

GLENORCHY PLANNING AUTHORITY

AGENDA

MONDAY, 30 JANUARY 2017



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.

TABLE OF CONTENTS:

1.	PLANNING AUTHORITY DECLARATION	3
2.	APOLOGIES/LEAVE OF ABSENCE	3
3.	PECUNIARY INTERESTS.....	3
4.	CONFIRMATION OF MINUTES	3
5.	PROPOSED USE AND DEVELOPMENT - PARTIAL CHANGE FOR THE USE OF VEHICLE STORAGE (STORAGE) AND MOTOR VEHICLE SALES (BULKY GOODS SALES) IN ADDITION TO WAREHOUSE (STORAGE) AND MOTOR REPAIRS (SERVICE INDUSTRY) RELYING ON PERFORMANCE CRITERIA FOR PARKING AND ACCESS - 82-86 GORMANSTON ROAD, MOONAH	4

6.	PROPOSED USE AND DEVELOPMENT - SIGN ON A HERITAGE LISTED SITE - 518 MAIN ROAD, MONTROSE	33
7.	PROPOSED USE AND DEVELOPMENT - WORKS TO THE FORECOURT, INCLUDING LANDSCAPING SUBJECT TO THE GLENORCHY ACTIVITY CENTRE URBAN DESIGN - 4 TERRY STREET, GLENORCHY.....	69
	CLOSED TO MEMBERS OF THE PUBLIC	92
8.	APPEALS REPORT	92

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 16 January 2017 be confirmed.

5. PROPOSED USE AND DEVELOPMENT - PARTIAL CHANGE FOR THE USE OF VEHICLE STORAGE (STORAGE) AND MOTOR VEHICLE SALES (BULKY GOODS SALES) IN ADDITION TO WAREHOUSE (STORAGE) AND MOTOR REPAIRS (SERVICE INDUSTRY) RELYING ON PERFORMANCE CRITERIA FOR PARKING AND ACCESS - 82-86 GORMANSTON ROAD, MOONAH

Author: Planning Officer (Chantelle Griffin)

Qualified Person: Planning Officer (Chantelle Griffin)

Property ID: 3357734

REPORT SUMMARY:

<i>Application No.:</i>	PLN-16-144
<i>Applicant:</i>	Performance Automobiles Pty Limited
<i>Owner:</i>	Tta Property Pty Ltd
<i>Zone:</i>	Light Industrial
<i>Use Class</i>	Bulky Goods Sales
<i>Application Status:</i>	Discretionary
<i>Discretions:</i>	Use and Parking and Access Code (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>	31 Jan 2017
<i>Existing Land Use:</i>	Warehouse (Storage) and Motor Repairs (Service Industry)
<i>Proposal In Brief:</i>	Partial change for the use of Vehicle Storage (Storage), and Motor Vehicle Sales (Bulky Goods Sales) in addition to Warehouse (Storage), and Motor Repairs (Service Industry) relying on performance

	criteria for parking and access
Representations:	0
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL:

PROPOSAL

The proposal involves the partial change of use of the approved Warehouse and ancillary Motor Repairs to use part of the car parking for Vehicle Storage and another part of the car parking area for Motor Vehicles Sales.

The change in use will allow the business owner to sell vehicles and parts to the general public from this site. The site currently provides a support service to the existing sale complex in Argyle Street, with mechanical and cleaning applications undertaken to prepare vehicles for sale. The site also receives and stores spare parts for vehicle reconditioning and repair.

The proposal would result in seven car parking spaces out of the 53 for customer parking on the site with access via Gormanston Road. The proposal would include a new car parking area for 17 spaces with access via Chesterman Street for staff. In addition there would be a new vehicular access via Gormanston Road and use of the small existing building adjoining Gormanston Road.

Staff/Customers

The proposal including the approved uses would operate with a maximum of 12 staff and would anticipate the proposal would generate a maximum of seven customers at any one time.

Hours of Operation

The proposed uses would have the following hours of operation:

Monday-Friday 8:00am to 5:30pm

Saturday 9:00am to 4:00pm

SITE and LOCALITY

The subject site is located on the western side of Gormanston Road, opposite Clifford Street and on the eastern side of Chesterman Road opposite Sunderland Street, Moonah. The property has front boundaries adding up to a combined total of 52m a depth of 73m and a total area of 9306m².

The existing buildings consist of one large main building occupying the middle of the site and a small building fronting onto Gormanston Road. There are three existing access, one via Chesterman Street and two via Gormanston Road. A small substation is located adjacent Gormanston Road near the southern vehicular access.

The main building was approved for Warehouse and Mechanical Repairs. The small building has no record of any planning permits. The proposal is adjacent the light industrial area to the north, west and south with a residential area on the opposite side of the road to the east.



Figure 1: Aerial photo of 82-86 Gormanston Road, Moonah

ZONE

The subject property is within the Light Industrial Zone.



Figure 2: Zone over 82-86 Gormanston Road, Moonah

BACKGROUND

The proposal is for use and development that is retrospective.

Application

There were a number of minor discrepancies between the plans and submitted information. However the full extent of the application was described in sufficient detail to proceed with an assessment.

Permits

84-86 Gormanston Road

The following permit has been issued for the subject property at 84-86 Gormanston Road which forms part of 82-86 Gormanston Road:

- PLN-15-009 – Change of Use to Warehouse with ancillary Mechanical Repair Garage and illuminated signage in excess of 4m² including a pole sign – Approved 5 March 2015 – Requiring a total of 53 car parking spaces (including two spaces for persons with a disability).

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil.

Limited Exemptions

Nil.

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

No Specific Area Plan or Code provisions conflict with the zone provisions in the assessment.

Use Class Description (Table 8.2):

The Vehicle Storage and Warehouse falls within the Storage use class description of the Glenorchy Interim Planning Scheme 2015.

The Motor Vehicle Sales falls within the Bulky Goods Sales use class description of the Glenorchy Interim Planning Scheme 2015.

The Motor Repairs falls within the Service Industry use class description of the Glenorchy Interim Planning Scheme 2015.

Other relevant definitions (Clause 4.1):

The definition of “motor repairs” in Clause 4.1 Planning Definitions and Terms of the Scheme states the following:

‘means use of land to repair or service motor vehicles, and includes the fitting of motor vehicle accessories.’

The definition of “motor vehicle, boat or caravan sales” in Clause 4.1 Planning Definitions and Terms of the Scheme states the following:

‘means use of land to sell or hire motor vehicles, boats, or caravans. It includes the minor repair or servicing of motor vehicles, boats, or caravans, and the sale or fitting of accessories for motor vehicles, boats or caravans.’

Part C: Special Provisions

Not applicable provisions.

Part D: Zones

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

Zone Purpose Statements

The Light Industrial zone purpose statements in Clause 24.1.1 is as follows:

24.1.1.1

To provide for manufacturing, processing, repair, storage and distribution of goods and materials where off-site impacts are minimal or can be managed to minimise conflict or impact on the amenity of any other uses.

24.1.1.2

To promote efficient use of existing industrial land stock.

24.1.1.3

To minimise land use conflict in order to protect industrial viability and the safety and amenity of sensitive land uses in adjacent zones.

24.1.1.4

To provide industrial activity with good access to strategic transport networks.

The proposed Vehicle Storage and Motor Vehicle Sales would provide for storage and sale of bulky goods of an industrial nature and would use existing industrial land with good access to transport networks.

The proposal would be similar in scale, size, use and appearance to the surrounding industrial properties. The proposed traffic generated would be similar to the industrial uses that can be considered in the zone. The use would not have an unreasonable impact on the surrounding industrial uses.

Use Table

Proposed Use

The proposed use of ‘Vehicle Storage’ is a permitted use without qualifications in accordance with the use table in Clause 24.2.

The proposed use of ‘Motor Vehicle Sales’ is a discretionary use without qualifications in accordance with the use table in Clause 24.2.

Approved Use

The proposed use of 'Warehouse' and ancillary 'Motor Repairs' are a permitted uses without qualifications in accordance with the use table in Clause 24.2.

Use Standards

The proposal complies with the development standards set out in Clause 24.3. Please see Appendix 1.

Development Standards for Buildings or Works

The proposal complies with the development standards set out in Clause 24.4. Please see Appendix 1.

Development Standards for Subdivisions

Not applicable.

Part E: Codes

The following codes of the Scheme apply to this proposal:

Parking and Access Code

Clause E6.6.1 – Standard A1

The proposal would require a total of 63 (10 plus the approved 53) car parking spaces in accordance with Clause E6.6.1 – standard A1 of the Glenorchy Interim Planning Scheme 2015. The proposal provides a total of 24 (17 staff and 7 customer) car parking spaces. The proposal is assessed against 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 Gormanston Road with separate access via Chesterman Street within the Light Industrial Zone. The combination of the proposed uses on site is not anticipated to generate a large demand for car parking. The property in close proximity to public transport and the road is sufficiently wide to accommodate parking on both sides of the street and two vehicles passing in opposite directions. The proposed uses will be operated by the same business and will not generate the need for any additional staff.

It should be noted that the spaces shown for Vehicle Storage do not form part of the staff and customer parking and do not comply with the Australian Standards. A condition has been recommended so that these are not linemarked which has the potential to cause confusion with the staff and customer spaces.

Council's Transport Engineer is supportive of the proposal based on the submitted Traffic Impact Assessment, and the existing use of the business and parking available on Gormanston Road.

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 proposal would require one additional motorcycle parking spaces in accordance with the Scheme. The proposal does not provide motorcycle parking spaces. The proposal is considered against 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.*

The type of business would be for the storage and sale of cars in addition to ancillary motor repairs. In addition, other modes of transport and on-street parking are also available. Therefore the proposal is not considered to create a demand for motorcycle parking.

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 Transport Engineer below.

Clause E6.6.4 – Standard A1

The proposal would require a total of 4 (2 staff and 2 customer) bicycle parking space in accordance with the Scheme. The proposal does not provide any bicycle parking spaces. The proposal is considered against 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.*

The proposed uses in site are predominantly for the storage and sale of cars, the staff and customers are unlikely to arrive by bicycle. 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 Transport Engineer below.

Clause E6.7.1 – Standard A1

The proposal would provide three vehicular accesses via Gormanston Road, two existing and one new. The proposal is considered against the performance criteria in clause E6.7.1 – P1 as follows:

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

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

The subject site originally consisted of two titles with a total of three separate access via Gormanston Road. The vehicular access between the existing small building and Gormanston Road was removed and a new wider access is proposed in a different location to the south. Given that the site originally had a third access this is not considered to create conflict or unreasonably interfere with the flow of traffic.

Therefore, the proposal would comply with the performance criteria in clause E6.7.1 – P1 in accordance with the Scheme. Please refer to the report by Council's Transport Engineer below.

Clause E6.7.4 – Standard A1

The proposal would not provide on-site turning for three spaces for the display of vehicles between the existing small building and Gormanston Road.

The proposal is considered against the performance criteria in clause E6.7.4 – P1 as follows:

On-site turning may not be required if access is safe, efficient and convenient, having regard to all of the following:

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

- (d) ease of accessibility and recognition for users;
- (e) suitability of the location of the access point and the traffic volumes on the road.

The new access would be for display vehicles, this would reduce the potential for conflict between people and vehicles using the road and is limited to providing access to 3 spaces. There may be potential for conflict if the display vehicles leave the site by reversing. Council's Transport Engineer is supportive of the proposal provided the spaces are not used for customer parking and exit via Gormanston Road in a forward direction only.

Therefore, the proposal would comply with the performance criteria in clause E6.7.4 – P1 in accordance with the Scheme. Please refer to the report by Council's Transport Engineer below.

The proposal complies with all other relevant standards as shown in Appendix 2.

Stormwater Management Code

The proposal is not exempt under Clause E7.4 of the Glenorchy Interim Planning Scheme 2015. However, the proposal complies with the standards in Section E7.0 of the Scheme. Therefore, the proposal would be in accordance with Section E7.0 of the Glenorchy Interim Planning Scheme 2015. Please see Appendix 3.

