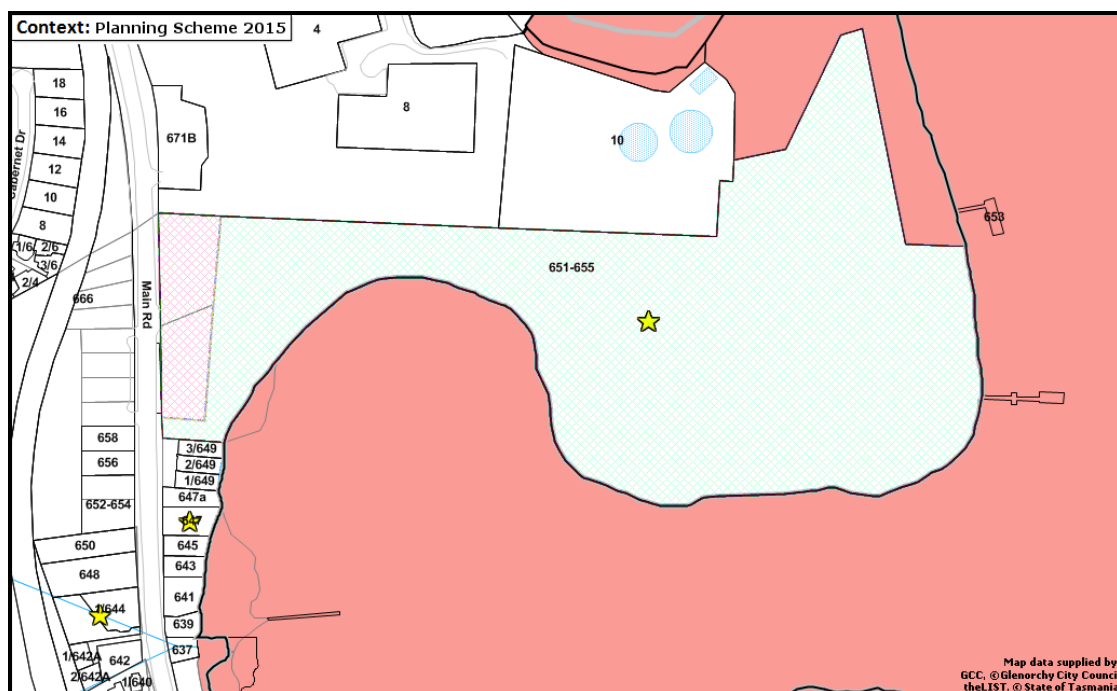


FIGURE 12: extent of Biodiversity Code application round 651-655 Main Road, Berriedale.

651-655 Main Road, Berriedale

Not applicable.

Derwent River

Clause E10.7 – Standard A1

The proposed clearance and conversion or disturbance would not be within a Building Area on a plan of subdivision approved under this planning scheme in accordance with Clause E10.7 – Standard A1 in the Glenorchy Interim Planning Scheme 2015. Therefore, the proposed museum extension would be reliant on the performance criteria set out in Clause E10.7 – P1. Variations may be considered in accordance with the performance criteria in Clause E10.7 – P1 as follows:

Clearance and conversion or disturbance must satisfy the following:

- (a) if low priority biodiversity values:
 - (i) development is designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the development;
 - (ii) impacts resulting from bushfire hazard management measures are minimised as far as reasonably practicable through siting and fire-resistant design of habitable buildings;

- (b) if moderate priority biodiversity values:
 - (i) development is designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the development;
 - (ii) impacts resulting from bushfire hazard management measures are minimised as far as reasonably practicable through siting and fire-resistant design of habitable buildings;
 - (iii) remaining moderate priority biodiversity values on the site are retained and improved through implementation of current best practice mitigation strategies and ongoing management measures designed to protect the integrity of these values;
 - (iv) residual adverse impacts on moderate priority biodiversity values not able to be avoided or satisfactorily mitigated are offset in accordance with the *Guidelines for the Use of Biodiversity Offsets in the Local Planning Approval Process, Southern Tasmanian Councils Authority 2013* and any relevant Council policy.
- (c) if high priority biodiversity values:
 - (i) development is designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the development;
 - (ii) impacts resulting from bushfire hazard management measures are minimised as far as reasonably practicable through siting and fire-resistant design of habitable buildings;
 - (iii) remaining high priority biodiversity values on the site are retained and improved through implementation of current best practice mitigation strategies and ongoing management measures designed to protect the integrity of these values;
 - (iv) special circumstances exist;
 - (v) residual adverse impacts on high priority biodiversity values not able to be avoided or satisfactorily mitigated are offset in accordance with the *Guidelines for the Use of Biodiversity Offsets in the Local Planning Approval Process, Southern Tasmanian Councils Authority 2013* and any relevant Council policy.
 - (vi) clearance and conversion or disturbance will not substantially detract from the conservation status of the biodiversity values in the vicinity of the development.

As stated above, the applicant provided several reports from suitably qualified persons including a Vegetation Survey and Fauna Habitat Assessment, Marine and Coastal Natural Values Assessment, Marine Natural Values Assessment, and Preliminary Geotechnical Assessment.

The reports demonstrate there would be minimal impact on the environmental values, and would minimise the potential for contaminated or sedimented water runoff. The Vegetation Survey and Fauna Habitat Assessment indicated weeds in and around the subject site and a recommendation was made for a weed management plan.

The proposal would involve clearance and conversion or disturbance within an area of low-priority biodiversity values. The proposed museum would extend into the Derwent River beyond high water mark (HWM) on the eastern side for lower level containing the “dark space” by James Turrell. This section of land has been identified as weed infested with blackberries in the Vegetation Survey and Fauna Habitat Assessment by North Barker dated 11 November 2015.

There is a small section of native vegetation (Allocasuarina verticillata forest) is located in the footprint of the proposed extension on the western side, and is not listed as a threatened species. This portion also found to have weeds (blackberries and African boxthorn).

The proposed development between the Derwent River and high water mark would have a minimal impact on the vegetation.

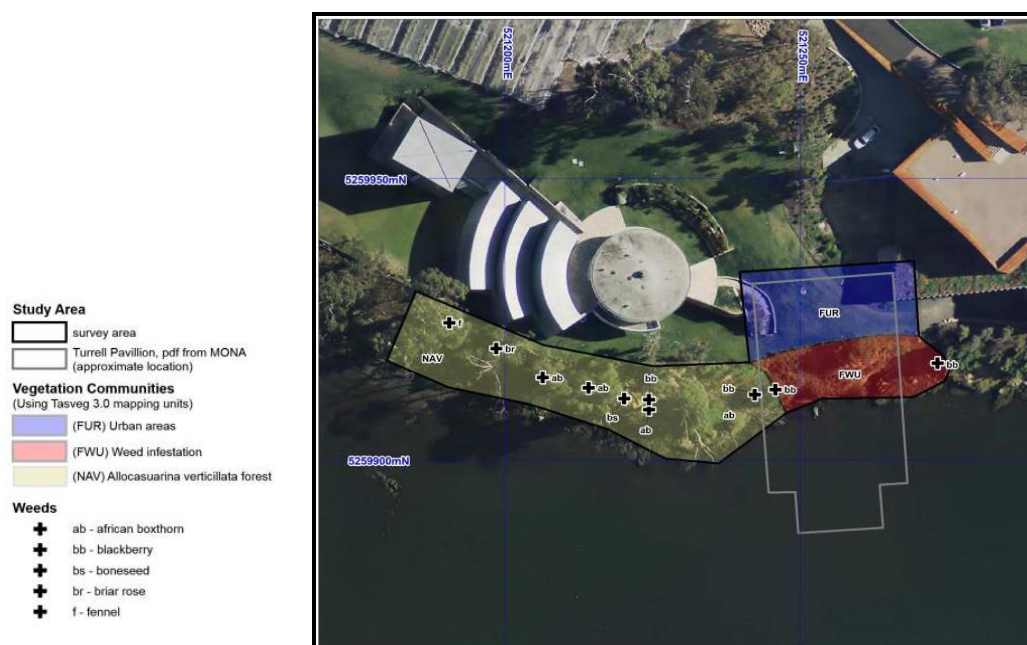


FIGURE 13: Distribution of Natural Values

(Vegetation Survey and Fauna Habitat Assessment by North Barker dated 11 November 2015)

Derwent River

The proposed museum would extend into the Derwent River beyond high water mark (HWM) on the eastern side for lower level containing the “dark space” by James Turrell, and with a large A-frame supporting structure. No native vegetation was identified in the Marine and Coastal Natural Values Assessment by Aquenal Pty Ltd dated November 2014 in the Derwent River. Therefore, the proposal would comply with the performance criteria in clause E10.7 – P1 in accordance with the Scheme (refer Appendix 5). Please refer to the report by Council’s Environment Coordinator below.

Waterway and Coastal Protection Code*Clause E11.7.1 – Standard A1*

The proposed museum extension would require a location within a building area on a plan of subdivision approved under this planning scheme in accordance with Clause E11.7.1 – Standard A1 Glenorchy Interim Planning Scheme 2015.

The proposal would be located on a plan of subdivision approved prior to this scheme. A variation may be considered in accordance with the performance criteria in Clause E11.7.1 – P1 as follows:

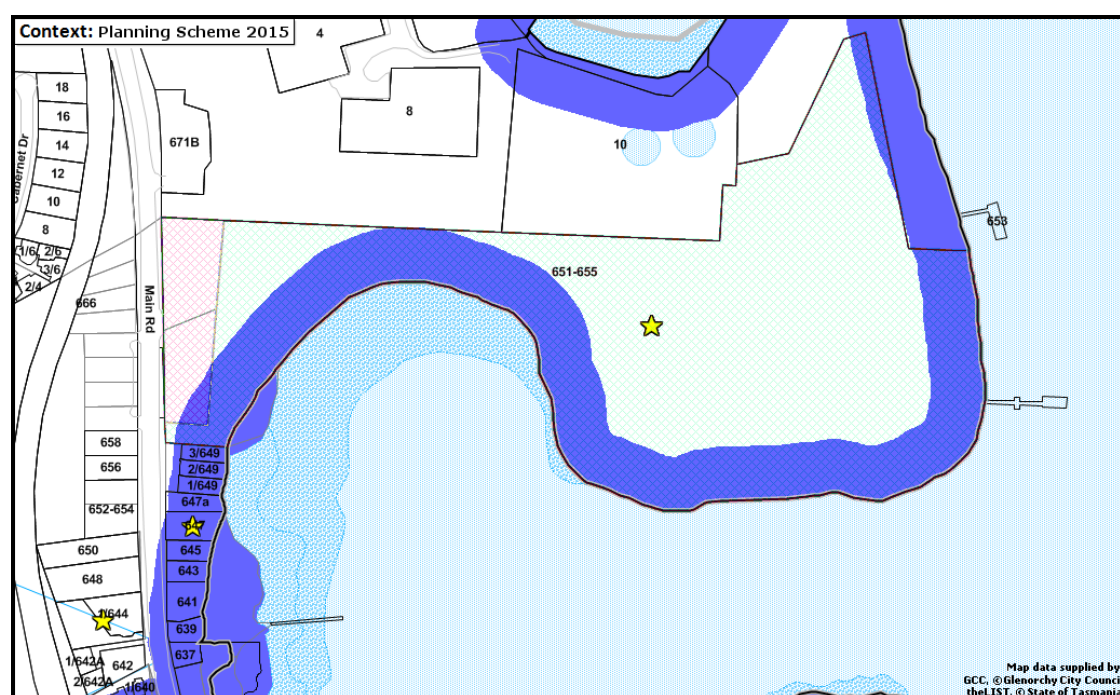


FIGURE 14: Extent of Waterways and Coastal Protection Zone

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

- (a) *avoid or mitigate impact on natural values;*
- (b) *mitigate and manage adverse erosion, sedimentation and runoff impacts on natural values;*

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

The proposed museum extension would be located on and with close proximity to the Derwent River. As previously stated, the applicant provided several reports from suitably qualified persons including a Vegetation Survey and Fauna Habitat Assessment, Marine and Coastal Natural Values Assessment, Marine Natural Values Assessment, and Preliminary Geotechnical Assessment.

The reports demonstrate there would be minimal impact on the environmental values, and would minimise the potential for contaminated or sedimented water runoff. The Vegetation Survey and Fauna Habitat Assessment indicated weeds in and around the subject site and a recommendation was made for a weed management plan...

...The proposed museum would extend into the Derwent River beyond high water mark (HWM) on the eastern side for lower level containing the "dark space" by James Turrell, and with a large A-frame supporting structure. No native vegetation was identified in the Marine and Coastal Natural Values Assessment by Aquenal Pty Ltd dated November 2014 in the Derwent River.

The proposal has been designed to minimise 'adverse erosion, sedimentation and runoff impacts on natural values'. Therefore, it is considered that reliance on performance criteria would be acceptable in this instance.

Clause E11.7.1 – Standard A4

The proposed museum extension would require no new stormwater discharge points into the watercourse to be in accordance with Clause 11.7.1 – Standard A4 in the Glenorchy Interim Planning Scheme 2015.

The proposal would provide a new stormwater point to the Derwent River between the existing museum and the Roundhouse. A variation may be considered in accordance with the performance criteria in Clause E11.7.1 – P4 as follows:

Development involving a new stormwater point discharge into a watercourse, wetland or lake must satisfy all of the following:

- (a) risk of erosion and sedimentation is minimised;
- (b) any impacts on natural values likely to arise from erosion, sedimentation and runoff are mitigated and managed;
- (c) potential for significant adverse impact on natural values is avoided.

As stated above, the proposal has been designed to minimise 'adverse erosion, sedimentation and runoff impacts on natural values'. Therefore, it is considered that reliance on performance criteria would be acceptable in this instance.

As stated below in the Development Engineer's report:

The Water and Coastal Protection Code E11.0 of the Glenorchy Interim Planning Scheme 2015 (GIPS) is applicable to the application. The conditions of approval require the applicant to submit a detailed Environmental Management Plan and a Construction Management Plan for approval by Council's Environment Coordinator prior to commencement of construction. This is required to satisfy the performance criteria P1 (b) and (i) of clause E11.7.1 Buildings and Works to mitigate and manage erosion, sedimentation and runoff impacts on natural values in accordance with the Wetlands and Waterways Works Manual by DPIPWE.

Therefore, it is considered that reliance on performance criteria would be acceptable in this instance.

Clause E11.7.2 – Standard A1

The proposed museum extension would require location outside the Waterway and Coastal Protection Area to be in accordance with Clause 11.7.1 – Standard A1 in the Glenorchy Interim Planning Scheme 2015.

The proposed museum extension would be located within the Waterway and Coastal Protection Area. A variation may be considered in accordance with the performance criteria in Clause E11.7.1 – P1 as follows:

Buildings and works must satisfy all of the following:

- (a) *need for a coastal location is demonstrated;*
- (b) *new facilities are grouped with existing facilities, where reasonably practical;*
- (c) *native vegetation is retained, replaced or re-established so that overall impact on native vegetation is negligible;*
- (d) *building design responds to the particular size, shape, contours or slope of the land and minimises the extent of cut and fill;*

- (e) *impacts to coastal processes, including sand movement and wave action, are minimised and any potential impacts are mitigated so that there are no significant long-term impacts;*
- (f) *waste, including waste from cleaning and repairs of vessels and other maritime equipment and facilities, is managed in accordance with current best practice so that significant impact on natural values is avoided.*

As stated above, the proposal would be located between the group of existing buildings at 651-655 Main Road, Berriedale, and would be an extension to the existing use of a museum. The reports submitted by the applicant demonstrate that the proposal would have a minimal impact on existing vegetation.

The proposed extension would be similar in design, size, and shape to the existing museum. The proposal has been designed around the existing slope of the site.

As stated below in the Development Engineer's report:

The Water and Coastal Protection Code E11.0 of the Glenorchy Interim Planning Scheme 2015 (GIPS) is applicable to the application. The conditions of approval require the applicant to submit a detailed Environmental Management Plan and a Construction Management Plan for approval by Council's Environment Coordinator prior to commencement of construction. This is required to satisfy the performance criteria P1 (b) and (i) of clause E11.7.1 Buildings and Works to mitigate and manage erosion, sedimentation and runoff impacts on natural values in accordance with the Wetlands and Waterways Works Manual by DPIPWE.

Therefore, it is considered that reliance on performance criteria would be acceptable in this instance.

Overall, it is considered that the proposal would be acceptable as it would accord with the Performance Criteria set forth in Clause E11.7.1 – P1 and P4 in the Glenorchy Interim Planning Scheme 2015 (refer Appendix 6 and refer to the report by Council's Environment Coordinator below).

Inundation Prone Areas Code

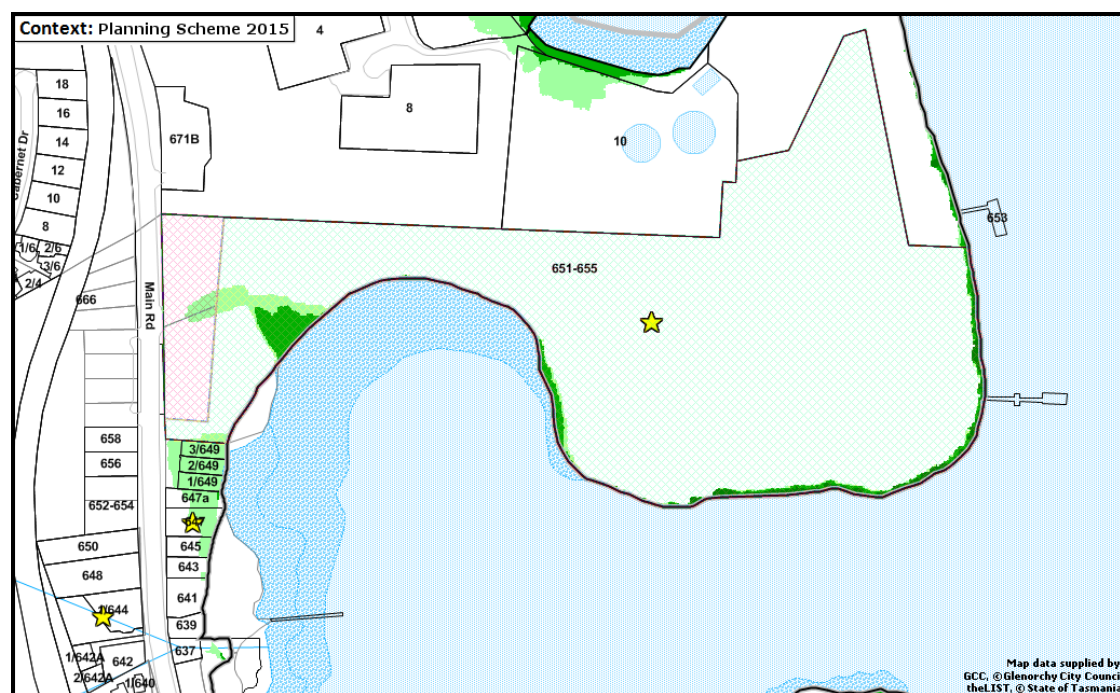


FIGURE 15: Extent of Inundation Prone Areas Code.

