

GLENORCHY PLANNING AUTHORITY

MINUTES

MONDAY, 22 FEBRUARY 2016



Chairperson: Alderman K. Johnston.

Hour: 3.00 p.m.

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

In attendance: Mr. E. Reale (Director City Services and Infrastructure), Mr. P. Meloy (Senior Statutory Planner), Ms. V. Tomlin (Planning Officer), Ms. C. Griffin (Planning Officer), Mr. A. Mousavi (Transport Engineer) and Mr. S. Johnson (Development Engineer).

1. PLANNING AUTHORITY DECLARATION

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

2. APOLOGIES

Alderman M. Stevenson.

3. PECUNIARY INTERESTS

None.

4. CONFIRMATION OF MINUTES

Resolution:

PEARCE/QUICK

That the minutes of the Glenorchy Planning Authority Meeting held on Tuesday, 9 February 2016 be confirmed.

The motion was put.

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

AGAINST:

The motion was CARRIED.

5. PROPOSED USE AND DEVELOPMENT - SINGLE DWELLING (WITH ACCESS VIA 103A MONTROSE) IN BUSHFIRE PRONE AREA AND SUBJECT TO THE WATERWAY AND COASTAL PROTECTION CODE - 103 AND 103A MONTROSE ROAD, MONTROSE

File Reference: 5385077

REPORT SUMMARY:

Application No.:	PLN-16-003
Applicant:	Bryden Homes Pty Ltd
Owner:	B L Oling and J L Bosco
Zone:	General Residential
Use Class	Residential
Application Status:	Discretionary
Discretions:	Bushfire prone area and subject to the waterway and coastal protection code (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	04 Mar 2016
Existing Land Use:	Vacant Land
Proposal In Brief:	Single Dwelling (with access via 103A Montrose) in bushfire prone area and subject to the waterway and coastal protection code
Representations:	1
Recommendation:	Approval, subject to conditions

Resolution:

QUICK/PEARCE

That a permit be granted for the proposed use and development of single dwelling (with access via 103A Montrose) in a bushfire prone area and subject to the waterway and coastal protection code at 103 and 103a Montrose Road Montrose subject to the following conditions:

Planning

1. Use and development shall be substantially in accordance with planning permit application No. PLN-16-003 and Drawing No. P1 pages 2-5 of 5 submitted on 4 January 2016, and Drawing No. P2 submitted on 6 January 2016, and Drawing No. P3 submitted on 21 January 2016, and the Bushfire Hazard Management Plan submitted on 4 January 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.

Bushfire Hazard Management Plan:

3. A 4m minimum vertical clearance and minimum 2m horizontal clearance either side must be maintained along the length of the access.
4. The development must comply with the general construction requirements prescribed within Section 3 and the requirements prescribed for a Bushfire Attack Level of BAL19 within Section 6 of the Australian Standard for the Construction of Buildings in Bushfire Prone Areas AS3959:2009.
5. The Hazard Management Areas shown on the attached Bushfire Hazard Management Plan must be maintained in a low-fuel condition, that is. in a state in which any vegetation contained within these areas is unlikely to significantly increase the intensity of a bushfire threatening the dwelling.

Engineering

6. Soil and water management is to comply with best practice to prevent any transfer of soil material outside of the area specifically and necessarily disturbed for construction. Particular attention is to be paid to ensure no soil material is tracked onto roads and footpaths or to enter the Council's stormwater system. All aspects and protection measures in connection with soil and water management are to comply with the requirements of Council's Development Engineer and be installed prior to the removal of and/or disturbance of any soil or vegetation.
7. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
8. A suitable reciprocal right of way must be created over the adjoining title for the access as shown on the proposal plan submitted with the development application and to the requirements of Council's Development Engineer, prior to Building Approval, at the developers cost.

9. The entire access must be sealed with an approved impervious surface treatment and constructed in accordance with the Bushfire Report – 103 Montrose Road, Montrose dated 3 December 2015 and submitted with the development application. All runoff from paved and driveway areas must be retained within site boundaries and discharged into Council's stormwater system and construction details must generally be in accordance with Council's standard requirements. A statement from an accredited bushfire practitioner must be provided to Council, that the access and any associated infrastructure has been constructed in accordance with the requirements of this report, prior to occupancy of the dwelling.
10. All internal hydraulic service works required for the development shall be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor.