PART F: Specific Area Plans

Not applicable.

INTERNAL REFERRALS

Development Engineer

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

The storage/waiting bays and the vehicles display areas are not considered as part of the parking spaces as required by GIPS. Therefore the number of parking spaces the development provides are a the total of 24 parking spaces, one of which is an accessible parking space. No motorcycle or bicycle parking spaces are proposed.

Therefore, the numbers of parking spaces fall short of 39 parking spaces. The applicant has engaged a qualified Transport Engineer to submit to Council, a Traffic Impact Assessment (TIA) addressing and concluding that the shortfalls are acceptable.

Council's Transport Engineer has reviewed the submitted TIA and provided his comments that the TIA has addressed the issues and that he agrees with the TIA conclusion; and therefore supports the development. It is therefore considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected.

GCC Services (Stormwater)

There are stormwater connections, 150mm main, 300mm main, pits and manhole lay within the property boundary and some are servicing the property. Due to the scope of the application for the change of use, GCC stormwater mains are not expected be affected by this application.

Other*Geoscience issues*

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

Flooding/Inundation issues

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

Transport Engineer

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

I have reviewed the proposed partial change of use from warehouse (storage) to motor vehicle sales (bulky goods sales) relying on performance criteria for parking and access at 82-86 Gormanston Road, Moonah. The application documentation included a Traffic Impact Assessment (TIA) prepared by GHD (dated December 2016).

Proposed Development

The subject site is located at 82-86 Gormanston Road, Derwent Park. Currently the site is zoned as 'Light Industrial' under the Glenorchy Interim Planning Scheme 2015, and is situated alongside other industrial and commercial uses, as well as residential properties.

The proposal includes a partial change in use from Warehouse (Storage) and ancillary Motor Repairs (Service Industry) to Motor Vehicle Sales (Bulky Goods Sales) and Vehicle Storage (Storage) at 82-86 Gormanston Road, Derwent Park. The change in use will allow the business owner to sell vehicles and parts to the general public from this site. The site currently provides a support service to the existing sale complex in Argyle Street, with mechanical and cleaning applications undertaken to prepare vehicles for sale. The site also receives and stores spare parts for vehicle reconditioning and repair.

The proposed sales component of the site will include:

- 34 car parking spaces for vehicle display; and*
- A sales office located on Gormanston Road (existing building, approximately 200 m²)*

The proposed storage component of the site will include:

- 16 spaces for vehicle storage*

The partial change in use proposes to provide 24 parking spaces, with the allocation of parking as follows:

- 17 spaces for employees, accessed from Chesterman Street; and*
- 7 customer parking spaces (which includes one accessible parking space)*

Traffic Generation

The TIS states that generated traffic movements associated with the proposed development are assessed based on the information of the existing generation of the site and the expected increase as a result of the sales component, provided by the business owner. The information provided is as follows:

Deliveries

Delivery movements were surveyed over the course of a week. The maximum number of vehicle trips observed was:

- Trucks – 8 per day
- Vans – 8 per day

Most deliveries are made within a three-hour time period commencing from when the gates open around 7:30 am.

Car movements

- Spare part customers – Approximately 6 customers per day, resulting in 6 vehicle trips per day (100% car mode share)
- Service vehicles – approximately 2 vehicles per day
- Car deliveries for storage and preparation for sale – up to 6 vehicles per day
- Car redistribution to Argyle Street – approximately 3 vehicles per day
- Staff – 12 staff members, assumed trips by car, 11 vehicles per day (90% mode share)

Proposed Sales

- Retail customers – up to 2 visitors per day

The TIA, then, provided an estimated traffic generation at the Gormanston Road access for existing and proposed movements across a typical day and a nominal peak hour as shown in the Table below:

Movements	Existing		Proposed	
	Daily Trips (veh/day)	Estimated Peak Hour (veh/hr)	Daily Trips (veh/day)	Estimated Peak Hour (veh/hr)
Deliveries	32	12	32	12
Spare Part Customer	12	2	12	2
Car Deliveries	6	0	6	0
Service Cars	2	2	2	2
Other Car Movements (i.e. redistribution)	2	1	2	1
Retail Visitors			4	1
Total	54	17	58	18

The TIA, then, states that the proposed change in use is expected to result in four additional trips per day at the Gormanston Road access, and approximately one trip within a peak operational time for the site. The TIA also argues that the estimated total peak traffic generation of the site will be 18 vehicles per hour, which is around one vehicle every 3 to 4 minutes. The report also indicates that the addition of the sales component to the operation will only add around one vehicle within the peak hour. The report, finally, concludes that this volume is unlikely to impact adversely on the operation of the access onto Gormanston Road or on the wider traffic network.

The TIA also states that the largest generation of traffic to the site generally occurs between 7:30 am and 10:30 am, which does not coincide with the times of peak traffic activity on Gormanston Road. The report indicates that car deliveries via transporters (semi-trailers) are undertaken in the car park off Chesterman Street and cars are, then, driven around to Gormanston Road for storage. The report also notes that the frequency and volume of car deliveries, as well as the process of delivery, is not expected to change with the addition of the sales business.

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

Access

The TIA states that access to the sales component of the site will be via Gormanston Road, at an existing crossover. The report indicates that this access is currently being used for the existing operations of the site and retail customers will access parking spaces on site via an existing driveway.

Clause E5.6.4-A1 of the Planning Scheme states that: "Sight distances at ... an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1.". The TIA states that from Table E5.1, and given the speed environment around the site, the minimum sight distance requirements are 80 metres for a vehicle speed of 50 km/h. The report, then, indicates that the speed limit on Gormanston Road is 50 km/h and speed data provided by Council for 2014 indicates that the 85th percentile speed on Gormanston Road is also 50 km/h. The report also states that sight distance from the driveway onto Gormanston Road is available to the signals at Derwent Park Road to the north and approximately 86 metres to the south.

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

Parking

Advice from Council's planning section shows that the previously approved permit for the site (PLN-15-009) required a minimum of 53 car parking spaces (including 2 for accessible parking) for the uses inside the building. In addition, the Vehicle Storage to the north of the building has an area of 218.88m² which would require 3 car parking spaces while the Motor Vehicle Sales around the main entrance has an area of 627.88m² and would require 7 car parking spaces and 4 bicycle spaces. As a result, the proposal would require a total of 63 car parking spaces (including 2 for accessible parking), one motorcycle space and 4 bicycle spaces.

The TIS also states that the proposed change in use will provide 24 parking spaces for the varying operations of the site including 17 spaces for employees and 7 customer parking spaces (which includes one accessible parking space).

The TIS, then, argues that the true parking demand for the site can be determined based on the following information:

- 12 staff members access parking off Chesterman Street;

- *Delivery parking for the existing storage and maintenance activities, estimated to be approximately 10 vehicles per day; and*
- *Customer parking estimated to be approximately 2 visits per day.*

The report, then, concludes that the estimated demand for parking is, therefore, around 24 spaces, which will be catered for on site.

I agree with the conclusion that the above mentioned parking spaces are considered adequate for the proposed development.

Conclusion

Overall, 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 partial change of use from Warehouse (Storage) and ancillary Motor Repairs (Service Industry) to Motor Vehicle Sales (Bulky Goods Sales) and Vehicle Storage (Storage) relying on performance criteria for parking and access at 82-86 Gormanston Road, Moonah on traffic engineering or road safety grounds.

Environmental Health Officer

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

Due to the close proximity of this development site to the neighbouring residential zone, it is recommended that the acceptable solutions for noise (24.3.2) and commercial vehicle movements (24.3.4) are added to the permit as conditions.

The hours of operations proposed are within the acceptable solution (24.3.1). The proposed hours are recommended as a condition of the permit.

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.

REPRESENTATIONS

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

CONCLUSION

The application is for a partial change of use to Vehicle Storage (Storage), and Motor Vehicle Sales (Bulky Goods Sales), in addition to Warehouse (Storage), and Motor Repairs (Service Industry), relying on performance criteria for parking and access at 82-86 Gormanston Road, Moonah. As stated in the report, the Vehicle Storage and Warehouse and ancillary Motor Repairs are permitted uses. The Motor Vehicle Sales and reliance on performance criteria for parking and access are discretionary. The proposal is considered to accord with the standards of the Light Industrial Zone of the Scheme.

The reliance on performance criteria for parking are reflective of the proposal's existing use and development relative to the size of the site and the operation of the existing business. The proposed reliance on performance criteria are considered to accord with the parking standards of E6.0 Access and Parking Code in the Scheme.

The application was advertised for the statutory 14-day notification period, and no representations were received.

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

Recommendation:

That a permit be granted for the proposed use and development of Partial change for the use of Vehicle Storage (Storage), and Motor Vehicle Sales (Bulky Goods Sales) in addition to Warehouse (Storage), and Motor Repairs (Service Industry) relying on performance criteria for parking and access at 82-86 Gormanston Road, Moonah subject to the following conditions:

Planning

1. Use and development shall be substantially in accordance with planning permit application No. PLN-16-144 and Drawing No. P4 submitted on 1 December 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. This permit allows for proposed 'Vehicle Storage' and 'Motor Vehicle Sales' only by Performance Automobiles. If Performance Automobiles ceases the use of 'Vehicle Storage' and 'Motor Vehicle Sales', this permit will expire.
4. The spaces shown as 'car storage/waiting bay' must not be individually line marked and only be used for 'Vehicle Storage'.
5. The spaces shown as 'space for display' including the area located between the existing building adjacent the front boundary and Gormanston Road must not be used for staff or customer parking.
6. Vehicles leaving the site via Gormanston Road must do so in a forward direction only.
7. The seven 'new customer' and 'new accessible' car parking spaces accessed via Gormanston Road must be for customer use only. The car parking spaces must be labelled for customer use only prior to commencement of the use, and must remain in situ and maintained for the life of the use.

Engineering

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

9. A minimum of twenty four (24) clearly marked car parking spaces must be provided on site, which must be 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/ANZ 2890.1 – 2004 Off-Street Parking" within three months from the commencement of the use. Car parking and manoeuvring areas and access aisles must be sealed with an impervious dust free surface and drained to the stormwater system.
10. Of the required number of car parking spaces, a minimum of one (1) car parking space must be provided for the use of people with disabilities. The space must be clearly marked and sealed with an impervious dust free surface in accordance with the standard for disabled car parking laid down in Australian Standard AS/ANZ 2890.1 – 1993 Off-Street Parking.
11. The design and construction of the parking, access and turning areas must generally comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004, to the satisfaction of the Council's Development Engineer. Detailed engineering drawings showing the driveway and manoeuvring areas, internal service lines and connections to service mains, surface drainage collection, pavement composition and finished levels must be in accordance with the Australian Standard AS 2890.1 – 2004 Off-Street Parking and submitted with the Building Application for approval by Council's Development Engineer. The proposed driveway, access and parking must comply with the following:-
 - Be constructed to a sealed finish and clearly line-marked in accordance with the approved plan;
 - All runoff from paved and driveway areas must be discharged into Council's stormwater system;
 - The gradient of any parking areas must not exceed 5%;
 - Minimum carriageway width is to be 6.0 metres;
 - Appropriate lighting must be provided for the proposed carpark in accordance with Australian Standard AS 1158.3.1 – Lighting for roads and public spaces;
 - The sight distance at an access or junction must comply with the Safe Intersection Sight Distance; and
 - On-site turning areas in accordance to GIPS, E6.7.4 must be provided.To comply with the above requirements, the developer must submit engineering drawings demonstrating compliance with the requirements to the satisfaction of Council's Development Engineer prior to the issuing of the Building Permit or the occupancy.

Environmental Health

12. Hours of operation of a use within 100 m of a residential zone must be within:
 - (a) 8.00 am to 5.30 pm Mondays to Fridays inclusive;
 - (b) 9.00 am to 4.00 pm Saturdays;except for office and administrative tasks.

13. 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.