The proposal is not exempt under Clause E15.0 of the Glenorchy Interim Planning Scheme 2015 but the proposal complies with the standards in Section E15.0 of the Scheme.

As stated below in the Development Engineer's report:

The site is located adjacent to the Derwent River and is subject to Code E15.0 Inundation Prone Areas Code of the GIPS 2015. The proposed development is located on the Claremont peninsula adjacent to Coastal Inundation Low Hazard Areas as outlined in Clause E15.7.3 of the GIPS 2015. The application satisfies the acceptable solution A1 of this clause. In accordance with this clause the minimum floor level of a new habitable building must be no lower than the level in Table E15.1 Coastal Inundation Low Hazard Area. The level for Berriedale for the 1 in 100 year storm event in the year 2100 is 2.4m AHD. The minimum floor level for the new extension is 3.20m AHD (Blank Space room) and in accordance with acceptable solution A1.

Therefore, the proposal would in accordance with the Acceptable Solution set forth in Clause E15.7.1 – P2, and Section E15.0 of the Glenorchy Interim Planning Scheme 2015 (refer Appendix 7).

PART F: Specific Area Plans

No Specific Area Plans apply to the site.

INTERNAL REFERRALS

Development Engineer

The proposal was referred to Council's Development Engineer who provided the following:

Traffic, Access & Parking

Access to the site is available via the existing road entrance on Main Road. Please refer to Council's Traffic Engineer referral for a detailed discussion of these issues. A detailed Traffic Impact Assessment (TIA) was submitted with the application as required by E6.0 Parking and Access Code of the Glenorchy Interim Planning Scheme (GIPS) 2015.

Council's Traffic Engineer has recommended that 10 additional staff parking spaces (over the existing 155 spaces) are provided within the existing on-site parking area. This is included as a condition of approval below.

GCC Services (Stormwater)

There are no GCC stormwater mains affected by this application.

Other*Geoscience issues*

The Water and Coastal Protection Code E11.0 of the Glenorchy Interim Planning Scheme 2015 (GIPS) is applicable to the application. The conditions of approval require the applicant to submit a detailed Environmental Management Plan and a Construction Management Plan for approval by Council's Environment Coordinator prior to commencement of construction. This is required to satisfy the performance criteria P1 (b) and (i) of clause E11.7.1 Buildings and Works to mitigate and manage erosion, sedimentation and runoff impacts on natural values in accordance with the Wetlands and Waterways Works Manual by DPIPWE.

Flooding/Inundation issues

The site is located adjacent to the Derwent River and is subject to Code E15.0 Inundation Prone Areas Code of the GIPS 2015. The proposed development is located on the Claremont peninsula adjacent to Coastal Inundation Low Hazard Areas as outlined in Clause E15.7.3 of the GIPS 2015. The application satisfies the acceptable solution A1 of this clause. In accordance with this clause the minimum floor level of a new habitable building must be no lower than the level in Table E15.1 Coastal Inundation Low Hazard Area. The level for Berriedale for the 1 in 100 year storm event in the year 2100 is 2.4m AHD. The minimum floor level for the new extension is 3.20m AHD (Blank Space room) and in accordance with acceptable solution A1.

Transport Engineer

The proposal was referred to Council's Transport Engineer who provided the following:

I have reviewed the proposed Extension to Museum (Tourist operation) at 651-655 Main Road, Berriedale. The application documentation included a Traffic Impact Assessment (TIA) prepared by Howarth Fisher and Associates (dated February 2016).

Proposed Development

The existing site houses the Museum of Old and New Art (MONA) and Moorilla Estate Winery. The proposed development comprises a new pavilion and exhibition space for the museum.

The proposed development is for additional gallery space on the western end of the main MONA museum building. The proposed extension includes 1500m² floor areas to provide increased space for exhibits.

Traffic Generation

The TIA states that based on the information provided by MONA, the visitor numbers have steadied (reduced) since the MONA site has opened (refer to the table below).

Year	Museum Entry	% Movement
2011	385,098	
2012	326,399	-15%
2013	321,917	-1%
2014	333,111	3%
2015	340,000	2%

The report also argues that the proposed pavilion will provide increased space for exhibits while it will not in itself result in additional visitor car based trips.

The report also indicates that the number of visitors arriving by ferry and other sustainable transport modes has increased whilst the number of visitors to Mona has steadied. The TIA states that the uptake of ferry and bus as a preferred transport option is trending upwards and is an integral part of the visitor experience.

I concur that the proposed development will not in itself attract any further visitor trips to the site and, therefore, will not adversely impact upon the surrounding road network in terms of traffic efficiency or road safety.

Access

The TIA states that according to the Austroads Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections, the Safe Intersection Sight Distance for a road with a posted speed limit of 60km/hr is 114metres. The report also indicates that sight distance at main MONA access is greater than 250 metres towards the north and the south. As a result, the report concludes that the sight distance availability exceeds the requirements of the Austroads Guide, as required by the Glenorchy Interim Planning Scheme 2015.

I agree that adequate sight distances are available at the access driveways of the proposed development.

Parking

Based on the requirements of the Glenorchy Interim Planning Scheme 2015 – Parking and Access Code, the parking requirement for Community Meeting and Entertainment use class (exhibition centre, library, museum or public art gallery) is 1 car parking space for each 20m² of floor area. As a result, the total parking requirement for the proposed development would be in the order of 75 car parking spaces.

The TIA states that the purpose of the new pavilion and exhibition is to provide increased space for exhibits. The report, then, argues that the proposed development, in itself, will not result in any extra parking demand.

The TIA also indicates that the only anticipated parking demand will arise from the requirement of 20 additional staff. The report assumes that 50% of the staff will drive and 50% obtain lifts, take the bus, walk or cycle to the site and, therefore, there will be a total requirement of 10 parking spaces associated with the development.

It should be noted that the total on-site parking provision is 155 associated with the museum development. The report states that the 10 additional staff parking spaces associated with the proposed development will be accommodated within the existing on-site parking area.

I agree that the additional 10 parking spaces on the site will be sufficient 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 Extension to Museum (Tourist operation) at 651-655 Main Road, Berriedale on traffic engineering or road safety grounds, subject to the following conditions being met:

- *10 additional parking spaces associated with the proposed development must be provided within the existing on-site parking area.*

Environmental Health

The proposal was referred to Council's Environmental Health who provided the following:

This development application is the most recent application in a series of developments for the site located at 651-655 Main Road, Berriedale.

Given the nature of this most recent application, it is important that potential impacts on public and environmental health are investigated to determine what impact, if any, the development may have on the environment.

As part of the development application for the MONA boardwalk in 2015 (PLN-15-124), the Crown Land Services Division of the Department of Primary Industries, Parks, Water and Environment (DPIPWE) required Mona to commission a marine and coastal natural values assessment report.

The report, Marine and Coastal Natural Values Assessment for Proposed Mona Boardwalk produced by Aquenal Pty Ltd in November 2014, includes the area in which the extension to the museum is proposed.

An email from the Acting Section Head – Conservation Assessment, Alastair Morton, from the Policy & Conservation Advice Branch (PCAB) of DPIPW dated 26 October 2015 to Aquenal Pty Ltd, stated that PCAB will accept the Marine and Coastal Natural Values Assessment for Proposed Mona Boardwalk report, originally undertaken for the Mona boardwalk, for this development; and did not recommend any further surveying or desktop assessment at this stage.

In addition, an email from the Senior Environmental Officer, John Gorrie, from the Waste Section of the Environmental Protection Agency (EPA) dated 9 December 2015 to Aquenal Pty Ltd, stated that based on the approach to treat sediment as impacted, status of the bay and the proposed mitigation strategies to be implemented that he concluded that no additional investigation was required.

Environmental Health is in agreeance with both John Gorrie from the EPA and Alastair Morton from DPIPW that the Marine and Coastal Natural Values Assessment for Proposed Mona Boardwalk prepared by Aquenal Pty Ltd adequately addresses the assessment of the of marine values.

The concession by Environmental Health to accept the November 2014 report by Aquenal Pty Ltd is based on the recommended mitigation strategies detailed in the Aquenal Pty Ltd report being adhered to by the applicant.

To control the potential sediment disturbance during the development it is recommended that compliance with mitigation strategies detailed in the November 2014 report, Marine and Coastal Natural Values Assessment for Proposed Mona Boardwalk prepared by Aquenal Pty Ltd, is added as a condition on the permit.

While management of the aquatic environment has been covered in the Marine and Coastal Natural Values Assessment for the Proposed Mona Boardwalk report for the construction stage of this development, management of factors outside of this environment are unclear.

Environmental Health believes that a construction management plan would provide the necessary details around managing soil disturbance above the high tide water mark, details for the management and response to spills into the river and the management of potential noise impacts on surrounding residence, who may already be sensitive to noise from this site.

It is recommended that a construction management plan is added as a condition on the permit. In addition, all management strategies contained within the construction management plan are to be fully implemented during this development.

This development is located within the major tourism zone, and as such must meet certain criteria as required by the Glenorchy Interim Planning Scheme, either the acceptable solutions or performance criteria, to be approved.

For acceptable solution 30.3.2, the development must meet noise limitations imposed by the Glenorchy Interim Planning Scheme. The limitations affecting the level of noise that can be produced at the development site, are measured at the boundary of a property within a residential zone. The limitations vary depending on the time of day between set periods of time.

Once this development has been completed, it is not expected that noise levels at a receiving property will be exceeded. However, the noise levels as defined in the acceptable solution 30.3.2 are recommended to be added to the permit as a condition.

It is understood that surrounding residential zones are quite sensitive to noise generated from the site. Environmental Health receives complaints at various times throughout the year typically after events are held at the site. As such, by adding the noise condition as recommended, noise level exceedance from this development can be referred to Council's Planning Compliance Office for action.

In accordance with the Glenorchy Planning Scheme, the hours of operation provision will not affect this development. While the site itself is located adjacent to a residential zone, the proposed development is situated approximately 284 metres from the closest residential zone. For this reason the development is considered to be exempt from having to meet the acceptable solution 30.3.3 hours of operation.

To ensure waste generated as part of this development is not unnecessarily directed to landfill, all solid waste is to be managed in accordance with the hierarchy of waste management.

Further to this, while this development should not unnecessarily burden landfill, no waste of any kind is to be dispelled into the river at any time or for any reason; additionally, upon completion of the proposed development, the riverbed and the in the intertidal zone are to be left completely free from all waste and materials.

Environmental Health recommends that conditions regarding the management of waste produced as part of the development are added to the permit.

Finally, this development includes the construction and fit out of a kitchen facility for the manufacture of food intended for sale. As such, Environmental Health recommend that advice be provided to the application, within the planning permit, advising them of the requirements for plans to be submitted to Council's Environmental Health department by their building surveyor for assessment and approval prior to construction.

Environment Coordinator

The proposal was referred to Council's Environment Coordinator who provided the following:

The environmental impacts of the proposed development include:

- *Disturbance to marine seabed sediments*
- *Acoustic disturbance from the installation of structural pylons*
- *The mobilisation of declared weed plants and seeds*

- *Potential erosion and sedimentation resulting from construction work.*
- *Potential mobilisation of Acid Sulfate Soils*

Supporting documents and reviews:

As required under the waterway and coastal protection code the applicant submitted a Marine and Coastal Natural Values Assessment by Aquanel Pty Ltd (2015) and a Vegetation Survey and Fauna Habitat Assessment (2015).

An assessment was also undertaken by the Policy and Conservation Branch (PCAB) of DPIPW who had minimal concerns about the significance of potential impacts. However they did state a concern about the area having a high probability of containing Potentially Acid Sulfate Soils (PASS).

The natural values include:

As described by North Barker (2015) there is only a very small area of degraded native vegetation in the study area - Allocasuarina verticillata forest (NAV). This community is not listed under the EPBCA or NCA. It should be possible to avoid impacts to this community with best practice site management and construction procedures and by keeping the impact area as small as technically possible.

No terrestrial or marine threatened species listed under the EPBCA or TSPA were detected within the study area, and the likelihood of any threatened species recorded from the vicinity occurring in the area is considered to be low. This proposal is therefore not considered to invoke any threatened species legislation.

A number of shorebirds utilise Berriedale Bay however it is not considered an important breeding ground and there was no evidence of waterbird or shorebird breeding.

The proposal footprint is mapped as having a high probability of containing Potentially Acid Sulfate Soils (PASS) and sediment disturbance may result in oxidation leading to acidification and potential to remobilisation of metals. While the proposal will involve minimal soil disturbance it is recommended that the Tasmanian Acid Sulfate Soil Management Guidelines 2009 be applied.

Declared weeds include:

Four introduced plants listed as 'declared' weeds under the WMA occur within the study area. Appropriate weed control and hygiene measures need to be incorporated in to the proposed development.

EXTERNAL REFERRALS**TasWater**

The application was referred to Tas Water which was supportive of the proposal with recommended conditions. The Water and Sewerage Industry Act 2008 requires the Planning Authority to include conditions from Tas Water if a permit is approved.

Tasmania Heritage Council

The application was referred to Tasmania Heritage Council which was supportive of the proposal with recommended conditions. The Historic Cultural Heritage Act 1995 requires the Planning Authority to include conditions from Tasmania Heritage Council if a permit is approved.

The Tasmania Heritage Council gave written consent to approve the proposal on 2 March 2016 under Section 39(6)(a) of the Historic Cultural Heritage Act 1995, and did not include any conditions.

Aboriginal Heritage

The application was referred to Aboriginal Heritage which was supportive of the proposal with recommended advice.

The following comments have been provided:

Aboriginal Heritage Tasmania (AHT) has completed a search of the Aboriginal Heritage Register (AHR) regarding the proposed museum extension at MONA, and can advise that there are no Aboriginal heritage sites recorded within the proposed extension location. Due to a review of previous reports and the area being highly disturbed it is believed that the area has a low probability of Aboriginal heritage being present.

Accordingly there is no requirement for an Aboriginal heritage investigation and AHT have no objection to the project proceeding.

Please be aware that all Aboriginal heritage is protected under the Aboriginal Relics Act 1975. If at any time during works you suspect Aboriginal heritage, cease works immediately and contact AHT for advice. Attached is an Unanticipated Discovery Plan, which you should have on hand during ground disturbing works, to aid you in meeting your requirements under the Act.

Crown Land Services

The application was referred to Crown Land Services which was supportive of the proposal.

Marine and Safety Tasmania

The application was referred to Marine and Safety Tasmania which was supportive of the proposal with recommended advice.

The following comments have been provided:

MAST considers the development will not impact on navigation apart from the regular ferry service running currently to MONA. It is recommended the operators of the ferry are informed which I am sure they have been.

During construction, if barges are being used with mooring lines, it will be necessary to inform MAST so a notice to Mariners can be issued if required. Any works from the waterway will need to be carried out by vessels in current survey and those operating will need the required certificates of proficiency.

Tas Networks

The application was referred to Tas Networks which was supportive of the proposal.

Department of Primary Industries, Parks, Water and Environment

The application was referred to DPIPWE which was supportive of the proposal.

Policy and Conservation Advice Branch - Department of Primary Industries, Parks, Water and Environment

The application was referred to Policy and Conservation Advice Branch (DPIPWE) which was supportive of the proposal with recommended advice.

The following comments have been provided:

Thank you for opportunity to comment on the proposed Turrell pavilion at the MONA site in Berriedale. PCAB has the following comments with regard to the impacts on natural values (please note that this email has been copied to Crown Land Services):

- It is considered unlikely that the proposal will significantly impact on aquatic threatened flora or fauna providing the proposed methods to minimise acoustic disturbance and sediment disturbance are implemented as described in the Aquenal report.*
- It is considered unlikely that the proposal will significantly impact on terrestrial threatened flora or fauna. The recommendations in the North Barker report are supported, particularly in regard to minimising the spread of weeds and diseases.*
- The proposal footprint is mapped as having a high probability of containing Potentially Acid Sulfate Soils (PASS) and sediment disturbance may result in oxidation leading to acidification and potential to remobilisation of metals. While the proposal will involve minimal soil disturbance it is recommended that the Tasmanian Acid Sulfate Soil Management Guidelines 2009 be applied.*

REPRESENTATIONS

The application was advertised for the statutory 14-day period with four representations and one late representation being received. The issues raised are as follows:

1. Loss of Public Access

The representors state that developments extending into and over the waterway should not be allowed, the foundations would invade the bay underwater and the building itself would project over the water. The proposed building and construction would intrude into the waters and public land in Berriedale Bay.

Planner's Comment:

This issue has been previously addressed under the headings "Development Standards for Buildings or Works (Clause 30.4.1 and Clause 30.1.3)".

2. Loss of Views

The representors state that the proposal would cause degradation of the natural beauty of the bay and totally swamp Frying Pan Island, Berriedale, Cameron and Lowestoft Bays. The proposal would be confronting with a big 'A' frame and viewing platform, and each night with lights across the water. Berriedale Bay is becoming more and more urbanised and is in danger of losing forever its unique natural, cultural and inspirational qualities. The proposal would impact on the views and vistas from the site for those residents that live in the Bay and for others who visit.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application. However, issues relating to views from and through the site for key vistas and view have been previously addressed under the headings "Development Standards for Buildings or Works (Clause 30.4.1 and Clause 30.1.3)".