Advice to Applicant

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

- All development applications that result in an increase in the impervious area of the site, and therefore the peak stormwater discharge rate may require an On-Site Detention System (OSD) in accordance with Council Policy No 28-4. The proposed OSD must provide a runoff storage volume equivalent to the difference between the allowable site discharge and the anticipated maximum discharge over the period of the design storm. An OSD assessment must be submitted with the Plumbing Permit Application and detailed in a hydraulic design for approval by Council's Plumbing Permit Authority. Water Sensitive Urban Design (WSUD) elements are encouraged. If the developer has any enquiries relating to acceptable methods of providing On-site detention, they should contact Council's Plumbing Surveyor on (03) 6216 6800.

The motion was put.

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

AGAINST:

The motion was CARRIED.

Reason for Decision:

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

6. PROPOSED USE AND DEVELOPMENT - ADDITIONS TO PLEASURE BOAT FACILITY (MARINA) IN THE PRINCE OF WALES MARITIME INDUSTRIAL PRECINCT AND CROWN LAND, RELYING ON PERFORMANCE CRITERIA - BENDER DRIVE, 18 BENDER DRIVE AND 20 BENDER DRIVE, DERWENT PARK

File Reference: 2975821

REPORT SUMMARY:

Application No.:	PLN-15-264
Applicant:	Prince Of Wales Bay Marina Pty Ltd
Owner:	Department Of Primary Industries Parks Water And Environment
Zone:	Port and Marine, General Industrial
Use Class	Port and Shipping
Application Status:	Discretionary
Discretions:	Relies on performance criteria in the Potentially Contaminated Land Code, Parking and Access Code, Waterway and Coastal Protection Code, Inundation Prone Areas Code and Coastal Erosion Code (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	6 March 2016
Existing Land Use:	Marine Development, Marine Industry and Take-away Food Shop (GPS 1992)
Proposal In Brief:	Additions to Pleasure Boat Facility (Marina) in the Prince of Wales Maritime Industrial Precinct and Crown Land, relying on performance criteria.

Representations:	1
Recommendation:	Approval, subject to conditions

Resolution:

BRANCH-ALLEN/QUICK

That a permit be granted for the proposed use and development of Additions to Pleasure Boat Facility (Marina) in the Prince of Wales Maritime Industrial Precinct and Crown Land, relying on performance criteria. at Bender Drive, Derwent Park, 18 Bender Drive, Derwent Park and 20 Bender Drive, Derwent Park, subject to the following conditions:

Planning

1. Use and development shall be substantially in accordance with planning permit application No. PLN-15-264 and Drawing No. P1 submitted on 3 December 2015, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Appendix A, form part of this permit.
3. The development and works must be 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 to be avoided.
4. A suitably located and adequately designed sewage pump-out facility must be installed prior to completion of the marina extension. The sewage pump-out facility must be maintained to the satisfaction of Council's Senior Environmental Health Officer.

Engineering

5. Soil and water management is to comply with best practice to prevent any transfer of soil material outside of the area specifically and necessarily disturbed for construction. Particular attention is to be paid to ensure no soil material is tracked onto roads and footpaths or to enter the Council's stormwater system. All aspects and protection measures in connection with soil and water management are to comply with the requirements of Council's Development Engineer and be installed prior to the removal of and/or disturbance of any soil or vegetation.
6. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
7. A minimum of 159 clearly marked car parking spaces must be provided 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.

8. In addition to the above, two (2) of the 159 clearly marked car parking spaces must be provided for the exclusive use of persons with a disability and 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.
9. In areas set aside for car parking 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.
10. 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.
11. Driveways, car parking and turning areas must be constructed and sealed with an approved impervious surface treatment. 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. Construction details must generally be in accordance with Council's standard requirements.
12. All internal hydraulic service works required for the development shall be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor. Any alterations or works to Council mains shall be undertaken by Council at the developer's cost.
13. A comprehensive soil and water management plan is to be submitted for approval to the satisfaction of Council's Development Engineer prior to commencement of construction. This plan is to cover all aspects of construction for all of the proposed works.
14. All works for the jetty pylon construction are to be undertaken with a crane mounted on a marine barge and with the use of river bed disturbance prevention skirts.
15. Detailed engineering drawings showing all proposed works including carpark and manoeuvring areas, internal service lines and connections to service mains, surface drainage collection including grated drains and silt collection pits, pavement composition and levels must be submitted for approval by Council's Development Engineer prior to the commencement of construction.