14. External amplified loud speakers or music must not be used within 50 m of a residential zone.
15. Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must be within the hours of:
 - (a) 7.00 am to 7.00 pm Mondays to Saturdays inclusive;
 - (b) 9.00 am to 5.00 pm Sundays and public holidays.
16. Outdoor work areas and noise-emitting services such as air conditioning equipment, pumps and ventilations fans must not be located within 50 m of a residential zone.

Advice to Applicant

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

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

Other Permits

Please be aware that this planning permit is a planning approval issued under the Glenorchy Interim Planning Scheme 2015. You should consult with an accredited Building Surveyor prior to commencing this use or work to ensure all relevant requirements of the Building Act 2000 are complied with. In addition to this planning permit, a building permit and/or plumbing permit may also be required. If further clarification is required, please contact Council's Building Section on 62166800.

APPENDIX 1**24.0 Light Industrial Zone**

Standard	Acceptable Solution	Proposed	Complies?
24.3 Use of Standards			
24.3.1 Hours of Operation	A1 Hours of operation of a use within 100 m of a residential zone must be within: (a) 7.00 am to 7.00 pm Mondays to Fridays inclusive; (b) 9.00 am to 5.00 pm Saturdays; (c) nil Sundays and Public Holidays. except for office and administrative tasks.	The hours of operations are within the acceptable solution. The proposed hours are recommended as a condition of the permit. (a) 8.00 am to 5.30 pm Mondays to Fridays inclusive; (b) 9.00 am to 4.00 pm Saturdays; except for office and administrative tasks.	Yes
24.3.2 Noise	A1 Noise emissions measured at the boundary of a residential zone must not exceed the following: (a) 55dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm; (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm to 7.00 am; (c) 65dB(A) (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.	It is expected that this development will comply with the acceptable solution. It is recommended that the acceptable solution be added as a condition to 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) (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.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	A2 External amplified loud speakers or music must not be used within 50 m of a residential zone.	It is not expected that amplified music will be used as part of the ongoing use. However, to ensure this remains the case, it is recommended that the acceptable solution be applied to the permit as a condition. External amplified loud speakers or music must not be used within 50 m of a residential zone.	N/A
24.3.3 External Lighting	A1 External lighting within 50 m of a residential zone must comply with all of the following: (a) be turned off between 10:00 pm and 6:00 am, except for security lighting; (b) security lighting must be baffled to ensure they do not cause emission of light outside the zone.	Not applicable.	N/A
24.3.4 Commercial Vehicle Movements	A1 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must be within the hours of: (a) 7.00 am to 7.00 pm Mondays to Saturdays inclusive; (b) 9 am to 5.00 pm Sundays and public holidays.	It is recommended that the acceptable solution be applied to the permit as a condition. Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must be within the hours of: (a) 7.00 am to 7.00 pm Mondays to Saturdays inclusive; 9 am to 5.00 pm Sundays and public holidays.	Yes
24.3.5 Outdoor Work Areas	A1 Outdoor work areas and noise-emitting services such as air conditioning equipment, pumps and ventilations fans must not be located within 50 m of a residential zone.	It is recommended that the acceptable solution be applied to the permit as a condition. Outdoor work areas and noise-emitting services such as air conditioning equipment, pumps and ventilations fans must not be located within 50 m of a residential zone.	Yes
24.4 Development Standards for Buildings and Works			
24.4.1 Building Height	A1 Building height must be no more than: 9m.	Not applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
	A2 Building height within 10 m of a residential zone must be no more than 8.5 m.	Not applicable.	N/A
24.4.2 Setback	A1 Building setback from frontage must be parallel to the frontage and must be no more than: (a) 10 m; or (b) the alignment of the adjoining buildings whichever is the lesser.	Not applicable.	N/A
	A2 Building setback from a residential zone must be no less than: (a) 10m; or (b) half the height of the wall, whichever is the greater.	Not applicable.	N/A
24.4.3 Design	A1 Building design must comply with all of the following: (a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site; (b) for new building or alterations to an existing facade provide windows and door openings at ground floor level in the front façade no less than 40% of the surface area of the ground floor level façade; (c) for new building or alterations to an existing facade ensure any single expanse of blank wall in the ground level front façade and facades facing other public spaces is not greater than 50% of the length of the facade;	Not applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
	(d) screen mechanical plant and miscellaneous equipment such as heat pumps, air conditioning units, switchboards, hot water units or similar from view from the street and other public spaces; (e) incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof; (f) provide awnings over the public footpath if existing on the site or on adjoining lots; (g) not include security shutters over windows or doors with a frontage to a street or public place.		
	A2 Walls of a building facing a residential zone must comply with all of the following: (a) be coloured using colours with a light reflectance value not greater than 40 percent; (b) if within 50m of a residential zone, must not have openings in walls facing the residential zone, unless the line of sight to the building is blocked by another building.	Not applicable.	N/A
24.4.4 Passive Surveillance	A1 Building design must comply with all of the following: (a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site; (b) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the front façade which amount to no less than 20 % of the surface area of the ground floor level facade;	Not applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
	(c) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the façade of any wall which faces a public space or a car park which amount to no less than 10% of the surface area of the ground floor level facade; (d) avoid creating entrapment spaces around the building site, such as concealed alcoves near public spaces; (e) provide external lighting to illuminate car parking areas and pathways; (f) provide well-lit public access at the ground floor level from any external car park.		
24.4.5 Landscaping	A1 Landscaping must be provided along the frontage of a site (except where access is provided) unless the building has a nil setback to frontage.	Not applicable. The landscaping and is existing.	N/A
	A2 Along a boundary with a residential zone landscaping must be provided for a depth no less than: 10m.	Not applicable.	N/A
24.4.6 Outdoor Storage Areas	A1 Outdoor storage areas for non-residential uses must comply with all of the following: (a) be located behind the building line; (b) all goods and materials stored must be screened from public view; (c) not encroach upon car parking areas, driveways or landscaped areas.	Complies.	Yes

Standard	Acceptable Solution	Proposed	Complies?
24.4.7 Fencing	A1 Fencing must comply with all of the following: (a) fences, walls and gates of greater height than 2.1 m must not be erected within 10 m of the frontage; (b) fences along a frontage must be at least 50% transparent above a height of 1.2 m; (c) height of fences along a common boundary with land in a residential zone must be no more than 2.1 m and must not contain barbed wire.	Not applicable.	N/A

APPENDIX 2

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 24 car parking spaces on site. Compliance would require 63 car parking spaces, and this would result in a shortfall of 39 car parking spaces.	Performance criteria 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.	Complies.	Yes
E6.6.3 Number of Motorcycle Parking Spaces	A1 The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.	The proposal includes no motorcycle parking spaces. Compliance would require 1 motorcycle parking space, and this would result in a shortfall of 1 motorcycle parking space.	Performance criteria Refer to discussion in the report.

Standard	Acceptable Solution	Proposed	Complies?
E6.6.4 Number of Bicycle Parking Spaces	A1 The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.	The proposal includes no bicycle parking spaces. Compliance would require 4 bicycle parking spaces, and this would result in a shortfall of 4 bicycle parking spaces.	Performance criteria 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.	The proposal has 2 existing access and proposed a third access. This would result in 1 additional access.	Performance criteria Refer to discussion in the report.
E6.7.2 Design of Vehicular Accesses	A1 Design of vehicle access points must comply with all of the following: (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.	Complies.	YES
E6.7.3 Vehicular Passing Areas Along an Access	A1 Vehicular passing areas must: (a) be provided if any of the following applies to an access: (i) it serves more than 5 car parking spaces; (ii) is more than 30 m long;	Complies.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(iii) it meets a road serving more than 6000 vehicles per day; (b) be 6 m long, 5.5 m wide, and taper to the width of the driveway; (c) have the first passing area constructed at the kerb; (d) be at intervals of no more than 30 m along the access.		
E6.7.4 On-Site Turning	A1 On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following: (a) it serves no more than two dwelling units; (b) it meets a road carrying less than 6000 vehicles per day.	The proposal includes three spaces for display of vehicles that would not provide on-site turning to enable vehicles to exit a site in a forward direction. Compliance would require all spaces to provide on-site turning to enable vehicles to exit a site in a forward direction. This would result in a discrepancy for 3 spaces.	Performance criteria Refer to discussion in the report.
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 proposal shows 16 spaces for vehicle storage along the northern border with dimensions that do not meet the acceptable solution. The area is not proposed to be used for staff or customer car parking and a condition has been recommended to prevent the spaces from being individually line marked.	Yes
E6.7.6 Surface Treatment of Parking Areas	A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following: (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.	Complies.	Yes

Standard	Acceptable Solution	Proposed	Complies?
E6.7.7 Lighting of Parking Areas	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.	Not applicable.	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.	Not applicable.	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
E6.7.10 Design of Bicycle Parking Facilities	A1 The design of bicycle parking facilities must comply with all the following; (a) be provided in accordance with the requirements of Table E6.2; (b) be located within 30 m of the main entrance to the building.	Not applicable.	N/A
	A2 The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.	Not applicable.	N/A

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

APPENDIX 3

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.	Not applicable. The building and sealed car parking are existing.	N/A
	A2 A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply: (a) the size of new impervious area is more than 600 m ² ; (b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots.	Not applicable. The building and sealed car parking are existing.	N/A
	A3 A minor stormwater drainage system must be designed to comply with all of the following: (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed; (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.	Not applicable.	N/A
	A4 A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.	Not applicable.	N/A

Attachments/Annexures

- 1  Attachment - 82-86 Gormanston Road, Moonah

6. PROPOSED USE AND DEVELOPMENT - SIGN ON A HERITAGE LISTED SITE - 518 MAIN ROAD, MONTROSE

Author: Planning Officer (Peter Coney)

Qualified Person: Planning Officer (Peter Coney)

Property ID: 5382554

REPORT SUMMARY:

<i>Application No.:</i>	PLN-15-224
<i>Applicant:</i>	Metro Signs Pty Ltd
<i>Owner:</i>	Aust Conference Assoc Ltd
<i>Zone:</i>	Community Purpose
<i>Use Class</i>	Community Meeting and Entertainment
<i>Application Status:</i>	Discretionary
<i>Level 2 Activity?</i>	No
<i>42 Days Expires:</i>	31st January 2017
<i>Existing Land Use:</i>	Church (Community Meeting and Entertainment)
<i>Proposal In Brief:</i>	New sign on a heritage-listed site.
<i>Representations:</i>	0
<i>Recommendation:</i>	Refusal

REPORT IN DETAIL:

PROPOSAL

The proposal is for a 3.6m high by 1.15m wide illuminated sign to be erected at 518 Main Road, Montrose. The sign is to be positioned in a raised garden bed adjacent to the road reservation and frontage of the site, which is the present location of the sign to be replaced. The raised garden bed measures 0.98m in height. Therefore, the overall height of the proposed sign is to be 4.58m above the surrounding ground level. The sign is, for that portion displaying the logo, proposed to be internally illuminated. The sign includes a 1.27m high by 0.96m wide LED screen which is to display predominately static text content, with following content transitions to happen instantaneously (see Figure. 1).



Figure 1. *Illustration of the proposal.*

SITE and LOCALITY

The subject site is located on the western side of Main Road, Montrose, just south of that road's intersection with Cheltenham Street. The property is an irregular-shaped lot with frontages to both Main Road and to Cheltenham Street.

The site is recognised with heritage significance and is a heritage listed place in E13.0 Historic Heritage Code (Place Ref 0433) of the Glenorchy Interim Planning Scheme 2015 (GIPS).

There is a driveway access on the Main Road frontage, and a large parking area to the rear of the building accessed by way of Cheltenham Street. The locality is broadly characterised by single detached dwellings, though there are a number of local businesses which front Main Road, approximately 110m from the local business zone, on the south side of the intersection at Philip Avenue.



Figure 2. Aerial view of subject site and immediate surrounds, Council record, Exponare.