3. Loss of Heritage Values

The representors state that Berriedale Bay is becoming more and more urbanised and is in danger of losing forever its unique natural, cultural and inspirational qualities. The proposal is not in keeping with the Historic Heritage Code, it would interfere with the ability to see the 360 degree circle of the heritage-listed Roundhouse. Berriedale Bay has been associated with writers and artists Claudio Alcorso, Auntie Ida West, Evelyn

Planner's Comment:

This issue has been previously addressed under the headings "Tasmania Heritage Council" and "Aboriginal Heritage Tasmania". In this case where there is a dual listing and the site (651-655 Main Road, Berriedale) is listed on the Tasmanian Heritage Register, the Heritage Code in the Glenorchy Interim Planning Scheme 2015 does not apply.

4. Detriment to Wildlife

The representors state that the proposal would impact on wildlife habitat especially for birds, and other wildlife from the water, land and air. The proposal would potentially interfere *'with the entry and exit of fish and dolphins, as well as being a barrier to the use of the foreshore under and near the building by birds'*. The proposal would impact on threatened species. The Bay has a *'collection of Australian pelicans, pied oyster catches, great egret, white faced heron, and a variety of ducks and other birdlife'*.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application. However related issues have been previously addressed under the heading "Biodiversity Code".

5. Detriment to Vegetation

The representor states that the proposal would have a detrimental impact on the natural habitat and plant life in the water and on land. The threatened species of the plant *Lepidium pseudotasmanicum* is found near the site of the proposal.

There have also been a sighting of Caspian Tern in Berridale Bay. The proposal would have a flow-on effect on all the flora.

Planner's Comment:

This issue has been previously addressed under the heading "Biodiversity Code".

6. Detriment on Tidal Flow

The representors state that the proposal would impact on the flow of the tidal parts of the Bay potentially affecting what is left of the wet lands and water courses. This would have a flow on effect on all the flora and fauna.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application. However, similar issues have previously addressed under the heading "Waterway and Coastal Protection Code".

7. Design

The representors state that the proposal would be an over development and is incongruous with the shoreline of little Berriedale Bay. The foundations would invade the Bay under water and the building itself would project over the water. The proposal would intrude into the channel of the Bay. The proposal does not respect the landform and landscape setting of the Peninsula and headland, *'it will impact by its presence and the fact it will be built over and onto the river'*.

Planner's Comment:

This issue has been previously addressed under the headings "Development Standards for Buildings or Works (Clause 30.4.1 and Clause 30.1.3)".

8. Lighting

The representors state that the proposal would be confronting with a big 'A' frame and viewing platform, and each night with lights across the water. Before the advent of so many lights around the bay it was a beautiful sight, on clear nights the stars were visible. The proposal would cause light pollution and sitting on the water it would reflect at night to varying degrees. The light and presence of the bay would impact on the wildlife and natural values of the bay. It would also affect the fish and dolphins that visit the bay.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application. However similar issues have been previously addressed under the headings "Development Standards for Buildings or Works (Clause 30.4.1 and Clause 30.1.3)" and "Biodiversity Code".

9. Separate Development

The representors state that the existing Heavy Metal Oyster Raft impacts on the breeding cycle of native and wild oysters.

Planner's Comment:

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

10. Planning Scheme

The representors state that the proposal is contrary to the Glenorchy Interim Planning Scheme 2015, in particular the purpose statements for the zones, the heritage code, and the natural area objectives in Part A of the Scheme.

Planner's Comment:

The proposal has been advertised is being assessed under the Glenorchy Interim Planning Scheme 2015. The proposal is discretionary which can be approved with or without conditions or refused.

However, the Heritage Code and Part A of the Scheme are not relevant to the consideration of the proposal.

11. Future Planning Scheme

The representors state that a longer term planning scheme needs to be considered for the proposal and the Berridale Bay area. There has to be a plan for the Berriedale Bay with takes into consideration its vulnerability and acknowledges that it is unique along this river system.

Planner's Comment:

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

12. Financial Status

The representors state raised concern regarding the applicant's ability to fund the proposal given that a financial loss has been publicly stated.

Planner's Comment:

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

CONCLUSION

The proposal is for an extension to Museum subject to various codes and relying on performance criteria on a heritage listed place at the Moorilla Winery at 651-655 Main Road, Berriedale. As stated in the report, museum is a permitted use (only the height, setback, design, and landscaping is discretionary), and is considered to accord with the standards of the Major Tourism Zone of the Glenorchy Interim Planning Scheme 2015. Museum is a discretionary use (in addition height and setback is discretionary), and is considered to accord with the standards of the Environmental Management Zone of the Glenorchy Interim Planning Scheme 2015.

The parking variation is reflective of the proposal's existing development relative to the size of the site, the location, and access to public transport. The proposed variations are considered to accord with the parking standards of E6.0 Parking and Access Code in the Scheme.

In terms of biodiversity, water protection, and inundation it is not considered that the proposal would have any adverse impacts on landscape, recreational and environmental qualities. Conditions have been recommended for appropriate soil and water management.

The application was notified for the statutory 14-day notification period. Four representations, and one letter of concern were received. The concerns raised related to public access, views, heritage, flora and fauna, tidal flows, design, lighting, separate development, the Planning Scheme, a future planning scheme, and financial status of the applicant.

Council's Development Engineer, Transport Engineer, Environmental Health Officer, and Environment Coordinator are supportive of the proposal subject to the recommended conditions and advice.

The proposal is assessed to substantially comply with the requirements of Schedule 1 of the Land Use Planning and Approvals Act 1993 and the Glenorchy Interim Planning Scheme 2015, subject to the recommended conditions.

Recommendation:

That a permit be granted for the proposed use and development of Extension to Museum subject to various codes and relying on performance criteria on a heritage listed place at 651-655 Main Road, Berriedale subject to the following conditions:

Planning

1. Use and development shall be substantially in accordance with planning permit application No. PLN-16-023 and Drawing No. P1 submitted on 2 February 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. Landscaping works as shown on the endorsed plans must be completed within six months from issue of Certificate of Occupancy to the satisfaction of Council's Senior Statutory Planner and then maintained to the satisfaction of Council's Senior Statutory Planner.

Engineering

4. Soil and water management is to comply with best practice to prevent any transfer of soil material outside of the area specifically and necessarily disturbed for construction. Particular attention is to be paid to ensure no soil material is tracked onto roads and footpaths or to enter the Council's stormwater system. All aspects and protection measures in connection with soil and water management are to comply with the requirements of Council's Development Engineer and be installed prior to the removal of and/or disturbance of any soil or vegetation.
5. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
6. A minimum of 10 additional marked car parking spaces (over the existing 155 spaces) must be provided for staff within the existing on-site parking area and kept available for these purposes at all times.

Car parking spaces, manoeuvring areas and aisles must be provided in accordance with the Australian Standard AS 2890.1 – 2004 Off-Street Parking and completed prior to the commencement of use as approved.

7. An additional twenty-two (22) bicycle parking spaces (over the existing shall be provided, be well-lit, have adequate locking frame and be located in close proximity to the main entrance/exit. The spaces shall be clearly marked (delineated) and be in accordance with Australian Standard AS/NZS 2890.3 - 2004 Off-Street Parking. Three (3) of the twenty-two (22) shall be for staff only.
8. Prior to the commencement of works the applicant must submit a detailed Construction and Environmental Management Plan for approval by Council's Environment Coordinator. These plans are required to detail the major potential environmental risks associated with the construction methods and the mitigation procedures to remove or reduce these risks to an acceptable level.
9. The Construction and Environmental Management Plan be submitted and approved by Council prior to any works on site.
10. The construction works must be undertaken in accordance with the approved Construction and Environmental Management Plan.
11. Works must be undertaken in with the 'Wetlands and Waterways Works Manual' by DPIPWE, 2003. The Construction and Environmental Management Plan must incorporate the methods of environmental and construction management as detailed in this manual.
12. Detailed engineering drawings showing the proposed car parking spaces, earthworks, internal service lines and connections to service mains, surface drainage collection, stormwater quality treatment measures, pavement composition and levels and finished floor levels must be submitted with the Building Application for approval by Council's Development Engineer.

Environmental Health

13. The applicant must prepare a Construction and Environmental Management Plan meeting the objectives and requirements of the *Environmental Management and Pollution Control Act 1994* in respect of "best practice environmental management". The Plan is to address all aspects of the construction including, but not limited to, the extent and management of:
 - (a) soil above the high water mark;
 - (b) potential spills;
 - (c) potential noise impacts on surrounding residential premises.

The Plan must be developed prior to the commencement of the development and is to be to the satisfaction of Council's Senior Environmental Health Officer.

All management strategies contained in the approved Construction and Environmental Management Plan must be implemented during the development of this site.

14. It should be ensured that no human wastes, litter, debris, fuel, lubricants or other wastes are dispelled into the water during the construction phase. Any land-based wastes generated must be stored and disposed of at appropriate reception facilities.
15. No excess construction materials or other wastes must be left on the riverbed or in the intertidal zone following completion.
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.
17. 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.

Environment Coordinator

18. Avoid or minimise clearance of the NAV community (area west of the pathway to the oyster raft) with the aim of keeping the impact area as small as is technically possible.
19. Restrict access and intrusion of machinery, soil or construction materials into the NAV community during construction.
20. Weed management must be undertaken following best practice protocols, including preliminary weed control prior to construction and follow up measures post construction to target any regenerating weeds.

21. During construction weed management should include wash down of earth moving machinery operating on site before leaving to prevent weeds being taken off site.
22. A weed control program targeting declared weeds on the MONA property should also be considered to prevent ongoing weed spread and degradation of native vegetation.
23. The *Tasmanian Acid Sulfate Soil Management Guidelines 2009* must be followed for all construction works and avoid any unnecessary soil disturbance.
24. Prior to the commencement of works the applicant must submit a detailed Construction and Environmental Management Plan for approval by Council's Environment Coordinator. These plans are required to detail the major potential environmental risks associated with the construction methods and the mitigation procedures to remove or reduce these risks to an acceptable level. These plans must include the recommended conditions outlined in the report by Aquanel Pty Ltd, 2015.
25. The construction works must be undertaken in accordance with the approved Construction and Environmental Management Plan.
26. Works must be undertaken in with the 'Wetlands and Waterways Works Manual' by DPIPWE, 2003. The Construction and Environmental Management Plan must incorporate the methods of environmental and construction management as detailed in this manual.

Advice to Applicant

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

- During construction, if barges are being used with mooring lines, it will be necessary to inform MAST so a notice to Mariners can be issued if required. Any works from the waterway will need to be carried out by vessels in current survey and those operating will need the required certificates of proficiency.
- *The proposal footprint is mapped as having a high probability of containing Potentially Acid Sulfate Soils (PASS) and sediment disturbance may result in oxidation leading to acidification and potential to remobilisation of metals. While the proposal will involve minimal soil disturbance it is recommended that the Tasmanian Acid Sulfate Soil Management Guidelines 2009 be applied.*
- Please be aware that all Aboriginal heritage is protected under the *Aboriginal Relics Act 1975*. If at any time during works you suspect Aboriginal heritage, cease works immediately and contact AHT for advice. Attached is an Unanticipated Discovery Plan, which you should have on hand during ground disturbing works, to aid you in meeting your requirements under the Act.

- 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 2015, before the premises can be registered and the food business licensed pursuant to the Food Act 2003.

APPENDIX 1**30.0 Major Tourism Zone**

Standard	Acceptable Solution	Proposed	Complies?
30.3 Use Standards			
30.3.1 Discretionary Use	A1 No Acceptable Solution	Not applicable.	N/A
30.3.2 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 ongoing use of the development is not expected to exceed this requirement. It is recommended as a condition of the permit. 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	YES

Standard	Acceptable Solution	Proposed	Complies?
		of Environmental Management, including adjustment of noise levels for tonality and impulsiveness. Noise levels are to be averaged over a 15 minute time interval.	
30.3.3 Hours of Operation	A1 Hours of operation of a use within 50 m of a residential zone must be within: (a) 7.00 am to 9.00 pm Mondays to Saturdays inclusive; (b) 9.00 am to 5.00 pm Sundays and Public Holidays; except for office and administrative tasks.	Does not apply to this development.	N/A
30.4 Development Standards for Buildings and Works			
30.4.1 Building Height	A1 Building height must be no more than: 10 m.	The proposal would have a maximum height of 16.05m above AHD. Compliance would require a maximum height of 10m from the south-west rear boundary, and this would result in a variation of 6.05m.	Please refer to discussion in the report.
30.4.2 Setback	A1 Building setback from frontage must be no less than: 10m.	The proposal would be a minimum of 400m from the frontage adjoining the Main Road.	Complies.
	A2	Not applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
	Building setback from a residential zone must be no less than: (a) 5 m; (b) half the height of the wall, whichever is the greater.		
	A3 Building setback for buildings for sensitive use (including residential use and visitor accommodation) must comply with all of the following: (a) be sufficient to provide a separation distance from land zoned Rural Resource no less than 100 m; (b) be sufficient to provide a separation distance from land zoned Significant Agriculture no less than 200 m.	Not applicable.	N/A
	A4 Buildings and works must be setback from land zoned Environmental Management no less than 20 m.	The proposal would have a setback of 0m from the southern side boundary. Compliance would require a setback of 20m from the southern side boundary, and this would result in a variation of 20m.	Please refer to discussion in the report.
30.4.3 Design	A1 No Acceptable Solution		Please refer to discussion in the report.
30.4.4 Landscaping	A1 No Acceptable Solution		Please refer to discussion in the report.

APPENDIX 2**29.0 Environmental Management**

Standard	Acceptable Solution	Proposed	Complies?
29.3 Use Standards			
29.3.1 Use Standards for Reserved Land	A1 Use is undertaken in accordance with a reserve management plan.	Not applicable.	N/A
29.4 Development Standards for Buildings and Works			
29.4.1 Building Height	A1 Building height comply with any of the following: (a) as proscribed in an applicable reserve management plan; (b) be no more than 7.5 m.	The proposal would have a maximum height of 16.05m above AHD. Compliance would require a maximum height of 10m from the south-west rear boundary, and this would result in a variation of 6.05m.	YES
29.4.2 Setback	A1 Building setback from frontage must comply with any of the following: (a) as proscribed in an applicable reserve management plan; (b) be no less than 30 m.	The proposal would be a minimum of 400m from the frontage adjoining the Main Road.	Please refer to discussion in the report.

Standard	Acceptable Solution	Proposed	Complies?
	A2 Building setback from side and rear boundaries must comply with any of the following: (a) as proscribed in an applicable reserve management plan; (b) be no less than 30 m.	The proposal would have a setback of 0m from the southern side boundary. Compliance would require a setback of 30m from the southern side boundary, and this would result in a variation of 30m.	Please refer to discussion in the report.
	A3 Buildings and works must be setback from land zoned Environmental Living no less than 30 m.	Not applicable.	N/A
	A4 Building setback for buildings for sensitive use (including residential use) must comply with all of the following. (a) be sufficient to provide a separation distance from land zoned Rural Resource no less than 100 m; (b) be sufficient to provide a separation distance from land zoned Significant Agriculture no less than 200 m.	Not applicable.	N/A
	A5 This clause does not apply in this planning scheme.	Not applicable.	N/A
29.4.3 Design	A1 The location of buildings and works must comply with any of the following:	The proposal is for an addition to an existing building.	YES

Standard	Acceptable Solution	Proposed	Complies?
	(a) be located on a site that does not require the clearing of native vegetation and is not on a skyline or ridgeline; (b) be located within a building area, if provided on the title; (c) be an addition or alteration to an existing building; (d) as prescribed in an applicable reserve management plan.		
	A2 Exterior building surfaces must be coloured using colours with a light reflectance value not greater than 40 percent.	The proposal would be comprise of glass with a LRV of about 20%, and metal cladding and concrete with a LRV of approximately 5%.	YES
	A3 Fill and excavation must comply with all of the following: (a) height of fill and depth of excavation is no more than 1 m from natural ground level, except where required for building foundations; (b) extent is limited to the area required for the construction of buildings and vehicular access.	Not applicable.	N/A

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: (a) no less than the number specified in Table E6.1 and no more than 10% greater than that number; except if: (i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (ii) this provision was not used in this planning scheme.	The proposal includes 10 additional car parking spaces. Compliance would require 75 additional car parking spaces, and this would result in a variation of 65 car parking spaces.	Please refer to discussion in the report.
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.	The existing museum has provided for 3 accessible car parking on site.	Complies.

Standard	Acceptable Solution	Proposed	Complies?
E6.6.3 Number of Motorcycle Parking Spaces	A1 The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.	The proposal includes no motorcycle parking spaces. Compliance would require 2 motorcycle parking spaces, and this would result in a variation of 2 motorcycle parking spaces.	Please refer to discussion in the report.
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.	The proposal would provide a total of 22 car parking spaces (19 for visitors and 3 for staff). Compliance would require 23 bicycle parking spaces (19 for visitors and 3 for staff), and this would result in a variation of 1 bicycle parking spaces.	Please refer to discussion in the report.
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.	Existing.	N/A
E6.7.2 Design of Vehicular Accesses	A1 Design of vehicle access points must comply with all of the following:	Existing.	N/A

Standard	Acceptable Solution	Proposed	Complies?
	(a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.		
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;	Existing.	N/A

Standard	Acceptable Solution	Proposed	Complies?
	(d) be at intervals of no more than 30 m along the access.		
E6.7.4 On-Site Turning	A1 On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following: (a) it serves no more than two dwelling units; (b) it meets a road carrying less than 6000 vehicles per day.	The proposed additional parking spaces would comply with the standard, a condition has been recommended.	YES
E6.7.5 Layout of Parking Areas	A1 The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same Standard.	The proposed additional parking spaces would comply with the standard, a condition has been recommended.	YES
E6.7.6 Surface Treatment of Parking Areas	A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following; (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway;	The proposed additional parking spaces would comply with the standard, a condition has been recommended.	YES

Standard	Acceptable Solution	Proposed	Complies?
	(b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.		
E6.7.7 Lighting of Parking Areas	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.	Parking will be used outside daylight hours, however the car parking is existing.	N/A
E6.7.8 Landscaping of Parking Areas	A1 Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.	The car parking is existing.	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.	Not applicable.	N/A

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.	The proposed bicycle parking would comply with the standard, a condition has been recommended.	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.	The proposed bicycle parking would comply with the standard, a condition has been recommended.	YES
E6.7.11 Bicycle End of Trip Facilities	A1 For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.	Not applicable.	N/A
E6.7.12 Siting of Car Parking	A1 Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.	Not applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
E6.7.1.13 Facilities for Commercial Vehicles	A1 Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless: (a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site; (b) the use is not primarily dependent on outward delivery of goods from the site.	The site has existing commercial vehicle facilities for loading, unloading or manoeuvring.	YES
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements of the road authority.	The access to Main Road is existing.	YES

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.	The proposed addition to Museum would dispose of stormwater by gravity to public stormwater infrastructure. A condition has been recommended to address the construction and environment management plan that is to be approved by Council prior to works commencing on site.	YES
	A2 A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply: (a) the size of new impervious area is more than 600 m²; (b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots.	The proposed addition to Museum would dispose of stormwater by gravity to public stormwater infrastructure. A condition has been recommended to address the construction and environment management plan that is to be approved by Council prior to works commencing on site.	YES
	A3 A minor stormwater drainage system must be designed to comply with all of the following:	Complies.	YES

Standard	Acceptable Solution	Proposed	Complies?
	(a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed; (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.		
	A4 A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.	Complies.	YES

APPENDIX 5**E10 Biodiversity Code**

Standard	Acceptable Solution	Proposed	Complies?
E10.7 Development Standards			
E10.7.1 Buildings and Works	A1 Clearance and conversion or disturbance must be within a Building Area on a plan of subdivision approved under this planning scheme.	The proposed clearance and conversion or disturbance to be located on a plan of subdivision approved prior to the current this planning scheme. Compliance would require the proposed clearance and conversion or disturbance to be within a Building Area on a plan of subdivision approved under this planning scheme.	Please refer to discussion in the report.