Environmental Health

16. The applicant must prepare a Construction Management Plan for the marina additions that meets 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 of the marina additions including, but not limited to, the extent and management of:
 - i. soil/sediment disturbance above and below the high water mark

- ii. water turbidity; and
- iii. sediment dispersion of heavy metals in the riverbed.
 - a) The Plan must be developed prior to the commencement of the development and submitted to Council, to the satisfaction of Council's Senior Environmental Health Officer.
 - b) Prior to the commencement of any works on site, the proponent must engage a suitably qualified person to conduct an underwater survey of the aquatic ecosystems in the vicinity of the proposed development. The proponent must submit the survey to Council, prior to the commencement of any works on site and comply with any recommendations of the survey.
 - c) Prior to construction, a cleaning and maintenance program to control the accumulation of bio-fouling on installed marine infrastructure, must be developed and submitted to Council to the satisfaction of Council's Senior Environmental Health Officer.
 - d) All works for the new steel piles must be undertaken with a crane mounted on a marine barge. Construction machinery will not be permitted to stand or operate on the foreshore or below the high water mark under any circumstances.
- 17. The proponent must demonstrate how the aquatic environment will be protected with respect to hydrocarbon spill prevention, preparedness and response during construction. This must be submitted to Council, for approval by Council's Senior Environmental Health Officer, prior to commencement of construction.
- 18. 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.
 - d) No excess construction materials or other wastes must be left on the riverbed following completion.
- 19. Prior to commencing the development a coastal safety assessment, in accordance with the State Coastal Policy, must be undertaken by a suitably qualified person and submitted to Council. The safety assessment must include consideration of lifesaving devices, security and fire fighting equipment to the satisfaction of Council's Senior Environmental Health Officer.

The site shall be managed in accordance with the recommendations of the approved assessment report.

20. The developer must provide and manage suitably located receptacles for rubbish (no fish waste) to the satisfaction of Council's Senior Environmental Health Officer.
21. The developer must install signage advising of:
 - (a) No public access
 - (b) No cleaning of fish or dumping of fish waste on or around the jetty
 - (c) No sleeping overnight
 - (d) No re-fuelling of any vessels permitted
 - (e) No maintenance or repair of any vessels is permittedto the satisfaction of Council's Senior Environmental Health Officer.

Advice to Applicant

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

The Development and Conservation Assessing Branch – Department of Primary Industries, Parks, Water and Environment advise that prior to each day of pylon installation activities, the immediate area should be scanned for the presence of cetaceans, pinnipeds, turtles, and/or penguins. Construction activities must not occur or must cease if any listed cetacean and pinniped/turtle/penguin species are known to be present within 500 m of construction activities. A 'soft start' technique should also be used at the beginning of each pile installation day to allow any cetaceans, pinniped, turtle, and/or penguin that may be in the immediate area to avoid the area prior to before impact piling reaching full capacity. Employing a 'soft start' technique would also benefit other mobile animals (e.g. birds, fish, sharks) which have the ability to move away before impact piling reaches full strength. Occurrences of cetaceans, pinnipeds, turtles, and/or penguins must be reported to DPIPWE within 90 days of completion of works. Reference data should include species name, location-GPS (grid reference GDA94), observer name, date, number of individuals and area occupied.

The motion was put.

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

AGAINST:

The motion was CARRIED.

Reason for Decision:

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

PEARCE/QUICK

That the meeting be closed to the public pursuant to Regulation 15(4) of the Local Government (Meeting Procedures) Regulations 2005.

The motion was put.

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

AGAINST:

The motion was CARRIED.

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).

The meeting closed at 3.26 p.m.

Confirmed,

CHAIRMAN