ZONE

The subject site is located within the Community Purpose zone, pursuant to part D, section 17.0 of the Glenorchy Interim Planning Scheme 2015 (GIPS). The site is surrounded by properties zoned General Residential, as well as adjoining Main Road, which is zoned Utilities. There is a section of land zoned Local Business, approximately 110m measured from the southern boundary of the lot where it fronts Main Road.

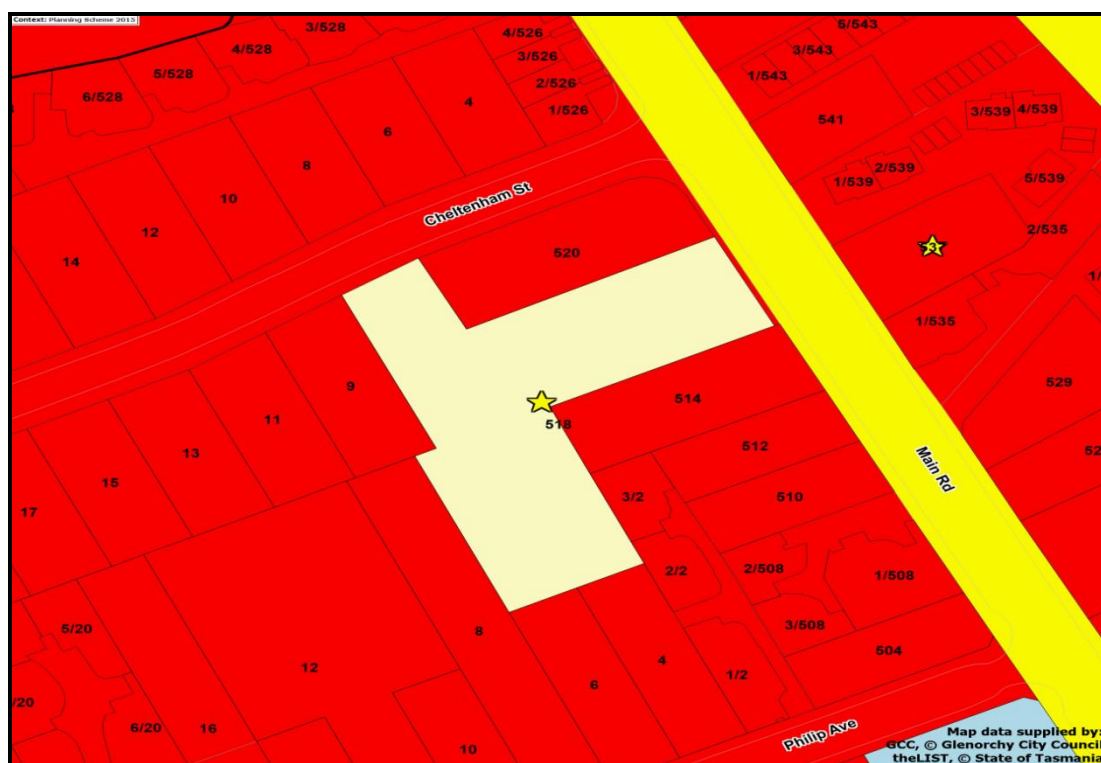


Figure 3. Extract from Council's Exponare Zoning showing the Community Purpose zone (light yellow colour) surrounded by the General Residential zone (red colour).

BACKGROUND

This application was first submitted in September of 2015 for a Ground Based Panel sign. An additional information request, dated 26 October 2015 informed the applicant that the proposed sign was prohibited owing to the sign type, and the withdrawal of the application was advised. This request suggested that the application could be amended by changing the proposed sign to a type of sign that would either be permitted or discretionary within the Community Purpose Zone. General heritage advice was included in this correspondence.

The applicant confirmed by email, dated 27 October 2015, that information would be provided to show compliance with all parameters required.

The applicant advised, via email dated 30 October 2015 that the proposed sign was a pole or pylon sign and requested that the application be assessed. This was followed up by an email from the applicant, later the same day, requesting that the proposal not be refused until the applicant sought advice from a planning consultant.

The Planning Officer assessing the application at this time, advised the applicant, via email dated 2 November 2015, that in Council's view the proposed sign was still a Ground Based Panel Sign, which is prohibited in the Community Purpose Zone. This email requested that the applicant amend the proposal to comply with the provisions of *E17.0 Signs Code*.

The applicant provided limited information via email dated 4 December 2015, regarding *E17.7.2 Standards for signs on Heritage Places subject to the Heritage Code or within Heritage Precincts or Cultural Landscape Precincts* and asserted that the sign is a pole or pole sign.

An additional information request, dated 9 December 2015 sought to clarify the design and classification of the proposed sign. This request required the applicant to demonstrate that the proposal would comply with the applicable standards, including *E17.7.2*, as previous information provided by the applicant addressed the criteria unsatisfactorily.

The applicant responded, via email dated 16 December 2015, seeking advice about changing the sign design.

An excerpt of *E17.0 Signs Code*, including definitions of signs and applicable standards was forwarded to the applicant on 21 December 2015, to assist the applicant to design the proposal to comply with the applicable standards.

The applicant requested a response to their email dated 16 December, via an email dated 18 January 2016.

Council responded, via email dated 18 January 2016, informing the applicant that advice was sent to the applicant on 21 December 2015 and reiterated the content of the request, and emphasised the need to design a sign that is sympathetic to the heritage values of the place, noting that Council asked for a heritage impact assessment from a suitably qualified person to accompany the application.

The applicant provided a Heritage Impact Assessment in support of discretions sought. This report was received by Council on 18 August 2016.

Council acknowledged the receipt of the Heritage Impact Assessment prepared by David Denman & Associates (22 August 2016). Council advised that the assessment was based on a Ground Based Panel Sign, and that sign type is prohibited in the Zone. In light of this, Council advised there was no discretion to be exercised, and the application was to be recommended for refusal as the sign type was prohibited.

On 29 August 2016, an amended set of plans were received by Council. These plans were considered to change the classification of the sign type proposed to a pole sign, owing to clearance from the ground to the base of the sign (415mm). The covering email to this amended set of plans as well indicated the LED component of the sign was to have a static display, though no indication was given as to the frequency of the changes of that message.

A further information request was sent on 30 August 2016, requesting a Heritage assessment of the proposed Pole sign, as well as an assessment by a suitably qualified person with regard to section *E17.6.1 Use of Signs (P3)*, which in brief requires consideration of the relevant principles of the Austroads Research Report – Impact of Roadside Advertising on Road Safety. This was owed to the LED component of the sign in proximity to Main Road Montrose displaying changing messages.

On 5 October 2016 a revised Heritage Impact Statement was supplied by the applicant. This revision was in response to the sign type changes. A follow up additional information request was sent on the 18 October 2016 requesting the outstanding information regarding consideration of the relevant principles of the Austroads Research Report – Impact of Roadside Advertising on Road Safety, be provided.

On 16 December 2016, a letter was sent to the applicant advising, in anticipation of the outstanding Traffic Impact Assessment (TIA), that irrespective of the outcome of that TIA, it was still the position of Council's Heritage officer that the sign would not be supported, owing to the objectives of the applicable standards of the Heritage Code not being met. This letter was sent as a courtesy, as it was considered that because of the applicants concerns as to the costs of a TIA, it would be fair that the applicant be made aware, that irrespective of the findings of this report with regard to traffic safety, the sign would still not be supported on Heritage grounds.

On the 16 December 2016, a response to the letter from the applicant was received which advised that they would prefer to have the application refused than procure the TIA.

Council's Planning Officer spoke to the applicant summarising that in the absence of a TIA, there would be further grounds for refusal owing to compliance with the applicable standards of *E17.6.1 Use of signs* not being demonstrated. It was passed on that it is required that there is not an unreasonable impact or undue distraction to drivers of motor vehicles by the moving or changing messages or graphics, and the extent of the operation of this sign with regard to traffic safety as yet had not been demonstrated.

A follow up email to this conversation was sent on the 20 December 2016, asking the applicant to provide a clear instruction as to how they wished for the application to proceed.

An email from the applicant received on the 21 December 2017 outlined that a TIA was to be submitted. With regard to this, a response to the letter requesting the outstanding additional information (sent 18th of October) remained outstanding.

On the 6th of January 2017, a Traffic Impact Assessment was received by Council.

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).

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Clause 5.10 makes provision to exempt signs which are replacing the graphics of a legally existing sign, exempt from assessment. The proposed sign is not exempt.

Limited Exemptions

Nil

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

There are no relevant zone provisions for the assessment of this development. E17.0 Signs code sets out the applicable standards for the development of signs. In the application of this code, there is no explicit overriding of any other standards.

Use Class Description (Table 8.2):

Signs are not listed in Table 8.2.

Assessment of an Application for Use or Development

Section 51(2) Land Use Planning and Approvals Act 1993 (the Act)

(2) In determining an application for a permit, a planning authority –

- (a) must seek to further the objectives set out in Schedule 1; and
- (b) must take into consideration such of the prescribed matters as are relevant to the use or development the subject of the application; and
- (c) must take into consideration the matters set out in representations relating to the application that were made during the period referred to in section 57(5);

PART 1 - Objectives of the Resource Management and Planning System of Tasmania

1. The objectives of the resource management and planning system of Tasmania are

- (a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and
- (b) to provide for the fair, orderly and sustainable use and development of air, land and water; and
- (c) to encourage public involvement in resource management and planning; and
- (d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c); and
- (e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.

2. In clause 1(a), sustainable development means managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural well-being and for their health and safety while –

- (a) sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations; and

(b) safeguarding the life-supporting capacity of air, water, soil and ecosystems; and

(c) avoiding, remedying or mitigating any adverse effects of activities on the environment.

Section 20 (2)(b) of the Act

Section 20 (2)(b) of the Act (former provisions) states a planning scheme may regulate or prohibit the use or development of any land. Division 2 – Development Control sets out the provisions to determine an application for permit, where the application is for a permitted or discretionary use and development. Division 2 Section 51(3)(a) instructs the Planning Authority to determine an application with reference to the provisions of the planning scheme or special planning order in force at the date of that decision.

Clause 8.10.1 Glenorchy Interim Planning Scheme 2015 (GIPS)

In determining an application for any permit the planning authority must, in addition to the matters required by s51(2) of the Act, take into consideration:

- (a) all applicable standards and requirements in this planning scheme; and
- (b) any representations received pursuant to and in conformity with ss57(5) of the Act,

but in the case of the exercise of discretion, only insofar as each such matter is relevant to the particular discretion being exercised.

Clause 8.10.2(GIPS)

In determining an application for a permit for a discretionary use the planning authority must, in addition to the matters referred to in subclause 8.10.1, have regard to:

- (a) the purpose of the applicable zone;
 - (b) any relevant local area objective or desired future character statement for the applicable zone;
 - (c) the purpose of any applicable code; and
 - (d) the purpose of any applicable specific area plan,
- but only insofar as each such purpose, local area objective or desired future character statement is relevant to the particular discretion being exercised.

Other relevant definitions (Clause 4.1):

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

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

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

Development means as defined in the Act. The Act defines development to include:

- (a) the construction, exterior alteration or exterior decoration of a building; and
- (b) the demolition or removal of a building or works; and
- (c) the construction or carrying out of works; and
- (d) the subdivision or consolidation of land, including buildings or airspace; and
- (e) the placing or relocation of a building or works on land; and
- (f) the construction or putting up for display of signs or hoardings –

but does not include any development of a class or description, including a class or description mentioned in paragraphs (a) to (f), prescribed by the regulations for the purposes of this definition.

Use means as defined in the Act. The Act defines use, in relation to land, as the manner of utilising land, but does not include the undertaking of development.

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

Part C: Special Provisions

No special provisions of the Scheme apply to this proposal.