APPENDIX 6**E11 Waterway and Coastal Protection Code**

Standard	Acceptable Solution	Proposed	Complies?
E11.7 Development Standards			
E11.7.1 Buildings and Works	A1 Building and works within a Waterway and Coastal Protection Area must be within a building area on a plan of subdivision approved under this planning scheme.	The proposal would be located on a plan of subdivision approved prior to the current planning scheme. Compliance would require the proposal to be located within a building area on a plan of subdivision approved under this planning scheme.	Please refer to discussion in the report.
	A2 Building and works within a Future Coastal Refugia Area must be within a building area on a plan of subdivision approved under this planning scheme.	Not applicable.	N/A
	A3 Buildings and works within a Potable Water Supply Area must be within a building area on a plan of subdivision approved under this planning scheme.	Not applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
	A4 Development must involve no new stormwater point discharge into a watercourse, wetland or lake.	The proposal would be include a new stormwater connection. Compliance would require no new stormwater connections.	Please refer to discussion in the report.
E11.7.2 Building and Works Dependent on a Coastal Location	A1 An extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date.	The proposal would be located within the Waterway and Coastal Protection Area. Compliance would require the proposal to be located outside the Waterway and Coastal Protection Area.	Please refer to discussion in the report.
	A2 No Acceptable Solution for dredging and reclamation.	Not applicable.	N/A
	A3 No Acceptable Solution for coastal protection works initiated by the private sector.	Not applicable.	N/A

APPENDIX 7**E15.0 Inundation Prone Areas Code**

Standard	Acceptable Solution	Proposed	Complies?
E15.6 Use Standards			
E15.6 Use Standards	A1 Change of use of a non-habitable building to a habitable building or a use involving habitable rooms must comply with all of the following: (a) floor level of habitable rooms is no less than the AHD level for the Coastal Inundation Low Hazard Area in Table E15.1; (b) floor level of habitable rooms is no less than the AHD level for the 1% AEP plus 300mm if in an area subject to riverine flooding.	Not applicable.	N/A
E15.7 Development standards for Buildings and Works			
E15.7.1 Coastal Inundation High Hazard Areas	A1 For a habitable building, including extensions to existing habitable buildings, there is no Acceptable Solution.	Not applicable.	N/A

	A2 For a non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, there is no Acceptable Solution.	Not applicable.	N/A
E15.7.2 Coastal Inundation Medium Hazard Areas	A1 For a new habitable building there is no acceptable solution	Not applicable.	N/A
	A2 An extension to an existing habitable building must comply with one of the following: (a) new habitable rooms must comply with both of the following: (i) floor level no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1, (ii) floor area of the extension no more than 40 m ² from the date of commencement of this planning scheme; (b) new habitable rooms must be above ground floor	Not applicable.	N/A
	A3 A non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, must have a floor area no more than 40 m ² .	Not applicable.	N/A

E15.7.3 Coastal Inundation Low Hazard Areas	A1 A new habitable building must comply with the following: (a) floor level no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1;	Not applicable.	N/A
	A2 An extension to a habitable building must comply with either of the following: (a) floor level of habitable rooms is no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1; (b) floor area is no more than 60 m ² .	The minimum floor level for the new extension is 3.20m AHD (Blank Space room) and in accordance with acceptable solution.	YES
	A3 A non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, must have a floor area no more than 60 m ² .	Not applicable.	N/A
E15.7.4 Riverine Inundation Hazard Areas	A1 A new habitable building must have a floor level no lower than the 1% AEP (100 yr ARI) storm event plus 300 mm.	Not applicable.	N/A

	A2 An extension to an existing habitable building must comply with one of the following: (a) floor level of habitable rooms is no lower than the 1% AEP (100 yr ARI) storm event plus 300 mm; (b) floor area of the extension no more than 60 m² as at the date of commencement of this planning scheme.	Not applicable.	N/A
	A3 The total floor area of all non-habitable buildings, outbuildings and Class 10b buildings under the Building Code of Australia, on a site must be no more than 60 m ² .	Not applicable.	N/A
15.7.5 Riverine, Coastal Investigation Area, Low, Medium, High Inundation Hazard Areas	A1 For landfill, or solid walls greater than 5 m in length and 0.5 m in height, there is no acceptable solution.	Not applicable.	N/A
	A2 No acceptable solution.	Not applicable.	N/A

	A3 A land application area for onsite wastewater management must comply with all of the following: (a) horizontal separation distance from high water mark or from the top of bank of a watercourse or lake must be no less than 100 m; (b) vertical separation distance from the water table must be no less than 1.5 m.	Not applicable.	N/A
E15.7.6 Development Dependent on a Coastal Location	A1 An extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date.	Not applicable.	N/A
	A2 No acceptable solution	Not applicable.	N/A
	A3 No Acceptable Solution for coastal protection works initiated by the private sector.	Not applicable.	N/A

Attachments/Annexures

- 1** Attachment - 651-655 Main Road Berriedale

6. PROPOSED USE AND DEVELOPMENT - MULTIPLE DWELLING UNITS (69) WITH CARPORTS/GARAGES AND ASSOCIATED INFRASTRUCTURE WORKS IN 9 STAGES, PUBLIC FORESHORE FOOTWAY, CARPARK AND ACCESS ALTERATIONS (PARTLY WITHIN ROAD RESERVE) AND GATE MODIFICATIONS - 1, 1A, 1B, 1C BOURNVILLE CRESENT, CLAREMONT (109 CADBURY ROAD) AND BOURNVILLE CRESCENT, CLAREMONT

Author: Planning Officer (Sylvia Jeffreys)

Qualified Person: Planning Officer (Sylvia Jeffreys)

Property ID: 3344810

REPORT SUMMARY:

<i>Application No.:</i>	PLN-15-222
<i>Applicant:</i>	Vos Construction & Joinery
<i>Owner:</i>	Claremont Golf Club Inc
<i>Zone:</i>	Recreation, Environmental Management Zone
<i>Use Class</i>	Residential – Multiple Dwelling & Utility
<i>Application Status:</i>	Discretionary
<i>Discretions:</i>	Biodiversity E10.7.1 A1 Waterway Protection E11.7.1 A1 Coastal Erosion Hazard E16.7.1 F1.9.3 Use Table F1.5.4.2 Access F1.6.3 Use Table F1.9.5.2 A1 Building Envelope (height) F1.9.510 A1 Sensitive Use Complies with all other standards
<i>Level 2 Activity?</i>	No
<i>42 Days Expires:</i>	21 March 2016
<i>Existing Land Use:</i>	Vacant
<i>Proposal In Brief:</i>	Multiple Dwelling Units (69)

Representations:	0
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL:

PROPOSAL

The application proposes sixty-nine apartments adjacent to the Claremont Golf Club on the northern side of the Claremont Peninsula. The apartments would be contained in eleven blocks that would be arranged in three rows. There would be one-, two-and three-storey blocks. Two internal roads are proposed between the rows of units of which one would end in a cul-de-sac. The proposal also includes a public foreshore walkway, changed parking arrangements, line-marking, gate alterations and an upgrade to an existing pump station.

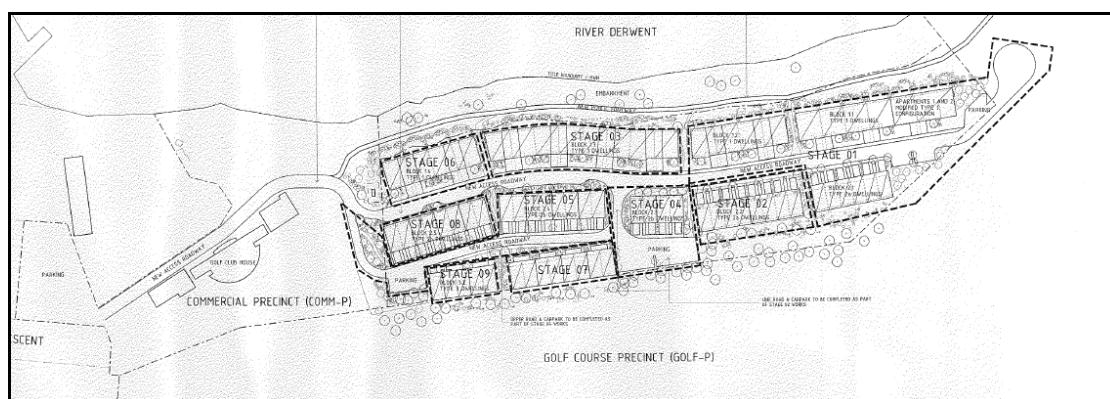


Figure 1: Site Plan and Staging - 1+2 Architecture

The proposed apartments would range in floor areas between 137m² and 190m² and would comprise three types of dwelling units. Type 1 dwelling would be single storey, two-bedroom with garage or three-bedroom with carport. Type 2 dwelling would have three bedrooms on the lower level and living areas on the upper level with a garage or carport, as well as a designated parking space. Type 3 dwelling would be triple storey with three bedrooms and living areas on the middle floor with single garage and single carport. There would be the option of a lift for some dwelling units. The apartment blocks step up in height from the water side to the golfing greens, as shown in Figure 2 below.

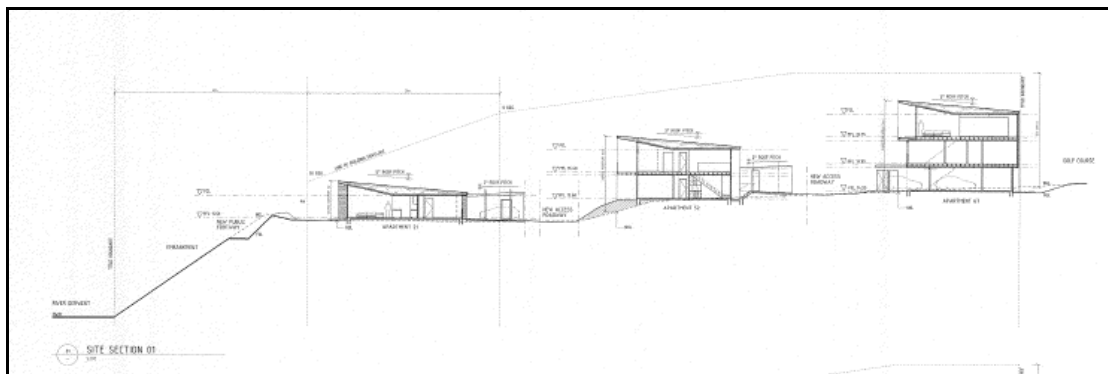


Figure 2: Site Section: Apartments 21, 52 and 67- 1+2 Architecture

The apartments would have the main windows facing north to take advantage of sunlight and views over the river. The private outdoor space for the block adjacent to the public walkway would be created with earth shaping and framed with vegetation so that there would not be unsightly fences facing the water. There would be protruding wall-sections, one metre deep, separating the units to prevent overlooking of adjacent windows. The two and three-storey apartments would have a deck of 8m², off the living areas, also with a protruding wall to separate adjoining decks. All apartment blocks would have skillion roofs sloping towards the golf course. Construction materials include natural and paint finished bricks, painted compressed fibre cement sheet cladding and steel roofing. The colour palette would be various tones of off-white and greys with differentiation between units to create visual diversity. Figure 3 shows the north elevation of the single storey apartments near the turning circle.

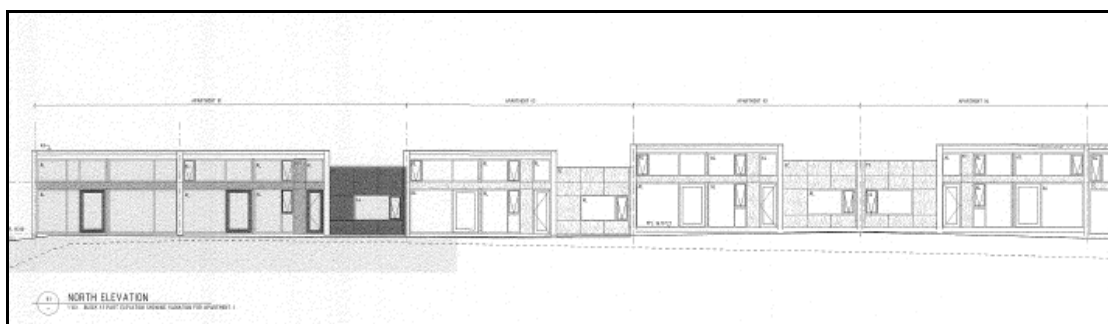


Figure 3: North Elevation: Apartments 1 to 4 - 1+2 Architecture

The entrance path of each apartment would be separated from the neighbouring unit with a closed storage and bin enclosure structure. Entrances, carports and parking areas would be located to the south for the single storey blocks and for three of the middle row blocks, and to the north for the remaining blocks. The remainder of the parking would be within four car parking areas and in form of parallel parking along the main road. Overall, there would be one hundred and fifty-two parking spaces. There would also be a temporary car park for 14 vehicles.

Vehicular access to the residential precinct is from Bournville Crescent with a new two way private access road over a right-of-way behind the clubhouse. The road would continue through the development and would end in a cul-de-sac near the eastern boundary. The cul-de-sac would be located on the title of the golf course. There would be a second one-way road to create a loop through part of the development, which branches off in front of the first apartment block.

The new access would encroach on the parking layout in front of the current entrance to the golf club and bowls club, which is partly within Council's road reserve. There would be an impact on seven parking spaces which are to be relocated. The new access way would also require alterations to an existing stone wall and gate at the entrance to the golf club to make the opening wider.

Services for the proposal include a new sewer pump station and rising main over the neighbouring bowls club land to replace an existing pump station in the same location. The works also involve sealing the end of a service access to the pump station.

SITE and LOCALITY

The site lies on the Claremont Peninsula, east of the clubhouse of the Claremont Golf Club. The site comprises various properties other than the property of the apartment development. The other properties would be affected by works.



Figure 4: Site Location – Council Database 2013

The whole of the site comprises the following land:

- 1B Bournville Crescent - CT167845/2 – Vacant - Proposed Development
- 1A Bournville Crescent – CT167845/1 – Club House – New Access Road, Gate
- 1C Bournville Crescent – CT167845/3 – Golf Course – Turning Head
- 1 Bourneville Crescent – CT134788/1 – Bowls Club – Pump Station Works
- Road Reserve – CT55634/95 – GCC Casement – Line-marking, Parking

The property of the apartment development is at 1 B Bournville Crescent, Claremont and is described in certificate of title 167845/2. The land was formerly known as 109 Cadbury Road. The property is shown in Figure 5 below.



Figure 5: Subject Site – Council Database 2015

The land at 1 B Bournville Crescent has an irregular elongated shape with an area of 2.509ha and is vacant. The property adjoins the River Derwent to the northwest, the golf course to the northeast and southeast, and the clubhouse to the southwest. The land has a gentle slope for most part, except for an area approximately 20m in width that drops steeply to the water. Access is over an existing driveway from the end of Bournville Crescent over the land containing the clubhouse. Other neighbouring properties include Cadbury's chocolate factory, the bowls club and single dwelling residential development along Bournville Crescent.

ZONE

The land lies within two zones, the Recreation Zone in 'lime' and the Environmental Management Zone in 'teal'. The proposed apartment blocks would be contained within the Recreation Zone. The yellow star denotes heritage listed properties.

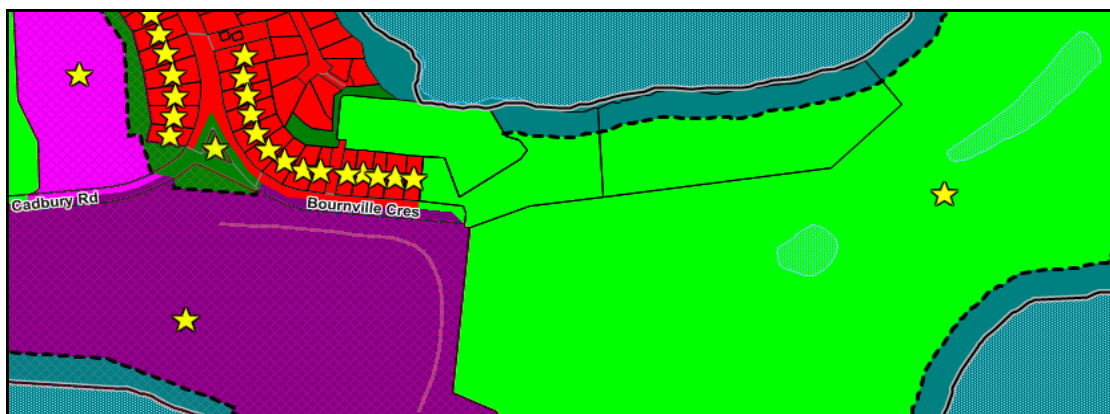


Figure 6: Zoning Map – GIPS 2015

BACKGROUND

Application

The proposal plans for this application were accompanied by a landscape plan, vegetation management plan, lighting specifications for roads and public spaces, a noise assessment (factory noise impact), traffic impact statement, golf course design safety statement, a risk assessment (recycled water storage dam) and an irrigation management plan (golf course).

Approvals

The following approvals are related to the subject and:

- PLN-13-081- Two (2) lot subdivision plus balance (Heritage Listed property) re-advertised – approved 11/11/13

This permit created the subject lot and required the creation of a 'Council Access Way' over a 20m wide strip of land passing through Lot 1 and Lot 2 to be accessible by the public. This access way was negotiated as a way of preserving public foreshore access on the steeper slope without requiring public open space of a strip of level land.

- PLPART5 14/01 – Part 5 Agreement

This agreement is registered on the title and requires the provision and maintenance of the 'Council Access Way'.

- PLAM-14/05 – Planning Scheme Amendment to Glenorchy Planning Scheme 1992 for Schedule 11 - Claremont Peninsular Specific Area Plan – effective 12/03/15

This amendment formed the basis for the provisions in the new Scheme (Glenorchy Interim Planning Scheme 2015) as relating to the Claremont Peninsula Specific Area Plan.

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?)

The following is applicable:

- F1 Claremont Peninsula Specific Area Plan
- E7.0 Stormwater Management Code
- E10.0 Biodiversity Code
- E11.0 Waterway and Coastal Protection Code

- E13.0 Historic Heritage Code
- E15.0 Inundation Prone Areas Code
- E16.0 Coastal Erosion Hazard Code

Use Class Description (Table 8.2):

The use class is **Residential – Multiple Dwellings** which is defined in Table 8.2 Use Classes as use of land for self-contained or shared living accommodation. Examples include an ancillary dwelling, boarding house, communal residence, home-based business, hostel, residential aged care home, residential college, respite centre, retirement village and single or multiple dwellings.

Other relevant definitions (Clause 4.1):

Multiple dwelling means 2 or more dwellings on a site.

Part C: Special Provisions

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

Nil.

Part D: Zones

The land lies within the Recreation Zone and the Environmental Management Zone. The zone objectives and standards are not applicable as a specific area plan for the Claremont Peninsula overrides these provisions pursuant to clause 7.4 of the Scheme. The 'discretions' are listed here as a summary prior to addressing each section.

Discretions

- Biodiversity Code E10.7.1 A1 Building and Works
- Waterway and Coastal Protection Code E11.7.1 A1 Building and Works
- Coastal Erosion Hazard Code E16.7.1 Buildings and Works
- Golf Precinct F1.9.3 Use Table (discretionary use for access, turning head)
- Golf Precinct F1.5.4.2 Access Serving the Residential Precinct (no acceptable solution, turning head)
- Recreation Precinct F1.6.3 Use Table (discretionary use Utility for pump station)
- Residential Precinct F1.9.5.2 A1 Building Envelope (height discretion 1.33m for 2m section for Unit 7)
- Residential Precinct F1.9.5.10 A1 Development for Sensitive Uses in Proximity to Use with Potential to Cause Environmental Harm (attenuation from spray irrigation and storage dams)

Part E: Codes

The following codes of the Scheme apply to this proposal:

E7.0 Stormwater Management Code

The objective of the code is:

- To ensure that stormwater quality and quantity is managed appropriately.

The code provides standards for connection to stormwater systems, incorporation of water sensitive urban design principles and accommodation for certain storm events. The application was referred to Council's Development Engineer who assessed the proposal as satisfactory in this regard. Further comments can be found in the Referrals section later in this report.

E10.0 Biodiversity Code

The mapping system indicates that the biodiversity code applies, which is shown in Figure 7 below.

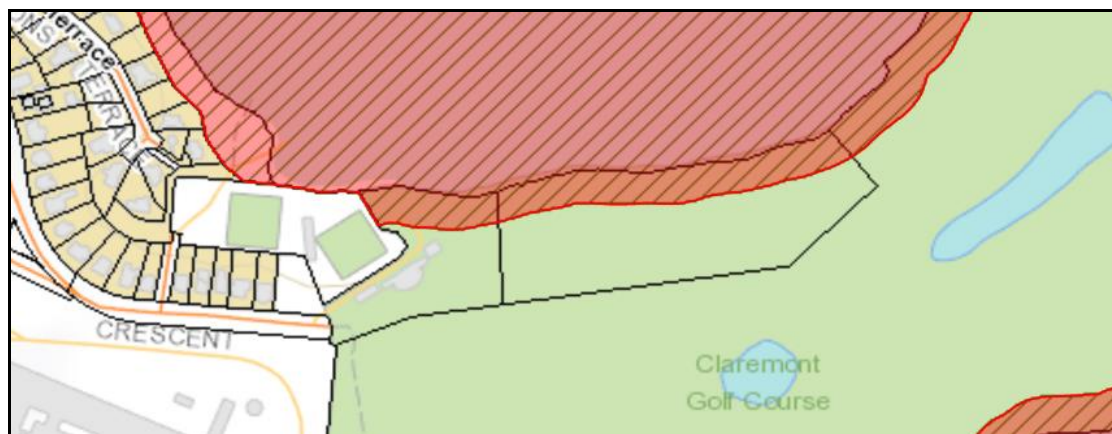


Figure 7: Map E10 Biodiversity Protection Area – LIST map

Most of the proposed development would be outside the area shown on the above map, except for earthworks and the construction of the public access way. The proposal cannot accord with acceptable solution in E10.7.1 A1 Building and Works as there is no designated building area on the relevant title. Therefore, the proposal must accord with the performance criteria in 17.7.1 P1 (a) for 'low priority' biodiversity value vegetation, which seek to minimise impacts on vegetation. An assessment by Council's Environment Coordinator can be found in the Referrals section later in this report.

E11.0 Waterway and Coastal Protection Code

The mapping system indicates that the Waterway and Coastal Protection Code is applicable, which is shown in Figure 8 below.

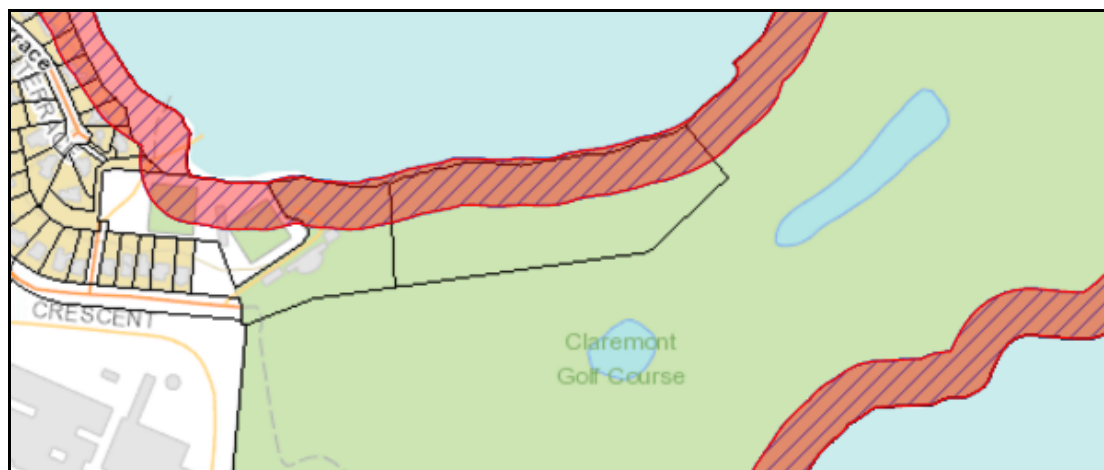


Figure 8: Map 11.1 Waterway and Coastal Protection Code – LIST map

The proposal cannot comply with the acceptable solution in E11.7.1 A1 Building and works. The proposal must therefore accord with the related performance criteria which seek to avoid or mitigate impacts on riparian vegetation. Any works must also be carried out in accordance with specific manuals. Council's Environment Coordinator recommends conditions for an Environmental Management Plan and a Construction Management Plan.

E13.0 Historic Heritage Code

The property containing the club house at 1 A Bourneville Crescent is heritage listed in Table E13.1 to the extent of the title (CT167845/1) for the club house. The only development on this property is the two-way private access, which is a 'permitted' development located within the right-of-way at the rear of the club house within the commercial precinct. Given that the SAP applicable to the commercial precinct was specifically designed for that property, a heritage assessment was not required. The principal item listed is the club house so that the stone-wall at the entrance is of no heritage interest and the temporary car park would have no hardstand and is well away from the club house.

E15.0 Inundation Prone Areas Code

The mapping system indicates that the Inundation Prone Areas Code is applicable, which is shown in Figure 9 below.

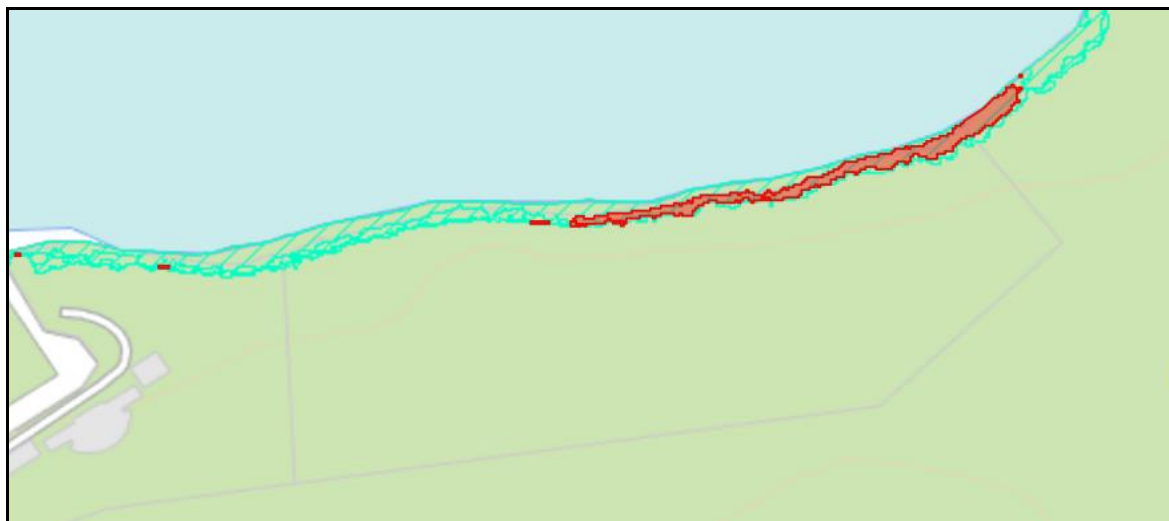


Figure 9: Map 15 Inundation Prone Areas – List Map

The proposal complies with the acceptable solution for low hazard areas in E15.7.3 A1 according to the assessment by the Development Engineer where buildings must have a certain height for the floor level above predicted flood levels. An assessment by the Development Engineer can be found under the Referrals section later in this report.

E16.0 Coastal Erosion Hazard Code

The mapping system indicates that the Coastal Erosion Hazard Code is applicable, which is shown in Figure 10 below.

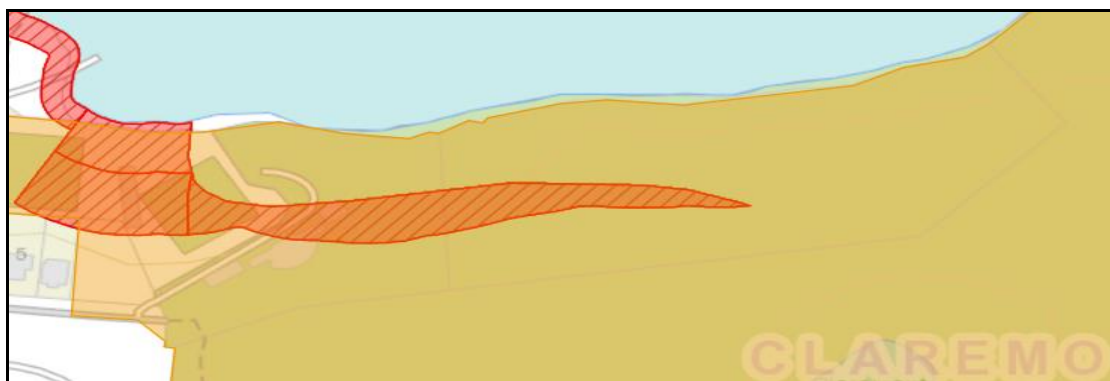


Figure 10: Map 10.1 Coastal Erosion Hazard Code – LIST map

There are no acceptable solutions in E16.7.1 Buildings and Works. Therefore, the proposal must accord with the performance criteria in regards to erosion control amongst other criteria. An environmental management plan and construction management plan are recommended by the Environment Coordinator. The plans would have to address erosion control to Council's satisfaction.

PART F: Specific Area Plans

F1 Claremont Peninsula Specific Area Plan

The area subject to the proposal is contained within the area of the Claremont Peninsula Specific Area Plan.

Specific Area Plan Statement

The purpose is set out in F1.1 as follows:

- *protect the landscape character of the Claremont Peninsula by the retention of open space qualities provided by the golf course;*
- *encourage the retention of recreational facilities on the Claremont Peninsula; and*
- *facilitate the development of a range of commercial and residential uses in a coordinated manner through the establishment of specific precincts.*

Comment

It is considered that the proposal meets the overall purpose of the Specific Area Plan because the development would be largely contained within the residential precinct and would follow the natural landform in order to protect the landscape character. The turning head on the golf course land is not considered to adversely impact on the recreational activities on the land.

The plan divides the area into six precincts each with separate objectives and standards. The precincts are shown in Figure 11 below.

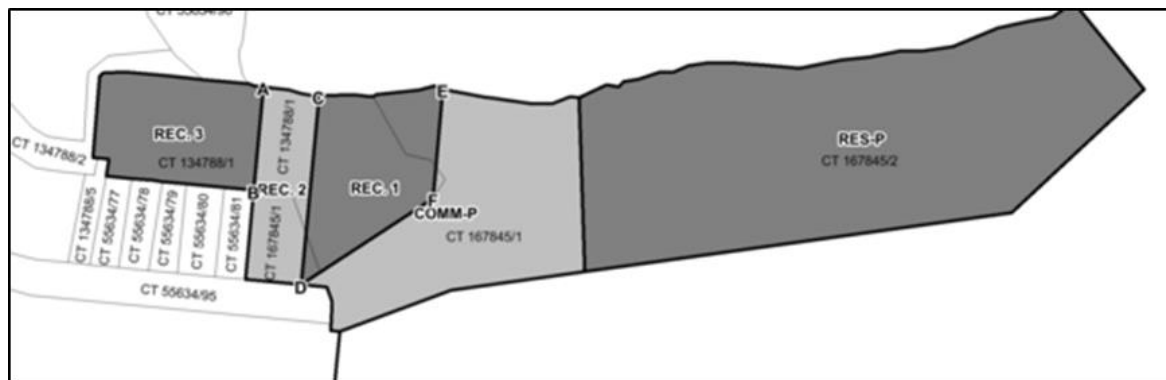


Figure 11: Claremont Peninsula Precinct Map – GIPS 2015

The proposal comprises works in five of the precincts as follows:

- F1.5 Golf Course Precinct (Golf- P) – Fairway – Turning Circle,
- F1.6 Recreation Precinct (REC-1) – Bowls Club - Pump Station Works
- F1.7 Recreation Precinct (REC-2) - Access and Parking – Access and Parking
- F1.8 Recreation Precinct (REC-3) – Bowls Club – Unaffected
- F1.9 Residential Precinct (Res-P) – Vacant - Proposed Development
- F1.10 Commercial Precinct (Comm-P) – Club House – Access and Gate

F1.5 Golf Course Precinct (Golf- P)

The proposal includes a road section that extends outside the residential precinct on the eastern boundary over an area approximately 30m in width. It is proposed to position the cul-de-sac of the access road in this location. Therefore, the provisions of the Golf Course Precinct are applicable to this portion of the development.

The purpose of the Golf Course Precinct is as follows:

F1.5.1 Local Area Objectives

- *To protect the continued operation of the 18-hole golf course.*
- *To allow for development of the golf course, compatible outdoor recreation use and development and integration with use and development in other precincts.*

F1.5.2 Desired Future Character Statements

- *Use and development that respects the landscape qualities of the Claremont Peninsula*

Comment

It is considered that the turning head accords with the above intent as it would only encroach on the golf course in a minor way.

Use Table

The use class Residential is 'discretionary' in F1.9.3 Use Table 'only if for access'.

Comment

It is considered that the turning head would be acceptable at this location.

F1.5.4 Development Standards for Buildings and Works

There are development standards in regards to height, setbacks, fairway design which are not relevant in this instance. However, there is a standard for Access Serving the Residential Precinct in F1.5.4.2 A1 which is applicable. There is no acceptable solution therefore the proposal must accord with the performance criteria in F1.5.4.2 P1.

The performance criteria provides for minimum access width, on-site turning, drainage and paving, pedestrian safety, visual attractiveness, appropriate location relative to golf course, integration with landscape setting, impact on viable use of golf course in regards to interaction with golf balls, not adversely affect the visual qualities of the clubhouse.

Comment

It is considered that the proposed turning head would comply with all development standards. For further details see attached appendix.

F1.6 Recreation Precinct (REC-1)

The proposed development involves works at the Bowls Club within the Recreation Precinct 1. The proposed works would be located north of the eastern bowling green on the water side, where there is an existing pump station, two outbuildings and an access road. It is proposed to extend the access road another 8m, with a minimum width of 3m, and to replace the pump station, as well as install a new sewer raising main. The new main would run in a direct line from the pump station to the property of the golf club house, over a distance of approximately 11m on the bowls club land.

The purpose of the Recreation Precinct 1 is as follows:

F1.6.1 Local Area Objectives

- *To provide for the expansion of the bowling club and compatible uses.*
- *To protect the foreshore area from use or development that affects the character or amenity of the foreshore or prevents pedestrian access.*

F1.6.2 Desired Future Character Statements

- *Development of a roofed bowling green with ancillary facilities to allow the use of the bowling facilities to be maximised.*
- *Low scale development that provides a transition between the commercial and residential development precincts to the east and the recreational precincts to the west.*
- *Development that is compatible with the established foreshore character and amenity and maintains pedestrian access.*

Comment

It is considered that the location of the pump station and raising main would not interfere with any future expansion of the bowls club as it would be situated on the rear margin of the property in an existing location for services and would still allow for any future pedestrian access, if required.

Use Table

The use class Utility is 'discretionary' in F1.6.3 Use Table if not a minor utility.