Part D: Zones

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

17.1 Zone Purpose Statement

The zone purpose statements for the Community Purpose zone are:

- 17.1.1.1 To provide for key community facilities and services where those facilities and services are not appropriate for inclusion as an associated activity within another zone.
- 17.1.1.2 To ensure land required for future public use is protected from inappropriate use or development.
- 17.1.1.3 To encourage multi-purpose, flexible and adaptable social infrastructure to respond to changing and emerging community needs.

Comment

The proposed sign is not considered inconsistent with the zone purpose statements, nor does it preclude the provisions of the zone purpose statement from being met.

17.2 Use Table

The proposal is in association to an existing community meeting and entertainment use class, which is permitted in the zone. However, owing to the proposal being for a sign, the application is required to be assessed under E17 Signs Code.

17.3 Use Standards

The use standards are not applicable standards for the assessment of the proposed sign. E17.0 makes provision for the assessment of all signs.

17.4 Development Standards for Buildings & Works

The development standards are not applicable standards for the assessment of the proposed sign. E17.0 makes provision for the assessment of all signs.

Part E: Codes

The following codes of the Scheme apply to this proposal:

E13.0 Historic Heritage Code

The site is a place of heritage significance and is listed in E13.0 Historic Heritage Code (Place Ref 0433). However, E13.2.3 states that this code does not apply to the assessment of signs as signs located on a place of heritage significance are dealt with under clause E17.7.2 of the signs code.

E17.0 Signs Code*E17.1 Purpose*

The purpose of the code is to provide opportunities for commercial advertising essential to support and encourage business activity; to promote the use of well-designed signs that complement and enhance the streetscape and do not exacerbate visual clutter or adversely impact on residential amenity; to promote signs which assist with way-finding and pedestrian usability as part of a coordinated interpretative and directional signage framework; and to ensure that signs do not adversely impact on the cultural heritage values of places of cultural significance.

Comment

The proposal is considered to be contrary to the signs code. This is specifically owed to the sign having an adverse impact on the heritage values of the place.

E17.2 Application

This code applies to the construction, putting up for display or erection as development, and the continuous display as use, of all signs.

E17.3 Definition of Terms

E17.3.1 Instructs each sign to be categorised into one of the definitions listed and described in the code. If a sign fits a definition of more than one defined sign, the most specific defined sign applies. If a sign does not readily fit any defined sign, it must be categorised as the most similar defined sign.

For the purpose of the code the proposal is defined as a pole sign owing to the sign being erected on a pole, independent of any building. The sign specifically has a clearance from the ground of 415mm (see Figure 4).

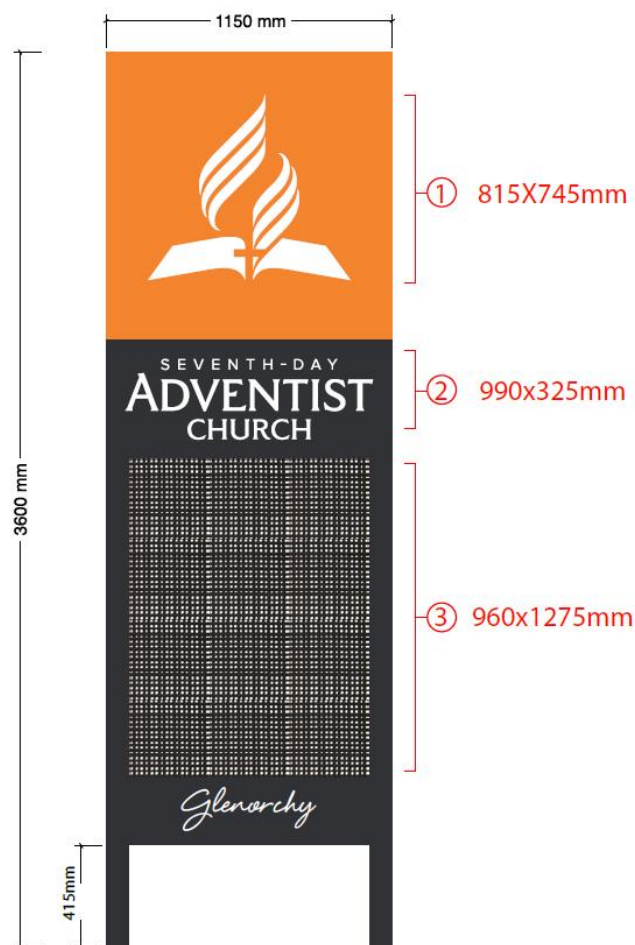


Figure 4. An illustration of the proposed sign indicating the poles which support the sign panel thus defining the sign as a pole sign.

The proposed sign, by definition, is considered to be a Pole sign. For the purpose of the code, a Pole or Pylon sign means a sign erected on a pole, poles or pylon independent of any building, provided it is not designed or used as a poster panel (billboard). It is noted that Table E17.2 requires a Pole or Pylon sign to have a clearance from the ground to the sign of no less than 2400mm. It is noted that the proposed sign does have a clearance of less than 2400mm (415mm).

E17.4 Use or Development Exempt from this Code

In the first instance, Clause E17.4.1 makes provision for signs to be exempt from assessment if the signs are listed in Table E.17.1. Pole signs are not listed in Table E17.1.

E17.5 Application Requirements

The applicant has supplied a Heritage Impact Statement from a suitably qualified person which in brief, is supportive of the proposal.

E17.6 Use Standards*E17.6.1 Use of Signs*

The proposal must be assessed against the Use Standards of the Signs code owing to the code applying to the continuous display as use of a sign, pursuant to E17.2.1 (b). The proposal is considered to meet the acceptable solutions of the applicable standards, except where reliant on the performance criteria for (P1) owing to being a discretionary sign within the Community Purpose zone, (P3) for displaying changing messages and (P4), owing to being within 30m of a residential use. It is identified in the Traffic Impact Assessment supplied that the sign is to display, "Static text content, with following content transitions to happen instantaneously." This is considered to be a changing message.

E17.6.1 (P1) Use of signs

The Acceptable solution of the standard requires signs to be a permitted sign in Table E17.3. As the proposal is for a Pole sign, which is a discretionary sign within the Community Purpose zone, the proposal does not comply with the Acceptable solutions. The proposal is therefore reliant on the performance criteria which require,

A sign must be a discretionary sign in Table E.17.3.

Comment

The sign is considered to satisfy the performance criteria for this standard owing to being a discretionary sign pursuant to the Table E17.3.

E17.6.1 (P3) Use of signs

The proposal is not a statutory sign and contains changing messages. The application therefore is reliant on the performance criteria to comply with the standard, which require,

A sign contain (sic) flashing lights, moving parts or moving or changing messages or graphics must not have an unreasonable impact upon the residential amenity of a residential use caused by light shining into windows of habitable rooms, movement or visual intrusion or cause undue distraction to drivers of motor vehicles.

Comment

In demonstrating that the proposal is able to satisfy the performance criteria of the standard, the applicant has supplied a Traffic Impact Assessment (TIA), which has particular regard to the signs' design, changing messages, and whether there is any undue distraction to drivers of motor vehicles caused by this sign. In brief the TIA provides the following (abridged) to support the design and location of the sign.

- 1. The proposed sign is a static electronic display which will contain a static image only. Whilst images and messages are presented successively, they will not imply motion. (p7)*
- 2. The sign does not require drivers to specifically turn their head to clearly see it and it is to be located about 2m from the edge of the kerb. Drivers will typically be located approximately eight metres from the sign as they drive past. (p8)*
- 3. To minimise distraction it is proposed that a maximum of two different messages are shown. (p9)*
- 4. There are no signalised intersections in the immediate vicinity of the sign, it is not envisaged that the use of red as a text colour will result in causing confusion with the traffic signal aspects. (p11)*

The TIA has been referred to Council's Traffic Engineer who is satisfied with the conclusions and recommendations of that report.

It is considered that the proposal is able to satisfy the standard through the performance criteria (P3) subject to conditions.

E17.6.1 (P4) Use of signs

The proposed illuminated sign is to be located within 30m of a residential use, and so does not comply with the acceptable solution (See Figure 5). The proposal therefore relies on the performance criteria which require.

An illuminated sign within 30 metres of a residential use must not have an unreasonable impact upon the residential amenity of that use caused by light shining into windows of habitable rooms.



Figure 5. Illustration of the 20m distance (marked yellow), between the proposed sign location and approximate location of the window to a habitable room of a residential use.

Comment

The residential amenity is not expected to be unreasonably impacted upon by light shining into windows of habitable rooms, owing to the proposed internal lighting not having the capacity to deliver direct light overspill onto the nearby residences. Furthermore, it has been indicated in the TIA that it is intended that the luminance of the LED screen is to be reduced to 2200 Nit during night (40% of 5500 Nit proposed day time luminance), and that the LED screen is “fitted with an intuitive brightness sensor which automatically dims the brightness of the screen at night.” The proposal satisfies the performance criteria and complies with the standard.

E17.7 Development Standards

E17.7.1 Standards for Signs

The proposed sign does not comply with the standards listed in Table *E.17.2 Sign Standards*, owing to the clearance from the ground to the sign being less than 2.4m and the area of each face being greater than 2m². Furthermore, the proposal is a discretionary sign type within the Community Purpose zone, pursuant to the table *E17.3 Status of signs in zones*. It is for these reasons that the proposal does not comply with the acceptable solution of the standard. The proposal is therefore reliant on the performance criteria which require,

A sign not complying with the standards in Table E17.2 or have discretionary status in Table E17.3 to satisfy all of the following:

- (a) be integrated into the design of the premises and streetscape so as to be attractive and informative without dominating the building or streetscape.*
- (b) be of appropriate dimensions so as not to dominate the streetscape or premises on which it is located;*

- (c) be constructed of materials which are able to be maintained in a satisfactory manner at all times;*
- (d) not result in loss of amenity to neighbouring properties; not involve the repetition of messages or information on the same street frontage;*
- (e) not contribute to or exacerbate visual clutter;*
- (f) not cause a safety hazard.*

Comment

It is considered that despite the sign not meeting the sign standards, the proposal is broadly integrated into the design of the premises, by being located in an existing garden bed. This location for the proposal is presently used for the display of signage, and is in a position consistent with the design of the premises. As well, the orientation of the sign as perpendicular to the façade of the building ensures that the streetscape more broadly is not dominated by the sign, satisfying (a). With regard to (b) the proposal is less than 4.2m² on each face, these dimensions are not considered to be of dominant character with regard to the size of the site. For (c) the proposal is to be constructed of materials which are able to be maintained in a satisfactory manner at all times and it considered that the sign does not contribute to, or exacerbate visual clutter, or cause repetition of messages in the same street frontage. The proposal, with regard to the recommendations of the Traffic Impact Assessment is not considered to cause a safety hazard.

The proposal is considered to met the objective of the standard, through satisfying the performance criteria.

E17.7.2 Standards for signs on Heritage Places subject to the Heritage Code or within Heritage Precincts or Cultural Landscape Precincts

Council's Heritage Officer has reviewed the submitted Heritage Impact Assessment and has provided an assessment of the proposal against the performance criteria. Please refer to Council's Heritage Officer assessment in the 'Internal referrals' section of this report. In summary, Council's Heritage Officer has concluded that the proposal does not satisfy (a) and (c) of the performance criteria, and does not comply with the standard.

INTERNAL REFERRALS

Heritage Officer:

The proposal has been referred to Council's Heritage Officer, and the following comments are provided;

BRIEF DESCRIPTION OF PLACE & HISTORICAL CONTEXT:

Table E13.1 REF No.	Street Address	Property Name	General Description
0433	518 Main Road, Montrose	Seventh Day Adventist Church	Church

Description of Place: A gable tile-roofed brick church with gabled tile-roofed porches, each with round arched timber doors flanking a vertically proportioned, ground-to-apex window addressing the Main Road. There is a gable-roofed hall to the rear and lawn area to the front with centrally situated brick garden feature containing existing signage. Access and car-parking is located on the northern side of the building.