Comment

The use for a utility satisfies the intent of the recreational precinct.

F1.6.4 Development Standards for Buildings and Works

There are development standards for height, setbacks and amenity which are not applicable in this instance. The switchboard shell would be of an exempt size for an outbuilding. The main is to be constructed in accordance with TasWater's requirements.

F1.7 Recreation Precinct (REC-2)

The proposal includes alterations to the golf club car park that partly encroaches on Council's road reserve within the Recreation Precinct 2. It is proposed to provide a two-way access road that links the end of Bournville Crescent with the existing access to the golf club through line-marking. The new access road would displace seven car parking spaces which would be reinstated along Bournville Crescent through conditioning. The affected parking spaces are shown in Figure 12.

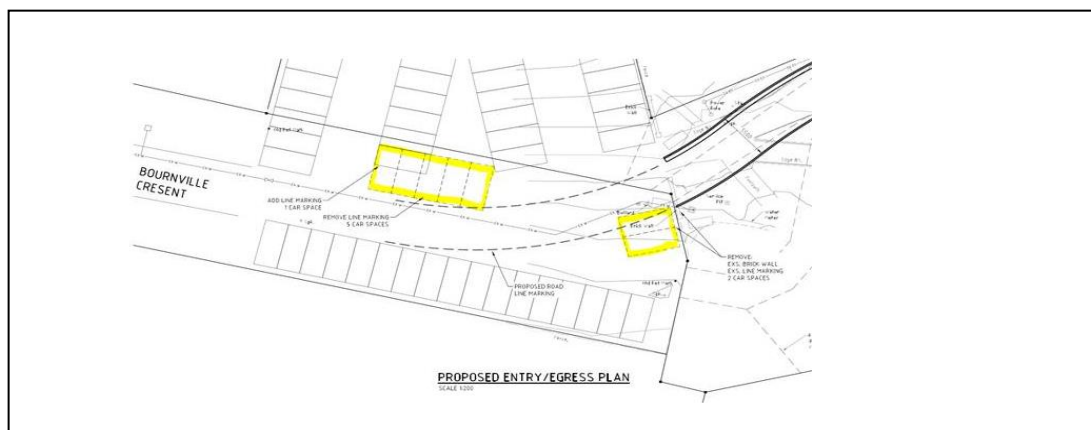


Figure 12 – Entry and Egress Plan – Gandy and Roberts

The purpose of the Recreational Precinct 2 is as follows”

F1.7.1 Local Area Objectives

- To provide for shared car parking.
- To protect the foreshore area from use or development that affects the character or amenity of the foreshore or prevents pedestrian access.

F1.7.2 Desired Future Character Statements

- *Unroofed parking area and ancillary development.*
- *Development compatible with the established foreshore character and amenity and maintains pedestrian access.*

Comment

It is considered that access and parking alteration would be in accordance with the above objectives, as it provide for shared unroofed parking.

Use Table

The use class residential is 'permitted' within the Recreational Precinct 2, 'only if for access and car parking'.

F1.7.4 Development Standards for Buildings and Works

There are development standards for setbacks, height, roofing and lighting which are not applicable to roads and parking areas.

F1.8 Recreation Precinct (REC-3)

This precinct contains the western bowls green and is unaffected by this proposal.

F1.9 Residential Precinct (RES-P)

The purpose of the residential precinct is as follows:

F1.9.1 Local Area Objectives

- *To provide for medium density residential and compatible visitor accommodation in the landscape setting of the peninsula and surrounding golf course.*
- *To protect the foreshore area from use or development that affects the character or amenity of the foreshore or prevents pedestrian access.*

F1.9.2 Desired Future Character Statements

- *Medium density development with a scale and form that integrates with the surrounding landform.*
- *Development compatible with the established foreshore character and amenity and maintains pedestrian access.*

Comment:

It is considered that the proposal meets the above objectives. The blocks of dwellings are designed to step up across the site in keeping with the existing land form. Proposed landscaping is also designed to fit with the surroundings by comprising native plants and appropriate placement in terms of scale, purpose and character. The proposal includes a public walkway which maintains foreshore access. There are also three pedestrian links between the unit blocks that connect to the foreshore walkway. Therefore, it is considered that the proposal satisfies the above objectives.

Use Table

The use class Residential is 'permitted' within the Residential Precinct. Discretions were listed earlier.

Use Standards

The use standard relates to parking in F1.9.4.1 – A1 Traffic Management. The parking requirement is as follows:

Parking spaces must be provided in accordance with all of the following minimum rates:

- (a) 1.5 spaces per 1 or 2 bedroom dwelling or serviced apartment;
- (b) 2 spaces per dwelling, or serviced apartment, with more than 2 bedrooms;
- (c) 1 visitor space for every 5 dwellings located in shared parking areas.

Comment

The application provides for 152 parking spaces (including 14 visitor spaces) which is in accordance with the requirements. Further details are provided within the assessment of the Development Engineer in the Referrals section later in this report.

Development Standards for Residential Buildings & Works

The development standards relate to density, building envelope, sunlight, privacy, design, private open space, fences, waste storage, noise attenuation and development for sensitive uses. The compliance with these standards is demonstrated in the attached appendix but is summarised as follows:

Residential Density

- Standard : between 56 and 75 dwellings – proposed: 69 dwellings

Building Envelope

- Standard: maximum building height stepping up from 4m to 12m within the following envelope in Figure 12 – proposed: within height limits except for Apartment 7 (single storey) that requires 1.33m height discretion over 2m section.

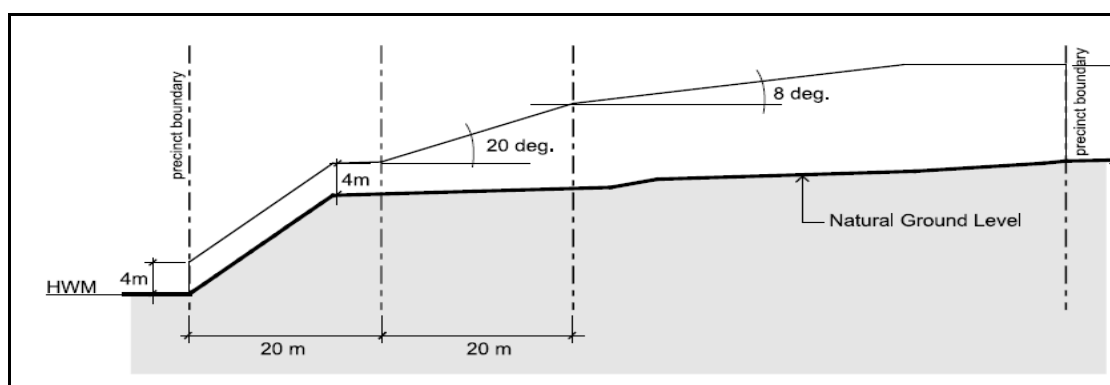


Figure 12: Building Envelope -Diagram F1.9.5.2A GIPS 2015

It is considered that the height discretion is relative minor, over a 2m, wide section and would be barely noticeable because the relevant section would not be higher than the pattern of the roof for the apartment block. The discretion is due to a fall in ground level. Therefore, the height variation satisfies the performance criteria as it would be compatible with the character of the peninsula

Sunlight and Overshadowing

- Standard: habitable room window that faces between 30 degrees west of north and 30 degrees east of north – proposed: apartments are designed to have the windows of living areas face north and above one another

Privacy

- Standard: 6m separation or 1.7m high screen for decks and windows 1m above NGL – proposed: dividing walls between balconies and more than 6m separation between rows of apartment blocks
- Standard: separation of driveway 2.5m or 1m with screen from habitable room – proposed: landscaping with minimum width of 2.5m

Design

- Standard: 3 landscaped links at least 4m wide or 2/3 of adjacent wall – proposed: accordance with minimum
- Standard: pedestrian access to certain engineering standard – condition
- Standard: public foreshore footway with minimum width of 1.8m and min. separation from any dwelling of 7.5m – proposed: width 2m, separation 7.5m to 12m - condition

Landscape Plan

- Standard: landscaping to be provided, defining public and private spaces, native vegetation within 20m of foreshore, only low fences and walls, preserving sightlines to public areas and provision of weed management plan
Proposed: as per landscape plan and weed management plan - condition

Roof Colour

- Standard: non-metallic roof and solar absorption of not less than 50% -
Proposed: roof colour not nominated – condition

Windows

- Standard: overlooking public space and address street – Proposed: windows on both sides of the apartment block and on 'end' walls

Outbuildings

- Standard: designed to be integrated as part of the dwelling; same palette of materials and colour - condition

Vehicle Access

- Standard: access width, on-site turning, drained and paved with water sensitive urban design, design of shared parking areas – condition

Lighting

- Standard: lighting standards for roads and public spaces - condition

Private Open Space

- Standard: not less than 8m², min. width 2m, at ground level defined by landscaping, north facing – Proposed: ground level private outdoor space for single storey units defined by earth berms and plantings, and 8m x 2m balconies for the remainder, north facing

Fences

- Standard: fence height – no fences are proposed

Waste Storage

- Standard: Bin storage for each unit enclosed and designed as an integrated part of the dwelling – Proposed: bin storage for each dwelling

Noise Attenuation

- See assessment by Environmental Health later in this report – neighbouring noise sources - condition

Sensitive uses

- See assessment by Environmental Health later in this report – Discretion Attenuation Distance (spray irrigation and storage lagoons) – conditions, also from TasWater

Overall, it is considered that the proposal complies with the relevant development standards, except for a small height-discretion and the attenuation distance for sensitive uses. Nevertheless, the proposal accords with the relevant performance criteria,

F1.10 Commercial Precinct (Comm-P)

The proposal includes a two-way access road over the land that contains the golf club house and alterations to the stone-wall at the entrance to make the opening wider. The road would be situated behind the club house along the boundary with the bowls club over an existing right-of-way.

The purpose of the Commercial Precinct is as follows:

F1.10.1 Local Area Objectives

- *To provide for the development of a motel, restaurant and function centre.*
- *To provide for commercial use and development that supports the recreation uses in the special area, including but not restricted to a pro-shop, bar, meeting rooms and administrative areas.*
- To protect the foreshore area from use or development that affects the character or amenity of the foreshore or prevents pedestrian access.

F1.10.2 Desired Future Character Statements

- *Development with a scale and form that integrates with the surrounding landform and the residential precinct to the east.*
- *Development compatible with the established foreshore character and amenity and maintains pedestrian access.*

Comment

It is considered that the proposal meets the above objective as it would not fetter any future commercial use and as it would provide pedestrian access.

Use Table

The use class residential is permitted within the Commercial Precinct 'only if access'.

F1.10.4 Development Standards for Buildings and Works

There are development standards for height, setback and amenity and noise attenuation which are not relevant to road construction and entry walls. However, there is a standard for access as follows:

F1.10.4.4 Access Serving the Residential Precinct and Access to the Foreshore

The objective is to ensure that the design of access:

- does not fetter the use and development potential of commercial use while providing safe access suitable for the anticipated vehicles and traffic; and
- provides safe pedestrian access for the public from Bourneville Avenue to the public footway along the foreshore in the Residential Precinct.

The acceptable solution in 10.4.4 A1, A2, A3 and A4 requires that the access is located within the 'right-of-way', that a public walkway be provided, and accordance with certain lighting standards. The proposal is in accordance with this standard. Further details can be found within the assessment by Council's Development Engineer in the Referral section later in this report. Therefore, it is considered that the proposal meets the above objectives.

INTERNAL REFERRALS**Transport Engineer:**

Schedule 11 of the Glenorchy Planning Scheme 1992 (Claremont Peninsular Specific Area Plan) was previously amended through application PLAM-14/05 (now translated in the Glenorchy Interim Scheme 2015). As part of the assessment, a high level Traffic Impact Assessment (TIA) was prepared by Midson Traffic based on a proposed 77 residential units. The TIA states that traffic generated by the uses within the precinct is not expected exceed 425 vehicles movement per day.

While the proposed development involves 69 multiple dwelling units (lower than the assumption of the TIA prepared for previous application), 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 and there is no objection to the proposed.

Development Engineer

Traffic, Access & Parking

Please refer to Council's Traffic Engineer referral for a detailed discussion of these issues. A detailed Traffic Impact Assessment (TIA) was submitted with the application as required by E6.0 Parking and Access Code of the Glenorchy Interim Planning Scheme (GIPS) 2015.

Access to the site is available from the end of Bournville Crescent and the Claremont Golf Club. The access through the existing carpark requires the line-marking of carriageway as indicated on the submitted plans. This will result in the loss of seven (7) parking spaces and these spaces are required to be reconstructed as a result. The southern side of Bournville Crescent has ninety degree parking prior to entry to the carpark, although this area is gravel and not sealed. The seven parking spaces can be reconstructed to the Council standard in this location and this is recommended as a condition of approval.

The submitted plans include 152 parking spaces for the 69 Units. The parking as indicated on the submitted drawings complies with the acceptable Solution A1 a, b, & c of Clause F1.9.4.1 Traffic Management of the Specific Area Plan (SAP) for the Claremont Peninsula of the Glenorchy Interim Planning Scheme (GIPS) 2015.

GCC Services (Stormwater)

The Stormwater Management Code E7.0 of the GIPS 2015 is applicable to the development. The applicant has prepared a Concept Stormwater Plan with the application. The proposal includes Water Sensitive Urban Design (WSUD) measures to treat the stormwater runoff from the development to achieve the quality and quantity targets as detailed in Table E7.1 of the code. This is in accordance with the acceptable solution A2 of clause E7.1.1 Stormwater Drainage and Disposal.

The majority of the proposed drainage system directs stormwater to the west boundary and through a Gross Pollutant Trap (GPT), then along a vegetated swale drain. The flow is then directed back to into a piped outfall system and discharged to the River Derwent through an energy dissipation end-wall to prevent erosion problems.

A small section of the site and proposed drainage system directs stormwater to the west boundary and directed to a proposed grouted rock lined channel and to an infiltration trench for dispersal. This is also in accordance with WSUD principles.

Other*Pedestrian Access / Public Footway*

The site is located adjacent to the Derwent River and clause F1.9.5.5 includes requirements for pedestrian access within the development and a public footway along the foreshore from the west boundary to the north-east boundary of the site. The pedestrian access within the development is achieved with integrated footpaths adjacent to the internal access roads as indicated on the submitted drawings. The public footway location and typical section along the foreshore is shown on the submitted drawings. This proposed footway is to be constructed to the Australian Standard AS2156.1 Walking tracks Class 1 with a width of not less than 1.8m.

The proposed footpaths and public footway comply with the acceptable solution A2 (a) & (b) of clause F1.9.5.5 Design of the SAP. Acceptable solution (c) is included as a condition of approval and requires not less than 5% of dwellings to have pedestrian access designed to be DDA compliant to Australian Standard AS1428 to the public footway along the foreshore. Information provided by the applicant indicated the design achieves this and this requirement is also included as a condition of approval below.

Geoscience issues

The Water and Coastal Protection Code E11.0 of the Glenorchy Interim Planning Scheme 2015 (GIPS) is applicable to the application. The conditions of approval require the applicant to submit a detailed Environmental Management Plan and a Construction Management Plan for approval by Council's Environment Coordinator prior to commencement of construction. This is required to satisfy the performance criteria P1 (b) and (i) of clause E11.7.1 Buildings and Works to mitigate and manage erosion, sedimentation and runoff impacts on natural values in accordance with the Wetlands and Waterways Works Manual by DPIPWE.

Flooding/Inundation issues

The site is located adjacent to the Derwent River and is subject to Code E15.0 Inundation Prone Areas Code of the GIPS 2015. The proposed development is located on the Claremont peninsula adjacent to Coastal Inundation Low Hazard Areas as outlined in Clause E15.7.3 of the GIPS 2015. The application satisfies the acceptable solution A1 of this clause. In accordance with this clause the minimum floor level of a new habitable building must be no lower than the level in Table E15.1 Coastal Inundation Low Hazard Area. The level for Claremont for the 1 in 100 year storm event in the year 2100 is 2.4m AHD. The minimum floor level for the new dwelling units (unit no. 22) is 11.20m AHD and in accordance with acceptable solution A1.

Environmental Health

The application for multiple dwelling units raised the following issues for Environmental Health:

Noise:

The main noise source which may impact on residential development at the site is the Cadbury's factory. As the Cadbury's site is a Level 2 activity under the *Environmental Management and Pollution Control Act 1994* it is regulated by the Environmental Protection Authority (EPA) through an Environmental Protection Notice (EPN). This EPN has conditioned acceptable noise levels for the site. Although initial investigations show that there is a low risk of a noise nuisance from the Cadbury site, a precautionary approach should still be taken.

A Noise Impact Assessment (NIA) was prepared by Vipac Engineers & Scientists, on 16th June 2015. This NIA predicts the internal noise levels for the proposed dwellings in the development. It describes how the dwellings are able to achieve the appropriate noise levels as specified in AS/NZS 2107:2000, if they are constructed in a certain manner with defined specifications. As a result a condition is recommended that construction is to be in accordance with the NIA. In addition to this, a condition requiring a noise verification report is also recommended to ensure compliance with the standard.

Soil Contamination:

A report was submitted with a previous application that investigated potentially contaminated soil in the location of the proposed development. This report indicated that there are no records of any potentially contaminating activities carried out on that particular area of the site. The water re-use scheme used on the property was never utilised in the proposed development area, and the land is highly unlikely to be contaminated by any run-off or spray drift due to the distance from the irrigation area. Further reports were not considered necessary.

Wastewater Re-use Scheme:

The Claremont Golf Course has an agreement with TasWater to accept a quantity of treated wastewater from the Cameron Bay Wastewater Treatment Plant. This treated effluent is pumped into a large storage dam located approximately 65 metres from the proposed development area. The treated waste water is then sprayed on the golf course for irrigation purposes. The applicant was required to address standard F1.9.5.10 in the Claremont Peninsula Specific Area Plan – 'Development for Sensitive Uses in Proximity to Use with Potential to Cause Environmental Harm'.

The proposal does not meet the Acceptable Solution in F1.9.5.10, as the storage lagoon/holding dam being located within 65m from the development, where the requirement in Table F1.9.5.10 states it must be 250m. Additionally, the spray irrigation will be located approximately less than 15m away from the development, where Table F1.9.5.10 states it should be 200m.

The applicant obtained the services of an Environmental Consultant (Geo-Environmental Solutions) and prepared an Irrigation Management Report, dated December 2015, which stated that the development could meet the performance criteria instead. The report determined that the dam would not create an odour nuisance due to the location and reasonable water quality.

The report also specified that the nearby sprinklers change their water source from treated wastewater to a potable water supply. The remaining wastewater irrigation area would still fall within the acceptable solution buffer zone, but is not considered to cause environmental harm due to large droplet sizes and the topographic barriers.

Although the proposal does not comply with the acceptable solution, it has the ability to comply with the performance criteria. In order for this to occur a Claremont Golf Course must enter into a new recycled water agreement with TasWater. Tas Water has provided the following condition to be imposed on the permit:

'Unless a new Recycled Water Agreement has been signed with TasWater for the use of recycled water at the Golf Course, then the existing agreement for recycled water must be terminated, the recycled water storage dam(s) must be decommissioned for use as treated sewage effluent storage(s) to the approval of Glenorchy City Council, the recycled water pump at the Cameron Bay Sewage Treatment Plant must be decommissioned by TasWater and the private recycled water supply pipe at the boundary of the Cameron Bay Sewage Treatment Plant must be decommissioned in accordance with plans to TasWater's approval, all at the developer's cost, prior to the issue of the Certificate for Certifiable Work (Building and/or Plumbing) for Stage 1 of the development.'

By imposing this condition TasWater will ensure that the recycled water agreement will address the performance criteria.

Environment

As required under the waterway and coastal protection code the applicant submitted, the applicant submitted a Vegetation Management Plan for weed removal and weed hygiene by Welling Consulting, 2015.

The environmental impacts of the proposed development include:

- The mobilisation of declared weed plants and seeds
- Potential erosion and sedimentation resulting from construction work.

The natural values include:

As described by Welling Consulting (2015) the native vegetation in the study area is - *Allocasuarina verticillata* forest (NAV). This community is not listed under the EPBCA or NCA. This vegetation is described as structurally and floristically altered and greater than 50% cover of vegetation in shrub or ground cover weeds, meaning it is much degraded.

No terrestrial or marine threatened species listed under the EPBCA or TSPA were detected within the study area, and the likelihood of any threatened species recorded from the vicinity occurring in the area is considered to be low. This proposal is therefore not considered to invoke any threatened species legislation.

Declared weeds include:

The steep bank down to the river is heavily infested with declared woody weeds. Three declared weeds and two environmental weeds are recorded across the site.

Waste Management

Waste Services to the proposed unit development at 1B Bournville Crescent – Claremont Golf Course, would be Council's standard bin service collected fortnightly.

- The Council's Standard Kerbside Wheelie 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 units, collected fortnightly.
- Please note that this property would have in total one hundred and thirty eight (138) wheelie bins, to be collected from the kerbside.
- This property will have a kerbside/nature strip area for placement of the bins therefore the units would have their own individual bins.
- All bins are to be placed on the kerbside for collection.
- To enable the waste collection vehicles to service the proposed multi-unit development an Indemnity is required on both titled properties through a Part 5 Agreement.

Property Management

Council's property manager commented that the reinstatement of impacted parking spaces within the road reserve would be required. The Development Engineer recommended as condition for the reinstatement.

EXTERNAL REFERRALS

TasWater

The application was referred to TasWater, which has nominated a number of conditions should the application be approved. The Water and Sewerage Industry Act 2008 requires the Planning Authority to include conditions from TasWater, if a permit is granted.

REPRESENTATIONS

The application was advertised for the statutory 14-day period. No representations were received.

CONCLUSION

The application is for sixty-nine dwelling units contained in eleven apartment blocks, arranged in three rows. The apartment blocks would step up in height across the site in keeping with the landform. There would be one, two and three storey buildings. The development would be serviced with a two-way road and a loop road. The two-way road would terminate in a cul-de-sac on the golf course land. The access way would require car park alterations at the end of Bournville Crescent and modification of a masonry wall.

Overall, the proposal provides for 152 car parking spaces which meet the requirements. The proposal also includes the upgrade of a pump station and a new raising sewer main on the Bowls Club land. A walkway would also be provided to retain public foreshore access in line with a registered Part 5 Agreement.

The proposal invokes various 'discretions' mainly related to codes and discretionary use and not to development standards. These discretions can meet the relevant performance criteria and have recommended conditions to ensure compliance. Two noteworthy 'discretions' relate to a variation in height and to sensitive use. One of the apartments is outside the building envelope by 1.33m over a 2m section. It is considered that this discretion in height is acceptable and would not result in an adverse visual outcome. The discretion is due to a fall of the land. A further discretion relates to the attenuation distance for sensitive uses from spray irrigation and a storage dam. There are special conditions recommended in regards to this issue.

The application was advertised for the statutory 14-day period during which there were no representations received.

Overall, the proposal was found acceptable.

The proposal is assessed to substantially comply with the requirements of Schedule 1 of the Land Use Planning and Approvals Act 1993 and the Glenorchy Interim Planning Scheme 2015, subject to the recommended conditions.

Recommendation:

That a permit be granted for the proposed use and development of Multiple Dwelling Units (69) with carports/garages and associated infrastructure works in 9 stages, public foreshore footway, carpark and access alterations (partly within road reserve) and gate modification at 1, 1A, 1B, 1C Bournville Crescent Claremont (109 Cadbury Road) & Bourneville Crescent, Claremont subject to the following conditions:

Planning

1. Use and development shall be substantially in accordance with planning permit application No. PLN-15-222 and Drawing No. P1 submitted 01/10/15 (Site Plan, Landscape Plan, Contour Plan); Drawing No. P2 submitted on 21/10/15 (Staging Plan, Site Plan, Floor Plans, Elevations and Sections), Drawing No P3 (Site Works Plan, services Plan, Entry and Egress Plan); Drawing P4 submitted on 19/02/16 (Pump Station Works and Rising Main); 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. Staging must occur as shown on the endorsed plan.
4. Suitable rights of carriage ways must be created over public access ways as required.

5. All footways, outdoor car parks, other outdoor vehicular access areas, and public, shared or private open space must be landscaped.
6. Landscaping works as shown on the endorsed plans must be completed prior to the issue of Certificate of Occupancy for each stage to the satisfaction of Council's Senior Statutory Planner and then maintained to the satisfaction of Council's Senior Statutory Planner.
7. Samples of external building material, finishes and colours must be submitted in association with the building permit application and approved by Council's Senior Statutory Planner.
8. Roof colour must be non-metallic and have a solar absorption of not less than 50%. The Exterior building surfaces must be coloured using colours with a light reflectance value not greater than 50 percent. The colour and reflectance value must be provided with the building permit application and should also be noted on the plan.
9. Outbuildings ancillary to a dwelling must be designed as an integrated part of the dwelling by using the same palette of materials, colours and details.
10. Fencing must comply with all of the following:
 - (a) between buildings and the boundary of either the Golf Precinct (GOLF-P) or the Commercial Precinct (COMM-P), a fence must have a height of not more than one of the following:
 - (i) 1.2m if the fence is non-transparent;
 - (ii) 1.8m, if any part of the fence has openings above a height of 1.2m which provide a uniform transparency of not less than 30% (excluding any posts);
 - (b) between buildings and the foreshore or shared driveway, a fence must have a height of not more than one of the following:
 - (i) 0.5m, if the fence is non-transparent
 - (ii) 1m, if any part of the fence has openings above a height of 0.5m which provide a uniform transparency of not less than 30% (excluding any posts);
 - (c) within public or shared spaces, no fencing unless required as a balustrade or similar in accordance with the BCA and which provide a uniform transparency of not less than 30% (excluding any posts).
 - (d) Any fence protecting the cul-de-sac from golf balls must not exceed 10m in height and 20m width and must be a wire mesh fence or similar transparent fence.
11. Interaction with golf balls within the residential precinct and the cul-de-sac must be minimised as outlined the Fairway Design Report dated 18th June 2015 by Darren Vos. Any safety measures are the responsibility of the golf club and must comply with relevant applicable standards.

Engineering

12. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
13. The access road through the commercial precinct to the development boundary must be constructed, sealed and drained to a minimum 5.5m width pavement as shown on the Site Plan submitted with the development application. This must be completed prior to the commencement of use as approved. This condition is a requirement of Stage 1.
14. A minimum of 150 clearly marked car parking spaces must be provided for the multiple dwelling units as shown on the Site Plan submitted with the development application and kept available for these purposes at all times. Car parking spaces, manoeuvring areas and aisles must be provided in accordance with the Australian Standard AS 2890.1 – 2004 Off-Street Parking and completed prior to the commencement of use as approved.
15. The minimum number of car parking spaces must be provided for each stage as follows, Stage 1 – 38 spaces; Stage 2 – 8 spaces; Stage 3 – 22 spaces; Stage 4 – 18 spaces; Stage 5 – 8 spaces; Stage 6 – 14 spaces; Stage 7 – 16 spaces; Stage 8 – 8 spaces and a total of 150 spaces for the residential precinct at the completion of Stage 9.
16. In addition to the above, car parking spaces for the exclusive use of persons with a disability must be provided in accordance with the relevant provisions of the Building Code of Australia and are to be kept available for these purposes at all times. These car spaces must be provided in accordance with Australian Standard AS 2890.6 – 2009 Off-Street Parking for persons with a disability and completed prior to the commencement of use as approved.
17. The line-marking of the carpark and access arrangements at the end of Bournville Crescent must be provided as shown on the Site Plan submitted with the development application and completed prior to the commencement of use as approved. This condition is a requirement of Stage 1.
18. The seven parking spaces removed as a result of the line-marking of the carpark and access arrangements at the end of Bournville Crescent must be reconstructed to the same sealed standard on the southern side of Bournville Crescent prior to entry to the carpark. This must be completed prior to the commencement of use as approved. This condition is a requirement of Stage 1.
19. A temporary gravel hardstand carpark area of 14 spaces must be provided within the commercial precinct as shown on the Site Plan submitted with the development application and kept available for these purposes at all times and completed prior to the commencement of use as approved. This condition is a requirement of Stage 1.

20. In areas set aside for carparking and turning bays, securely fixed wheel stops or kerbing must be provided to the satisfaction of Council to prevent damage to fences or landscaped areas and completed prior to the commencement of use as approved.
21. A public footway of width not less than 1.8m must be constructed along the foreshore from the west boundary to the north-east boundary of the residential precinct generally as shown on the Site Plan submitted with the development application. The footway must be designed and constructed to comply with Australian Standard AS2156.1 – 2001 Walking tracks Part 1 and completed prior to the commencement of use as approved. This condition is a requirement of Stage 1.
22. A public footway from Bournville Crescent through the commercial precinct to the public footway along the foreshore must be constructed to provide adequate temporary access, until the commercial precinct is developed. The footway must be designed and constructed to the requirements of Council's Development Engineer and completed prior to the commencement of use as approved. This condition is a requirement of Stage 1.
23. Driveways, car parking and turning areas must be constructed and sealed with an approved impervious surface treatment and completed prior to the commencement of use as approved. All runoff from paved and driveway areas must be retained within site boundaries, collected into a grated drain and silt pit and discharged into Council's stormwater system.
24. Lighting must be provided for the proposed carpark in accordance with Australian Standard AS 1158.3.1 – Lighting for roads and public spaces and completed prior to the commencement of use as approved.
25. Works must be undertaken in with the 'Wetlands and Waterways Works Manual' by DPIPW, 2003. The Environmental Management Plan and Construction Management Plan must incorporate the methods of environmental and construction management as detailed in this manual.
26. Detailed engineering drawings showing the proposed roadworks, earthworks, stormwater mains extension, internal service lines and connections to service mains, surface drainage collection, stormwater quality treatment measures, pavement composition and levels and finished floor levels must be submitted with the Building Application for approval by Council's Development Engineer.

Environmental Health

27. 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:
 - (a) Monday through to Saturday 0700 to 1800
 - (b) Sunday and Public Holidays 0900 to 1800

28. All residential dwellings in the development must be constructed in accordance with the design specifications identified in the acoustic report prepared by Vipac Engineers & Scientists, dated 16th June 2015.
29. All recommendations contained in the acoustic report prepared by prepared by Vipac Engineers & Scientists, dated 16th June 2015, must be implemented during construction and use of the premises.
30. A verification report is required to be submitted to Council within six weeks from commencement of issue of the Occupancy Certificate to certify the development meets the acceptable noise levels indicated in the noise report.
31. The discharge of liquids, other than unpolluted rainwater, to Council's stormwater system, receiving water bodies or water courses is strictly prohibited.
32. Any area where liquid wastes (including spills) are generated must be suitably graded and bunded to direct the liquid waste to sewer.
33. 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.

Environment

34. Clearance of *Allocasuarina verticillata* forest community (NAV) must be avoided or minimised.
35. Access and intrusion of machinery, soil or construction materials into the *Allocasuarina verticillata* forest (NAV) community must be restricted during construction.
36. Weed management must be undertaken in accordance with the Vegetation Management Plan by Welling Consulting (2015) and is to follow best practice protocols, including preliminary weed control prior to construction and follow up measures post construction to target any regenerating weeds.
37. Weed management during construction must include vehicle hygiene measures as described in Welling Consulting's (2015) Vegetation Management Plan.

38. Prior to the commencement of works, the applicant must submit a detailed Environmental Management Plan and a detailed Construction Management Plan for approval by Council's Environment Coordinator. These plans are required to detail the major potential environmental risks associated with the construction methods and the mitigation procedures to remove or reduce these risks to an acceptable level.
39. The construction works must be undertaken in accordance with the approved Environmental Management Plan and Construction Management Plan.
40. A rehabilitation plan must be developed for the steep foreshore bank to be approved by Council's Environment Coordinator.

Waste Management

Access

41. A turn-around area to allow vehicles to move in a continuous forward movement is to be provided to cater for Council's contract waste collection vehicles (tandem 22.5 tonne capacity vehicle) including access for the lifting arm in an area without any overhead obstructions. The waste collection vehicles will not be allowed to reverse in or out of a site; because of traffic and WH&S issues.
42. Road pavements in the development are to be designed and constructed to accommodate the collection vehicle (Gross Vehicle Mass of 22.5 tonne. Road pavement details are available by contacting Council's Development Engineer).

Amenity

43. Bin storage is to be in a location out of direct view from the street.

Bin Placement/Collection

44. Due to the nature of the proposed development in part providing only a one-way roadway access on exiting the development, it is best determined that the occupants of the proposed residential precinct blocks 2.4 & 2.5 will be required to place the kerbside wheelie bins on the adjacent kerbside (outside residential blocks 3.1 & 3.2) on collection days.
45. For residential precinct block 2.3, the kerbside wheelie bins will need to be placed at a collection point located in the open space of the proposed landscape edge, exterior to block 2.3, on the left hand side of the one way roadway exit, leading to blocks 2.4 & 3.1.
46. Bin collection points are not to be located within the turnaround areas of a site.
47. A level surface clear of the road pavement is to be provided for bin collection points. This should allow a 2.2 metre length on the bin collection points, per waste & recycling bin, this includes a bin to bin spacing of up to and not exceeding one (1) metre. (This will provide sufficient spacing for the waste collector to pick up and put down bins without interfering with adjacent bins).

48. The spacing for bins at collection points is to be calculated on the basis of 0.6m per bin, up to and not exceeding one (1) metre between bins, and where adjacent to a vertical obstruction (such as light/power pole, bus stop, tree etc), one (1) metre from such obstruction. (This will provide sufficient spacing for the waste collector to pick up and put down bins without interfering with adjacent bins, driver will not arrange or move bins).
49. Bin collection points are to be in a single line positioned such that they are on the left hand side of the collection vehicle. Bins need to be accessible by the collection vehicle (driver will not leave vehicle to arrange or move bins) and without the vehicle having to reverse.
50. Bin collection points are to allow for clearance of the canopy of trees when they reach maturity.
51. In an area with an overhead obstruction such as tree canopy a minimum height of 5.0 metres needs to be allowed for Council's collection vehicle including access to the lifting arm.
52. Any obstructions (letter boxes, poles, trees) are to be a minimum of one (1) metre from the bin collection area.
53. The placement of bins within the property either for storage or placement for collection must not impede access for pedestrians or a person with a disability.

Liability

54. Prior to the waste collection services being provided to the site or prior to occupancy of any of the units, whichever occurs first, the body corporate/owner shall enter into a registered agreement with Council pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* to indemnify Council and its waste services contractor from any claim for damages and/or wear and tear arising from waste collection trucks accessing the properties in CT167845/1, CT167845/2 and CT167845/3.
55. The Part 5 agreement shall require the Council, the waste services contractor and the body corporate to have a current indemnity agreement signed by all parties as stated above. The developer is responsible for the costs associated with the drawing up of the Part 5 Agreement.