518 Main Road Montrose. The sign is proposed to be installed in the circular garden feature next to the footpath.

Historical Context: Originating in Michigan, USA in 1863, the Seventh Day Adventist Church was established in Tasmania in 1888 with the first Seventh Day Adventist Church in Australia being opened at Bismarck (Collinsvale) in 1889. Church primary schools were established in Hobart, Launceston and Glen Huon by 1918, and in Moonah in 1933. Sanitarium health food shops became a well-known feature of Seventh Day Adventist promotion of a vegetarian diet, and the Sanitarium Health Food Company operated a factory at Derwent Park from 1949 to 1992. Adracafe thrift shops which were established in Ulverstone and Glenorchy supported the Church's community care programs. The church at Montrose was built in 1977 on part of 118 acres originally granted to Joseph Beresford, its modern façade contrasting with surrounding early-mid 20th century homes, belying the Seventh Day Adventist Church's long presence in the community. It is said that the congregation studied plans of churches from all over the world and pooled their ideas to design the Church.

References:

Australia ICOMOS, 2013. The Burra Charter.

Rayleen Irvine, 'The Seventh Day Adventist Church', in The companion to Tasmanian history (ed. Alison Alexander), Centre for Tasmanian Historical Studies, University of Tasmania, 2005, pp.329-29.

Building Application, file AE819/1/9613 (Tasmanian Archive and Heritage Office).

Ian Terry & Paul Davies, December 2005. Glenorchy Heritage Place Assessment Project – Inventory Heritage Conservation Areas (Collinsvale, Goodwood, Lutana, Northern Suburbs). Unpublished report prepared for the Glenorchy City Council (p. 190 of 201).

STATEMENT OF SIGNIFICANCE:

The Church is significant as it demonstrates the growth and evolution of the Seventh-day Adventist faith in the municipality. It also demonstrates the communitarian spirit of the congregation in the history of its design and construction.

SCOPE OF PLANNING PERMIT APPLICATION

The proposal is to: Install a free-standing sign within the circular 980mm high brick feature containing the existing sign out front of the Church.

The proposed sign consists of 3.6m high and 1.15m wide Aluminium Composite Material (ACM) panels incorporating illuminated lettering, prominent white-on-orange logo, and an LED screen.

The LED screen is intended to convey information on events, functions and promotions.

In total the sign will project approximately 4.58m above the existing ground level, at a point approximately 11.2m from the church façade (measurement taken centrally).

E17.7.2 Standards for signs on Heritage Places subject to the Heritage Code

E17.7.2 Objective: To ensure the size, design and siting of signs complements and does not impact on the cultural heritage significance of places or precincts listed in the Historic Heritage Code.

No Acceptable Solution.

Performance criteria:

P1: A sign on a Heritage Place listed in the Historic Heritage Code or within a Heritage Precinct or Cultural Landscape Precinct must satisfy all of the following:

- (a) be located in a manner that minimises impact on cultural heritage significance of the place or precinct;*
- (b) be placed so as to allow the architectural details of the building to remain prominent;*
- (c) be of a size and design that will not substantially diminish the cultural heritage significance of the place or precinct;*
- (d) be placed in a location on the building that would traditionally have been used as an advertising area if possible;*
- (e) not dominate or obscure any historic signs forming an integral part of a building's architectural detailing or cultural heritage values;*
- (f) have fixtures that do not damage historic building fabric, including but not restricted to attachments to masonry and wood, such as to using non-corrosive fixings inserted in mortar joints;*
- (g) not project above an historic parapet or roof line if such a projection impacts on the cultural heritage significance of the building;*
- (h) be of a graphic design that minimises modern trademark or proprietary logos not sympathetic to heritage character;*
- (i) not use internal illumination in a sign on a Heritage Place unless it is demonstrated that such illumination will not detract from the character and cultural heritage values of the building.*

SUMMARY ASSESSMENT AGAINST APPLICABLE GIPS 2015 HERITAGE OBJECTIVES

The Applicant has submitted a Heritage Impact Statement that is supportive, in all respects, of the Application (ref: David Denman & Associates Heritage Impact Assessment dated 21 September 2016).

In reference to the applicable standards it is noted each performance criterion must be satisfied to enable approval of the Application.

The GCC Heritage Officer's assessment to each - and with response/s where at variance with the Applicant's Heritage Impact Statement - is set out below:

In their assessment that underpinned the inclusion of 518 Main Road, Montrose as a heritage-listed place in the planning scheme, Ian Terry and Paul Davies made the following statement:

"The church is representative of a late twentieth century church. Its significance is demonstrated by its setting, form and detailing including its rectangular plan and vertically proportioned glazing."

(P1) (a) requires that signage be located in a manner that minimises impact on cultural heritage significance of the place or precinct.

The term 'place' is not defined in the Signs Code. It is, however, defined in the Heritage Code and means:

"a place listed in Table E13.1 that is a site, area, landscape, building or other work, group of building or other works, with any associated views, spaces, and surroundings such as historic plantings or landscape features, or evidence of past land use."

Based on the definition, 'place' includes the setting of the Church.

Based on Terry and Davies work (cited above), the setting is implicit in the listing of the Church.

The term 'setting' is not defined in the Signs Code (nor the Heritage Code). It is, however, a term commonly used in heritage contexts and is defined in Article 1.12 of the Australia ICOMOS Burra Charter 2013, as follows:

"Setting means the immediate and extended environment of a place that is part of or contributes to its cultural significance and distinctive character."

The design of the proposed sign - comprised of ACM panels, back-lit logo and LED screen - has perhaps its closest parallel in contemporary service station style signage.

Whilst the existing circular garden feature out front of the Church is the most appropriate location for a sign, installation of this style of sign will introduce a discordant element that by design will impact upon the cultural heritage significance of the place (eg, the Church yard setting). The sign is illustrative of Church branding that has been applied - with and without - LED panels throughout the State. There appears to have been no concession to selection of a style of sign that is sympathetic within the heritage setting and - consequently - no attempt to minimise its impact upon the cultural heritage significance of the Place, specifically the setting.

On this basis, P1 (a) is not considered to have been satisfied.

In response to this criterion, the Applicant's Heritage Consultant contends that the proposed sign is appropriate and complies with the performance criterion because there is a strong tradition for Church signage to be prominent and at the front of churches to notify the community of upcoming events. Given this, the Consultant concludes that the proposed sign contributes highly to the social/spiritual significance cultural significance of the site as a heritage place of worship.

Heritage Officer response: It is agreed that the logical place for a sign is in a prominent position, in this case, out front of the Church. The point of difference in opinion arises with respect to the style of sign. The GCC heritage assessment finds that this style of sign is incongruous in the setting of the place.

(P1) (b) requires that signage be placed so as to allow the architectural details of the building to remain prominent.

The orientation of the sign side-on as it allows the architectural details of the building to remain as visible as practicable.

On this basis criterion (b) is considered to have been satisfied.

P1 (c) requires that signage be of a size and design that will not substantially diminish the cultural heritage significance of the place or precinct.

Two matters are relevant in consideration of this criterion. They are:

- (i) The impact of the proposed sign on the Church building, and;
- (ii) The impact of the proposed sign on the setting.

In regards to (i), above, it has been established through application of other Performance Criteria that direct adverse impacts upon the Church building are likely to be negligible owing to the orientation of the proposed sign and the degree of physical separation of the sign from the building.

In regards to (ii), above, given that the 'place' includes the setting of the Church, and setting is implicit in the listing of the Church, installation of this style of sign that by design (and most particularly through incorporation of an LED screen) will – in the opinion of Council's Heritage Officer - introduce a discordant element into a Church yard setting that will substantially diminish the cultural heritage significance of the place.

On this basis, P1 (c) is not considered to have been satisfied.

In response to this criterion, the Applicant's Heritage Consultant contends that the sign [should] be a prominent sign that – quoting Heritage Council of Victoria guidelines – is "freestanding and provides details about worship services and times, and possibly other important information associated with the place". In consideration of the criterion, the Consultant concludes simply that the proposed sign is visually separated from the Church, contributes highly to the cultural heritage significance of a Heritage Place of Worship – and is therefore an acceptable design.

Heritage Officer response: There is no direct or specific consideration of the fabric and style of the proposed sign, nor how it does not diminish the cultural heritage significance of the place, specifically the Church yard setting.

(P1) (d) requires that signage be placed in a location on the building that would traditionally have been used as an advertising area if possible.

The existing circular brick garden feature out front of the Church contains the existing signage and is the logical location for advertising.

On this basis criterion (d) is considered to have been satisfied.

(P1) (e) requires that signage not dominate or obscure any historic signs forming an integral part of a building's architectural detailing or cultural heritage values.

The existing signage is not integral to the building's architectural detailing and is a neutral element in the setting of the Church. [Its removal is not specified in the Application, but would be necessary to install the proposed new sign. This could be achieved by condition - and to avoid any prospect of a proliferation of signage - without compromising the intent of the criterion].

On this basis criterion (e) is considered to be 'not applicable'.

(P1) (f) requires that signage have fixtures that do not damage historic building fabric, including but not restricted to attachments to masonry and wood, such as to using non-corrosive fixings inserted in mortar joints.

The proposal is for a free-standing sign that has no prospect of causing a direct – physical – adverse effect upon architectural details or building fabric.

On this basis criterion (f) is considered to be 'not applicable'.

(P1) (g) requires that signage not project above an historic parapet or roof line if such a projection impacts on the cultural heritage significance of the building.

The proposed sign at a height of 4.58m will not project above the parapet or roofline of the Church (nominally 11.5m).

On this basis criterion (g) is considered to have been satisfied.

(P1) (h) requires that signage be of a graphic design that minimises modern trademark or proprietary logos not sympathetic to heritage character.

The proposed sign is an ACM sheet, illuminated sign. It is surmounted by a backlit – white (on orange) - proprietary logo that occupies approximately one-third of the total area of the sign. Considered in isolation, as required by the criterion, and by virtue of its separation from the Church, the logo component of the sign is not unsympathetic to heritage character. It is the incorporation of an LED panel that, in the opinion of Council's Heritage Officer, renders the sign intrusive.

On this basis, criterion (h) is considered to have been satisfied.

(P1) (i) requires that signage not use internal illumination in a sign on a Heritage Place unless it is demonstrated that such illumination will not detract from the character and cultural heritage values of the building.

An estimated three-quarters of the proposed sign, including white, backlit, logo-bearing panel, denominational lettering routed through ACM sheet, and messages conveyed via an LED screen, will be illuminated.

The proposed sign is likely to have a negligible impact upon the heritage character and significance of the building as far as light-spill is concerned [as distinct from its impact upon the setting – refer to the assessment against criteria (a) and (c) for this aspect].

On this basis, criterion (i) is considered to have been satisfied.

Summary GCC Heritage Assessment:

The heritage place comprises the Church building as the principal heritage item along with its setting.

There are nine elements to the P1 Performance Criteria in Clause E17.7.2 of the Glenorchy Interim Planning Scheme 2015.

Six criteria provide scope for consideration of impacts of signage upon the building, [these are, P1 (b), (d), (e), (f), (g) and (i)]. All six of these criteria are considered to either have been satisfied or are not applicable to the Application.

One criterion is limited to the assessment of the logo as a component of the sign [P1, (h)]. This criterion, also, is considered to have been satisfied.

Two criteria allow for holistic consideration of the impact of the sign upon the place [P1 (a) and (c)]. In the opinion of the GCC Heritage Officer, the proposed sign is not of a design that satisfies the criteria.

At element level, the incorporation of an LED screen coupled with ACM panels surmounted by a backlit logo and lettering gives rise to a style of signage that is incongruous in the setting.

Essentially it is a corporate branding model being rolled out throughout the country that, in this instance and in particular through inclusion of an LED screen, exhibits insufficient sensitivity by being overly intrusive in the setting of the Church.

If one accepts that this style of signage represents an inappropriate design and substantially diminishes the setting of the place (and, therefore, does not satisfy criterion c), then it must be the case that – in its proposed current form - it cannot be located in a manner that minimises impact upon the setting (and, therefore cannot satisfy criterion a).

The wording of Clause E17.7.2 requires that each of the P1 criteria must be satisfied (or not applicable) to enable a recommendation for approval.

Further, in consideration of the overall Objective of Clause E17.7.2, the design of the sign is not complementary to - and therefore impacts upon - the cultural heritage significance of the Heritage Place.

In light of the findings of the GCC heritage assessment (and noting it offers a contra-opinion to the Applicant's heritage assessment), the recommendation is for refusal of the Application.

RECOMMENDATION:

Refusal.

Reason for refusal: The Application for signage is contrary to the Objective of E17.7.2 of the Glenorchy Interim Planning Scheme 2015. In particular, Clause E17.7.2, P1 criteria (a) and (c) are not satisfied because the proposed sign is of a design style that cannot be located in a manner that minimises the impact on the cultural significance of the place, specifically the setting, and that otherwise substantially diminishes the cultural heritage significance of the place, specifically the setting.

EXTERNAL REFERRALS

TasWater

Pursuant to the *Water and Sewerage Industry Act 2008 (Tas)* Section 56P(2)(a) TasWater does not object to the proposed development.

REPRESENTATIONS

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

CONCLUSION

Pursuant to the *Table E17.3 Status of Signs in zones*, the proposed Pole sign is of a discretionary sign type within the Community Purpose zone. The proposal is assessed to comply with the zone purpose statements, as well as the applicable use and development standards for the Signs code, except where it is considered that the proposal does not meet the objective of the standard E17.7.2 *Standards for signs on Heritage places subject to the Heritage code or within Heritage Precincts or Cultural Landscape Precincts*. This is owed to the proposal being considered to substantially diminish the cultural heritage significance of the site. Therefore, pursuant to part 8.10.1 of the Glenorchy Interim Planning Scheme 2015, where it is required that,

In determining an application... the planning authority must... take into consideration,

(a) all applicable standards and requirements in this planning scheme;

It is recommended the proposal be refused.

As well, pursuant to 8.10.2,

In determining an application for a permit for a discretionary use the planning authority must. have regard to,

(b) the purpose of any applicable code,

It is considered that the design of the sign in the context of the historical setting is as such that it is contrary to the purpose of the signs code.

The proposal is therefore recommended for refusal owing to not complying with the applicable standard E17.7.2 *Standards for signs on Heritage places subject to the Heritage code or within Heritage Precincts or Cultural Landscape Precincts* and as well, being determined as a development which is contrary to the purpose of an applicable code.

Recommendation:

That the application for the proposed use and development of a sign on a Heritage listed site, at Seventh Day Adventist Church 518 Main Road Montrose be refused for the following reasons:

1. The proposal does not satisfy the performance criteria E17.7.2 *Standards for signs on Heritage Places subject to the Heritage Code or within Heritage Precincts or Cultural Landscape Precincts (P1)*. Accordingly the proposal does not comply with a standard for which discretion is sought.

2. The proposal is contrary to the purpose of the code, specifically clause E17.1.1 (d), which is to ensure that signs do not adversely impact on the cultural heritage values of places of cultural significance.

APPENDIX 01**17.0 Community Purpose Zone**

Standard	Acceptable Solution	Proposed	Complies?
17.3 Use Standards			
17.3.1 Hours of Operation	A1 Hours of operation must be within: (a) 8.00 am to 8.00 pm Mondays to Fridays inclusive; (b) 9.00 am to 6.00 Saturdays; (c) 10.00am to 5.00pm Sundays and Public Holidays; except for office and administrative tasks.	N/A	N/A

Standard	Acceptable Solution	Proposed	Complies?
17.3.2 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; (a) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm and 7.00 am; (c) 65dB(A) (LAmax) at any time. Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness. Noise levels are to be averaged over a 15 minute time interval.	N/A	N/A

Standard	Acceptable Solution	Proposed	Complies?
	A2 External amplified loud speakers or music must not be used within 50 m of a residential zone, except if a school system used for school announcements.	N/A	N/A
17.3.3 External Lighting	A1 External lighting, other than flood lighting of sport and recreation facilities, within 50 m of a residential zone must comply with all of the following: (a) be turned off between 9:00 pm and 6:00 am, except for security lighting; (b) security lighting must be baffled to ensure they do not cause emission of light outside the zone.	N/A	N/A
	A2 Flood lighting of sport and recreation facilities within 200 m of a residential zone must not subject nearby residential lots to obtrusive light, as defined in AS 4282-1997-1.4.7.	N/A	N/A
17.3.4 Commercial Vehicle Movements	A1 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must be within the	N/A	N/A

Standard	Acceptable Solution	Proposed	Complies?
	hours of: (a) 7.00 am to 6.00 pm Mondays to Fridays inclusive; (b) (b) 9.00 am to 5 pm Saturdays (c) (c) 10.00 am to 12 noon Sundays and Public Holidays.		
17.3.5 Discretionary Use	A1 No Acceptable Solution	N/A	N/A
17.4 Development Standards for Buildings and Works			
17.4.1 Building Height	A1 Building height must not be more than: 10m.	N/A	N/A
	A2 Building height within 10 m of a residential zone must be no more than 8.5 m.	N/A	N/A

Standard	Acceptable Solution	Proposed	Complies?
17.4.2 Setback	A1 Building setback from frontage must be no less than: (a) 5m; or (d) the alignment of adjoining buildings; whichever is the lesser.	N/A	N/A
	A2 Building setback from a residential zone must be no less than: (a) 3 m; (b) half the height of the wall, whichever is the greater.	N/A	N/A
	A3 Building setback for buildings for sensitive 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.	N/A	N/A

Standard	Acceptable Solution	Proposed	Complies?
17.4.3 Design	A1 Building design must comply with all of the following: (a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site; (b) for new building or alterations to an existing façade provide windows and door openings at ground floor level in the front façade no less than 40% of the surface area of the ground floor level façade; (c) for new building or alterations to an existing façade ensure any single expanse of blank wall in the ground level front façade and facades facing other public spaces is not greater than 50% of the length of the façade; (d) screen mechanical plant and miscellaneous equipment such as heat pumps, air conditioning units, switchboards, hot water units or similar from view from the street and other public spaces; (e) incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof; (f) provide awnings over the public footpath if existing on the site or on adjoining lots;	N/A	N/A

Standard	Acceptable Solution	Proposed	Complies?
	(g) not include security shutters over windows or doors with a frontage to a street or public place.		
	A2 Walls of a building facing a residential zone must be coloured using colours with a light reflectance value not greater than 40 percent.	N/A	N/A
17.4.4 Passive Surveillance	A1 Buildings design must complying with all of the following: (a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site; (b) for new buildings or alterations to an existing façade provide windows and door openings at ground floor level in the front façade which amount to no less than 40 % of the surface area of the ground floor level façade; (c) for new buildings or alterations to an existing façade provide windows and door openings at ground floor level in the façade of any wall which faces a public space or a car park which amount to no less than 30% of the surface area of the ground floor level façade;	N/A	N/A

Standard	Acceptable Solution	Proposed	Complies?
	(d) avoid creating entrapment spaces around the building site, such as concealed alcoves near public spaces; (e) provide external lighting to illuminate car parking areas and pathways; (f) provide well-lit public access at the ground floor level from any external car park.		
17.4.5 Landscaping	A1 Landscaping must be provided along the frontage of a site (except where access is provided) unless the building has nil setback to frontage.	N/A	N/A
	A2 Along a boundary with a residential zone landscaping must be provided for a depth no less than: 2 m.	N/A	N/A
17.4.6 Outdoor Storage Areas	A1 Outdoor storage areas for non-residential uses must comply with all of the following: (a) be located behind the building line; (b) all goods and materials stored must be screened from public view; (c) not encroach upon car parking areas, driveways or landscaped areas.	N/A	N/A

Standard	Acceptable Solution	Proposed	Complies?
17.4.7 Fencing	A1 Fencing must comply with all of the following: (e) fences, walls and gates of greater height than 1.5 m must not be erected within 4.5 m of the frontage; (f) fences along a frontage must be at least 50% transparent above a height of 1.2 m; (g) height of fences along a common boundary with land in a residential zone must be no more than 2.1 m and must not contain barbed wire.	N/A	N/A

APPENDIX 02**E17.0 Signs Code**

Standard	Acceptable Solution	Proposed	Complies?
E17.6 Use Standards			
E17.6.1 Use of Signs	A1 A sign must be a permitted sign in Table E17.3	Pole Sign, which is a discretionary sign type	No - See Report
	A2 A sign associated with the sale of goods or services must relate directly to the use of the building or site to which it is affixed.	Sign does not relate to any goods or services for sale	Yes
	A3 A sign must not contain flashing lights, moving parts or changing messages or graphics, except if a Statutory Sign	Sign proposes changing messages.	No - See Report
	A4 An illuminated sign must not be located within 30 metres of a residential use, except if a Statutory Sign.	Illumination within 30 metres of a residential use.	No - See Report

Standard	Acceptable Solution	Proposed	Complies?
E17.7 Development Standards			
E17.7.1 Standards for Signs	A1 A sign must comply with the standards listed in Table E.17.2 and be a permitted sign in Table E17.3.	Pole sign in Community Purpose Zone.	No - See Report
	A2 The number of signs per business per street frontage must comply with all of the following: (a) maximum of 1 of each sign type; (b) maximum of 1 window sign per window; (c) if the street frontage is less than 20 m in length, the maximum number of signs on that frontage is 3; (d) if the street frontage is 20 m in length or greater, the maximum number of signs on that frontage is 6. except for the following sign types, for which there is no limit; (i) Building Site, (ii) Name Plate, (iii) Newspaper Day Bill,	Proposed Ground Based Panel sign would be the only sign of that type on the site.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(iv) Open/Closed, (v) Real Estate, (vi) Street Number, (vii) Temporary Sign.		
	A3 Signs must not obscure or prevent or delay a driver from seeing a Statutory Sign or a Tourist Information Sign.	Sign is clear of any existing statutory signs	Yes
	A4 Signs must not resemble Statutory Signs because of the same or similar shape, size, design, colour, letter size or lighting.	Sign does not resemble a statutory sign	Yes
	A5 For properties that have a common boundary with Brooker Avenue, any advertising sign must be located at least 5m from that boundary.	N/A	N/A
E17.7.2 Standards for signs on Heritage Places subject to the Heritage Code or within Heritage Precinct or Cultural Landscape Precincts	A1 No acceptable solution	Sign is proposed to be erected on a heritage place subject to the heritage code.	No – See Report

Attachments/Annexures

- 1  Attachment - 518 Main Road, Montrose

7. PROPOSED USE AND DEVELOPMENT - WORKS TO THE FORECOURT, INCLUDING LANDSCAPING SUBJECT TO THE GLENORCHY ACTIVITY CENTRE URBAN DESIGN - 4 TERRY STREET, GLENORCHY

Author: Planning Officer (Peter Coney)

Qualified Person: Planning Officer (Peter Coney)

Property ID: 5395945

REPORT SUMMARY:

Application No.:	PLN-16-289
Applicant:	Inspiring Place Pty Ltd
Owner:	Department Of Education (Doe)
Zone:	Central Business
Use Class	Community Meeting and Entertainment
Application Status:	Discretionary
Discretions:	F9.7.8 (P1) Crime prevention Through Environmental Design F9.7.9 (P1) Pedestrian Movement F9.7.10 (P1) Landscaping (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	01 Feb 2017
Existing Land Use:	Library (Community Meeting and Entertainment)
Proposal In Brief:	Works to the forecourt, including landscaping subject to The Glenorchy Activity Centre Urban Design.
Representations:	0

Recommendation:	Approval subject to conditions
------------------------	---------------------------------------

REPORT IN DETAIL:

PROPOSAL

The proposal is for works to the forecourt of the Glenorchy LINC located at 4 Terry St (CT10602/2). These works involve paving, lighting, landscaping and the provision of seating integrated into low retaining walls. The total area of the forecourt which is undergoing works is approximately 700m².