F1 Claremont Peninsula Specific Area Plan

F1.9 Residential Precinct (RES-P)

Standard	Acceptable Solution	Proposed	Complies?
1.9.4 Use Standards			
F1.9.4.1 Traffic Management	A1 Parking spaces must be provided in accordance with all of the following minimum rates: (a) 1.5 spaces per 1 or 2 bedroom dwelling or serviced apartment; (b) 2 spaces per dwelling, or serviced apartment, with more than 2 bedrooms; (c) 1 visitor space for every 5 dwellings located in shared parking areas.	152 Spaces	Yes
F1.9.5 Development Standards for Buildings and Works			
F1.9.5.1 Residential Density	A1 The precinct must be developed in accordance with all of the following: (a) not less than 56 dwellings or serviced apartments; (b) not more than 75 dwellings or serviced apartments.	69 dwelling	Yes
F1.9.5.2 Building envelope	A1 Development, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m horizontally beyond the building envelope, must be contained within a building envelope - refer to Diagram F1.9.5.2A - determined by all of the following:	Requires 1.33m height discretion for Apartment 7 (single storey, 2nd block from east boundary) Remainder complies.	Discretion See Report

Standard	Acceptable Solution	Proposed	Complies?
	(a) a maximum of 4m above natural ground level within 20m of the high water mark precinct boundary; (b) a line projecting at an angle of 20 degrees from the horizontal. at a height of 4m above natural ground level at a distance of 20m from the high water mark precinct boundary to a distance of 40m from the high water mark precinct boundary, and thereafter projecting a line at an angle of 8 degrees from the horizontal to a maximum height of 12m above natural ground level.		
	A2 Buildings within 20m of the high water mark are to be non-habitable and not for residential purposes.	20m – 35m	Yes
F1.9.5.3 Sunlight and Overshadowing	A1 A dwelling or serviced apartment must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram F1.9.5.3A.).	Facing north	Yes
	A2 A dwelling or serviced apartment that is to the north of a window of a habitable room (other than a bedroom) of another dwelling or serviced apartment, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram F1.9.5.3A.), must be in accordance with (a) or (b), unless excluded by (c):	Complies	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(a) the dwelling or serviced apartment is contained within a line projecting (see Diagram F1.9.5.3B.): (i) at a distance of 3m from the northern edge of the private open space; and (ii) vertically to a height of 3m above natural ground level and then at an angle of 45 degrees from the horizontal; (b) the dwelling or serviced apartment 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; and (c) that part of a dwelling or serviced apartment, consisting of: (i) an outbuilding with a building height no more than 2.4m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6m horizontally from the multiple dwelling.		
	A3 A dwelling or serviced apartment that is to the north of the private open space of another dwelling or serviced apartment, required in accordance with A1 or P1 of sub-clause F1.9.5.3, must be in accordance with (a) or (b), unless excluded by (c):	More than 3m	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(a) the dwelling or serviced apartment is contained within a line projecting (see Diagram F1.9.5.3C.): (i) at a distance of 3m from the northern edge of the private open space; and (ii) vertically to a height of 3m above natural ground level and then at an angle of 45 degrees from the horizontal; (b) the dwelling or serviced apartment 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; and (c) that part of a dwelling or serviced apartment, consisting of: (i) an outbuilding with a building height no more than 2.4m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6m horizontally from the multiple dwelling.		
F1.9.5.4 Privacy	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 1m 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 another dwelling, unless the balcony, deck, roof terrace, parking space, or carport is at least 6m from both of the following:	More than 6m between apartment blocks	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(a) a window or glazed door to a habitable room of the other dwelling; (b) a balcony, deck, roof terrace or private open space of the other dwelling.		
	A2 A window or glazed door to a habitable room of a dwelling that has a floor level more than 1m above natural ground level, must be in accordance with one of the following: (a) the window or glazed door is to be at least 6m from a facing window or glazed door to a habitable room of another dwelling; (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; (ii) is to have a sill height of at least 1.7m above the floor level or have fixed obscure glazing extending to a height of at least 1.7m above the floor level; (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 1.7m above floor level, with a uniform transparency of not more than 25%;	More than 6m for windows Separating wall for balconies	Yes

Standard	Acceptable Solution	Proposed	Complies?
	unless the facing window to a habitable room of another dwelling has a sill height of at least 1.7m above the floor level or has fixed obscure glazing extending to a height of at least 1.7m above the floor level.		
	A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window or glazed door to a habitable room of a dwelling, by a horizontal distance of not less than one of the following: (a) 2.5m; (b) 1m if one of the following applies: (i) it is separated by a screen of at least 1.7m in height; (ii) the window or glazed door to a habitable room has a sill height of at least 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7m above the floor level.	2.5m width landscaping	Yes
F1.9.5.5 Design	A1 The development must include not less than 3 landscaped links that provide for views between the Golf Course Precinct (GOLF-P) and the river. The landscaped links must have a horizontal width of not less than:	Yes, as shown on landscape plan	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(a) 2/3 the height of the wall of adjacent buildings; or (b) 4m; whichever is the greater.		
	A2 The layout of development must include all of the following: (a) all pedestrian access designed and constructed to comply with IPWEA Tasmanian Standard Drawing TSD-R11-v1; (b) a public footway along the foreshore from the west boundary to the north-east boundary of the precinct designed and constructed to comply with all of the following: (i) Australian Standard AS2156.1- 2001 Walking tracks Part 1: Classification and signage, SAI Ltd., Sydney, 2001, Table Class 1; (ii) width not less than 1.8m; (c) not less than 5% of dwellings are to be provided with pedestrian access to the publicly accessible pedestrian footway/boardwalk public footway designed to be DDA compliant to Australian Standards AS 1428 (Set) Design for access and mobility Set, SAI Ltd., Sydney.	A public footway of 2m width will be provided from the west boundary to the northeast boundary connected from Bournville Crescent. Engineering standards are conditioned.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	A3 The horizontal separation between the public footway and residential buildings must not be less than 7.5m.	7.5m to 12m	Yes
	A4 Development must include a landscaping plan, showing all of the following: (a) all footways, outdoor car parks, other outdoor vehicular access areas, and public, shared or private open space must be landscaped; (b) boundaries between public, shared or private open space must be defined using one or more of the following: (i) grade changes; (ii) changes in vegetation; (iii) low fencing or walls; (iv) changes in surface treatment; (c) clear sightlines must be maintained between footways, car parks, other vehicle access areas, and public, shared or private open space; (d) planting within 20m of the foreshore must use locally endemic species;	As per landscape plan and weed management plan, condition	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(e) planting must not include the following: (i) Eucalyptus globulus or Eucalyptus ovata; (ii) known environmental weeds; (f) a vegetation management plan for weed removal and weed hygiene must be provided.		
	A5 Roof colour must be non-metallic and have a solar absorption of not less than 50%	Contrition	Yes
	A6 Building facades facing public or shared space must include a window from a habitable room that complies with all of the following: (a) a sill height not more than 1.5m above floor level; (b) transparent glazing; (c) an area of not less than 1m².	Windows overlook public space and address street	Yes
	A7 Outbuildings ancillary to a dwelling must be designed as an integrated part of the dwelling by using the same palette of materials, colours and details.		

Standard	Acceptable Solution	Proposed	Complies?
	A8 Vehicle access must meet all of the following: (a) the width of accesses that serve 2 or more dwellings is to be 4.3m, except where additional width is required for turning, manoeuvring or intersections or for the inclusion of 5.5m wide passing bays at minimum 45m intervals; (b) provide for onsite turning and access for service vehicles in accordance with Australian Standard AS2890.2 - Parking facilities Part 2: Off-street commercial vehicle facilities, 2nd Ed, SAI Ltd, Sydney, 2002; (c) be drained and paved incorporating water sensitive urban design principles and landscaping.	Must comply with engineering standards, condition	Yes
	A9 The design and location of shared parking areas must comply with all the following: (a) the requirements of Australian/New Zealand Standard AS/NZS 2890.1:2004 Parking Facilities, Part 1: Off Road Car Parking, incorp. Amd 1, Standards Australia, Sydney;	Must comply with engineer standards, location not on foreshore, not entrapment opportunities.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(b) include a variety of surfaces or paving materials. (c) not provide opportunities for entrapment; (d) not be located between dwellings and the foreshore, where those dwellings are located directly adjacent to the foreshore.		
	A10 Lighting must be provided in compliance with Australian/New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting—Performance and design requirements, Inc. amd. 3, SAI Ltd., Sydney, 2013, to the following minimum levels: (a) shared driveways: P4; (b) shared parking areas: P11C; (c) accessible parking spaces: P12; (d) footways/boardwalks: P3; (e) cyclepaths: P4;	Condition	Yes
F1.9.5.7 Fences	A1 Fencing must comply with all of the following: (a) between buildings and the boundary of either the Golf Precinct (GOLF-P) or the Commercial Precinct (COMM-P), a fence must have a height of not more than one of the following:	Condition	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(i) 1.2m if the fence is non-transparent; (i) 1.8m, if any part of the fence has openings above a height of 1.2m which provide a uniform transparency of not less than 30% (excluding any posts); (b) between buildings and the foreshore or shared driveway, a fence must have a height of not more than one of the following: (i) 0.5m, if the fence is non-transparent (ii) 1m, if any part of the fence has openings above a height of 0.5m which provide a uniform transparency of not less than 30% (excluding any posts); (c) within public or shared spaces, no fencing unless required as a balustrade or similar in accordance with the BCA and which provide a uniform transparency of not less than 30% (excluding any posts).		
F1.9.5.8 Waste Storage	A1 Dwellings must have a storage area that provides for waste and recycling bins, and is within one of the following locations: (a) in an area for the exclusive use of each dwelling which is not located between the dwelling and any shared driveway or is enclosed and designed as an integrated part of the dwelling by using the same palette of materials, colours and details;	Each unit has an integrated bin storage	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(b) in a communal storage area that complies with all of the following: (i) has an impervious surface; (ii) has a setback of at least 3m from a shared driveways; (iii) is at least 5.5m from any dwelling; (iv) is screened from the shared driveways and any dwelling by a wall to a height of at least 1.2m above the finished surface level of the storage area.		
	A2 Development must provide for the collection of waste from within the site.	Part 5 Agreement required condition	Yes
F1.9.5.9 Noise Attenuation	A1 Buildings intended for residential uses must comply with 'satisfactory design sound levels' specified in Australian/New Zealand Standard AS/NZS 2107:2000 Acoustics - Recommended design sound levels and reverberation times for building interiors; SAI Ltd., Sydney, 2000, Table 1.	Buildings intended for residential uses will comply with 'satisfactory design sound levels' specified in Australian/New Zealand Standard AS/NZS 2107:2000 Acoustics	Yes

Standard	Acceptable Solution	Proposed	Complies?
F1.9.5.10 Development for Sensitive Uses in Proximity to Use with Potential to Cause Environmental Harm	A1 Development (including subdivision) for sensitive use must meet the attenuation distance specified in Table F1.9.5.10 Attenuation Distances for Spray Irrigation or Storage Lagoons/Holding Dams Associated with Sewage Treatment Plants.	The proposal does not meet the Acceptable Solution as the dam will be within 65m from the development where the requirement in Table F1.9.5.10 states it must be 250m. Additionally the spray irrigation will be located approximately less than 15m away from the development, where Table F1.9.5.10 states it should be 200m. The applicant obtained the services of an Environmental Consultant (Geo-Environmental Solutions) and prepared an Irrigation Management Report, dated December 2015, which stated that the development could meet the performance criteria instead. The report determined that the dam would not create an odour nuisance due to the location and reasonable water quality. The report also specified that the nearby sprinklers change their water source from treated wastewater to a potable water supply. The remaining wastewater irrigation area would still fall within the acceptable solution buffer zone, but is not considered to cause environmental harm due to large droplet sizes and the topographic barriers.	The proposal does not comply. Although the proposal does not comply with the acceptable solution, it has the ability to comply with the performance criteria. In order for this to occur a Claremont Golf Course must enter into a new recycled water agreement with TasWater. Tas Water has provided the following condition to be imposed on the permit: <i>'Unless a new Recycled Water Agreement has been signed with TasWater for the use of recycled water at the Golf Course, then the existing agreement for recycled water must be terminated, the recycled water storage dam(s) must be decommissioned for use as treated sewage effluent storage(s) to the approval of Glenorchy City Council, the recycled water pump at the Cameron Bay Sewage Treatment Plant must be decommissioned by TasWater and the private recycled water supply pipe at the boundary of the Cameron Bay Sewage Treatment Plant must be decommissioned in accordance with plans to TasWater's approval, all at the developer's cost, prior</i>

Standard	Acceptable Solution	Proposed	Complies?
			<i>to the issue of the Certificate for Certifiable Work (Building and/or Plumbing) for Stage 1 of the development.'</i> By imposing this condition TasWater will ensure that the recycled water agreement will address the performance criteria.

F1 Claremont Peninsula Specific Area Plan

F1.5 Golf Course Precinct (GOLF-P)

Standard	Acceptable Solution	Proposed	Complies?
F1.5.4 Development Standards for Buildings and Works			
F1.5.4.1 Height and Setback	A1 Building height not more than 10m	N/A	N/A
	A2 Setback not less than 10m	N/A	N/A
F1.5.4.2 Access Serving the Residential Precinct	A1 No acceptable solution.	Engineering standards Not impact on the golf course (minor encroachment) Safety (golf balls) Sympathetic to heritage listed club house (turning head, well away)	Discretion see report
F1.5.4.3 Fairway Design	A1 No Acceptable Solution	N/A	N/A

F1 Claremont Peninsula Specific Area Plan**F1.10 Commercial Precinct (COMM-P)**

Standard	Acceptable Solution	Proposed	Complies?
F1.10.4 Development Standards for Buildings and Works			
F1.10.4.1 Height and Setback	A1 Building height no more than 15m		N/A
	A2 Buildings must comply with all of the following: (a) within 20m of the high water mark buildings must be non-habitable; (b) within 10m of the high water mark building height must not be more than 4m.		N/A
F1.10.4.2 Amenity	A1 No acceptable solution		N/A
	A2 No acceptable solution		N/A
	A3 External lighting is not allowed		N/A

Standard	Acceptable Solution	Proposed	Complies?
F1.10.4.3 Noise Attenuation	A1 Buildings intended for residential uses must comply with 'satisfactory design sound levels' specified in Australian/New Zealand Standard AS/NZS 2107:2000 Acoustics - Recommended design sound levels and reverberation times for building interiors; SAI Ltd., Sydney, 2000, Table 1.		N/A
F1.10.4.4 Access Serving the Residential Precinct and Access to the Foreshore	A1 Vehicular access must be located within the Right of Way shown on the approved subdivision plan, application PLN 13-081.	Complies	Yes
	A2 Vehicle access must be designed and constructed to comply with Austroads Guide to Road Design-Parts 1-8.	Engineering conditions	Yes
	A3 The layout of development must include a public footway from Bournville Crescent to the public footway along the foreshore in the Residential Precinct, constructed to comply with Australian Standard AS2156.1- 2001 Walking tracks Part 1: Classification and signage, SAI Ltd., Sydney, 2001, Table 2. Class 2.	A Public footway will be provided in accordance with engineering condition	Yes
	A4 Lighting must be provided in compliance with Australian/New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting—Performance and design requirements, Inc. amd. 3, SAI Ltd., Sydney, 2013, to the following minimum levels:	Engineering conditions	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(a) shared driveways: P4; (b) shared parking areas: P11C; (c) accessible parking spaces: P12; (d) footways/boardwalks: P3; (e) cyclepaths: P4;		

F1 Claremont Peninsula Specific Area Plan

F1.6 Recreation Precinct (REC-1)

Standard	Acceptable Solution	Proposed	Complies?
F1.6.4 Development Standards for Buildings and Works			
F1.6.4.1 Height and Setback	A1 Building height not more than 8m		N/A
	A2 Buildings must comply with all of the following: (a) within 20m of the high water mark buildings must be non-habitable; (b) within 10m of the high water mark building height must not be more than 4m.		N/A
F1.6.4.2 Amenity	A1 Roofing must have a Solar Absorption of not less than 50%		N/A
	A2 External Lighting is not allowed		N/A

F1 Claremont Peninsula Specific Area Plan

F1.7 Recreation Precinct (REC-2)

Standard	Acceptable Solution	Proposed	Complies?
F1.7.4 Development Standards for Buildings and Works			
F1.7.4.1 Height and Setback	A1 Buildings must be unroofed		N/A
	A2 Setback of development to land in the General Residential zone must comply with all of the following: (a) for residential and non-residential development, setbacks contained within 10.4.2 A3 as if the development were a dwelling; (b) for non-residential garages and carports, setbacks contained within 10.4.2 A2 as if the development were ancillary to a dwelling.		N/A
	A3 Buildings must comply with all of the following: (a) within 20m of the high water mark buildings must be non-habitable; (b) within 10m of the high water mark building height must not be more than 4m.		N/A

Standard	Acceptable Solution	Proposed	Complies?
F1.7.4.2 Amenity	A1 Roofing must have a Solar Absorption of not less than 50%		N/A
	A2 External Lighting is not allowed		N/A

APPENDIX**E10 Biodiversity Code**

Standard	Acceptable Solution	Proposed	Complies?
E10.7 Development Standards			
E10.7.1 Buildings and Works	A1 Clearance and conversion or disturbance must be within a Building Area on a plan of subdivision approved under this planning scheme.	No defined area	Discretion see report

APPENDIX**E11 Waterway and Coastal Protection Code**

E11.7.1 Buildings and Works	A1 Building and works within a Waterway and Coastal Protection Area must be within a building area on a plan of subdivision approved under this planning scheme.	No defined area	Discretion see report
	A2 Building and works within a Future Coastal Refugia Area must be within a building area on a plan of subdivision approved under this planning scheme.		N/A
	A3 Buildings and works within a Potable Water Supply Area must be within a building area on a plan of subdivision approved under this planning scheme.		N/A
	A4 Development must involve no new stormwater point discharge into a watercourse, wetland or lake.	Engineering Conditions Erosion, sedimentation and runoff mitigated and managed.	Discretion see report
E11.7.2 Building and Works Dependent on a Coastal Location	A1 An extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date.		N/A
	A2 No Acceptable Solution for dredging and reclamation.		N/A

Monday, 21 March 2016

Glenorchy Planning Authority Meeting Agenda

	A3 No Acceptable Solution for coastal protection works initiated by the private sector.		N/A
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APPENDIX

E15.0 Inundation Prone Areas Code

E15.7.4 Riverine Inundation Hazard Areas	A1 A new habitable building must have a floor level no lower than the 1% AEP (100 yr ARI) storm event plus 300 mm.	Engineering Conditions	Yes
	A2 An extension to an existing habitable building must comply with one of the following: (c) floor level of habitable rooms is no lower than the 1% AEP (100 yr ARI) storm event plus 300 mm; (d) floor area of the extension no more than 60 m ² as at the date of commencement of this planning scheme.		N/A
	A3 The total floor area of all non-habitable buildings, outbuildings and Class 10b buildings under the Building Code of Australia, on a site must be no more than 60 m ² .		N/A

APPENDIX**E16.0 Coastal Erosion Hazard Code**

Standard	Acceptable Solution	Proposed	Complies?
E16.6 Use Standards			
E16.6 Use Standards	A1 No Acceptable Solution.	Change to habitable building	N/A
E16.7 Development Standards			
E16.7.1 Buildings and works	A1 No Acceptable Solution	Erosion control Erosion Risk Safety Not mobile land forms Construction Management Plan	Discretion see report
E16.7.2 Development Dependent on a Coastal Location	A1 An extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date.		N/A
	A2 No Acceptable Solution.		N/A

Standard	Acceptable Solution	Proposed	Complies?
	A3 No Acceptable Solution for coastal protection works initiated by the private sector.		N/A

Attachments/Annexures

- 1 Location Map
- 2 Advertised Plans
- 3 TasWater Response

CLOSED TO MEMBERS OF THE PUBLIC

7. 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).