Owing to the land being subject to the Glenorchy Activity Centre Urban Design Specific Area Plan, these works are reliant on the performance criteria of that Specific Area Plan. Specifically, these are F9.7.8 (P1) Crime Prevention Through Environmental Design, F9.7.9 (P1) Pedestrian Movement, F9.7.10 (P1) Landscaping. How the proposal satisfies the objectives of these applicable standards through the relevant performance criteria is outlined in the body of this report.

SITE and LOCALITY

The site is located to the west of Terry Street in Glenorchy. This site occupies a portion of the block which is adjacent to the Glenorchy City Council Car park, and as well, is bound by Barry Street to the south. The total area for the site is approximately 4500m², though of this, approximately 700m² of the site is subject to the forecourt and landscaping works.

The locality is characterised by a mixture of Commercial and Public uses, it can be succinctly characterised as being on the edge of the Central Business District of Glenorchy. The locality also is predominately used for car parking to support those uses in the area, and overwhelmingly there is minimal landscaping.



Figure 1. Aerial view of the site and immediate surrounds.

ZONE

The subject site is zoned Central Business (See Figure 2). The site shares boundaries with other similarly zoned parcels of land though is in close proximity to the Community Purpose zone to the south, which overlays existing public car parking areas, as well as a portion of the Inner Residential zone at Kenmere Place.

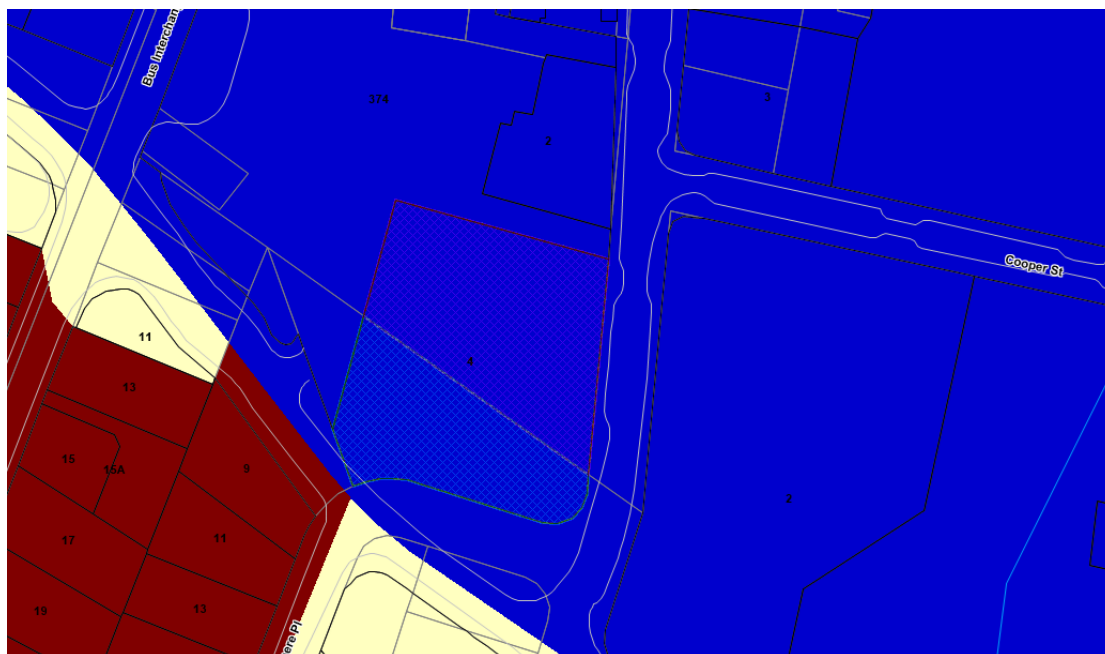


Figure 2. View of the zoning for the site and surrounding area indicating the Central Business zone (Medium Blue) as well as a portion of the Inner Residential zone at Kenmere Place (Maroon) and the Community Purpose zone (Light Yellow)

BACKGROUND

There is no background information relevant to the assessment of this proposal.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

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

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

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

5.5 Maintenance and Repair of buildings

5.5.1 Maintenance and repair of buildings including repainting, re-cladding and re-roofing whether using similar or different materials provided this does not contravene a condition of an existing permit which applies to a site.

In preliminary discussions with the applicant, it was advised that the repainting of the awnings of the site would be exempt. These works have commenced in January 2017.

Limited Exemptions

Nil

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

Pursuant to F9.2 of the Glenorchy Activity Centre Urban Design Specific Area Plan, The Specific Area Plan overrides the following development standards:

Central Business Zone:

Development Standards for Buildings and Works:

22.4.1 Building height

22.4.2 Setback

22.4.3 Design

22.4.4 Passive Surveillance

22.4.5 Landscaping

Use Class Description (Table 8.2):

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

Other relevant definitions (Clause 4.1):

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

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

Public Domain: means the publicly used space and includes streets, plazas, park and public infrastructure.

Part C: Special Provisions

No special provisions of the Scheme apply to this proposal:

Part D: Zones

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

22.1 Zone Purpose Statements

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

Comment.

The proposal is considered to be in accordance with the zone purpose, by way of providing a community facility which is a safe and comfortable space and provides a high quality urban space responsive to the principles of good urban design.

22.2 Use Table

Library (Community Meeting and Entertainment) is a permitted use within the Central Business zone.

22.3 Use Standards

Though the land is within 50m of a Residential zone, there is no proposed change to the use of the land. Though external lighting is to be provided, this is not within 50m of the nearby residentially zoned land (76m). Therefore, the use standards are not applicable.

22.4 Development Standards for Buildings & Works

The proposal is considered to comply with all of the acceptable solutions of the applicable development standards as set out in Appendix 1.

Part E: Codes

The following codes of the Scheme apply to this proposal:

Parking and Access Code

The Parking and Access code is an applicable code to all use and development. However there is no calculable increase to the floor space of the site and so there is no requirement for further parking pursuant to the table E6.6.1. Furthermore, there is no proposal for any increase to the parking area and so the development standards of the code do not apply.

Stormwater Management Code

The proposal is for stormwater generated by new impervious surfaces to be drained to existing public stormwater infrastructure. Council's Development Technical Officer has reviewed the proposal and made comments within the referrals section of this report.

Given the proximity of the proposal to underground services a condition of approval is recommended to minimise any potential conflict between landscaping and underground services.

PART F: Specific Area Plans

F9 Glenorchy Activity Centre Urban Design Specific Area Plan

The subject site is within the Glenorchy Activity Centre Urban Design Specific Area Plan pursuant to Part F of the Glenorchy Interim Planning Scheme See Figure 4.

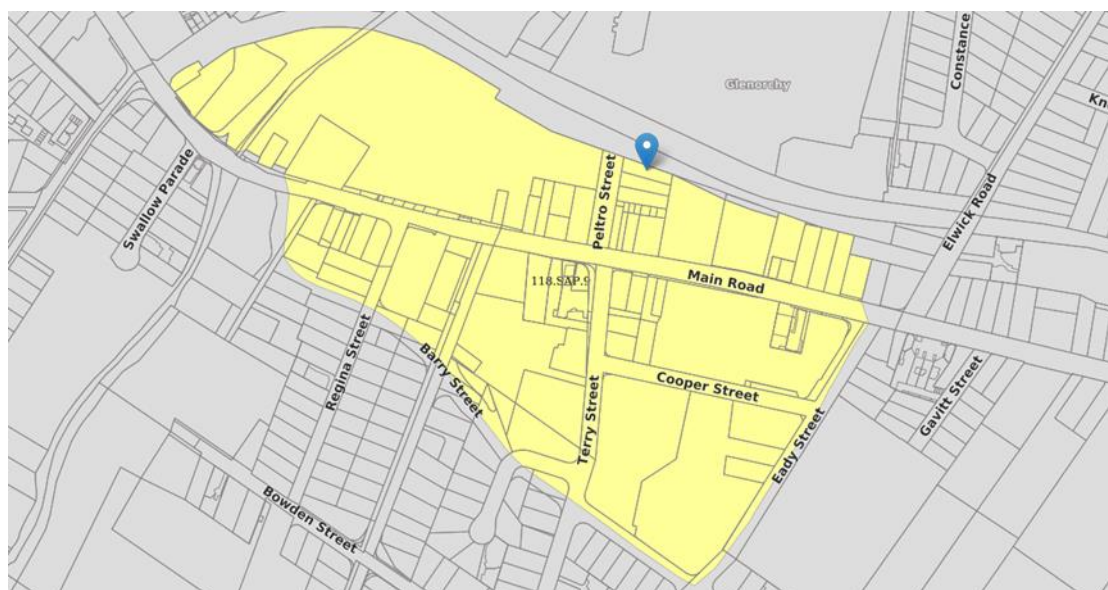


Figure 4. View indicating the extent of the Glenorchy Activity Centre Urban Design Specific Area Plan (Yellow).

F.9.7 Development Standards for Buildings and Works

The development standards of the Glenorchy Activity Centre Urban Design Specific Area Plan are applicable standards, owing to the proposal being for works to the forecourt.

F9.7.8 Crime Prevention Through Environmental Design

There is no acceptable solution for this standard, the proposal relies on the performance criteria (P1) which require,

Development must minimise opportunities for crime or antisocial behaviour through all of the following measures, where applicable:

- (a) the main entrance or entrances to a building must face and be clearly visible from the street; or an adjacent public space;*
- (b) the windows in the upper floors of a facade adjacent to a street or public open space must overlook that street, or public space;*
- (c) design and siting of public facilities such as toilets and parents rooms to maximise passive surveillance and minimise concealment and entrapment opportunities;*
- (d) location of Automatic Teller Machines (ATMs) and public telephones in highly visible and well-lit locations;*
- (e) avoidance of solid roller shutters on shopfronts;*
- (f) use of open grille security devices on shopfronts only if such devices are necessary, unobtrusive and sympathetic to the character of the building and the streetscape;*
- (g) natural and artificial lighting must be used to ensure that all publicly accessible areas are well lit at all times; reduce poorly lit or dark areas; minimise potential entrapment points and deter crime and vandalism;*
- (h) public, communal and private areas must be clearly delineated within the site;*
- (i) predictable routes and entrapment locations (e.g. concealed spaces near public pathways) must be minimised;*
- (j) a structure (such as a carport, outbuilding, fence, or downpipe) that may act as a 'ladder' and provide an intruder with easy access to an upper floor of a building must not be located adjacent to the window or balcony of that upper floor;*
- (k) the street number of a building must be visible from the street and made of a reflective material to allow visitors and emergency vehicles to easily identify the location of the building;*
- (l) clear use of signage or access control measures to direct appropriate pedestrian movement.*

Comment

It is considered that (a) through to (f) and (j) are not applicable criteria owing to the changes being to the forecourt only. For those criteria which are relevant to the proposal, lighting is proposed to be in accordance with AS/NZS 1158.3.1:2005 *Lighting for roads and public spaces Part 3.1*, satisfying (g). For (h), (i) (k) and (l), the readability of the site design is considered to be effective in ensuring appropriate pedestrian movement.

As well, the provision of one entrance, which is made clear by paving and flanked by landscaping, is considered to be an effective access control measure and the area provides a clear delineation of public and private areas.

F9.7.9 Pedestrian Movement

The proposal does not comply with the acceptable solution owing to the development involving the public domain (a) and, involving changes to the existing pedestrian accesses (b) The proposal therefore must satisfy the performance criteria which require,

Development must comply with all of the following:

- (a) provide facilities for convenient, safe, and comfortable movement of pedestrians within the locality and connecting to it;*
- (b) the finished levels must allow easy pedestrian, bicycle, vehicular and car parking interconnection between properties and buildings within the locality;*
- (c) vehicle access ramps in footpaths and streets must be designed and located to minimise disruption to pedestrians;*
- (d) vehicle and service entry points must be kept to a minimum to avoid adverse impact on pedestrian amenity;*
- (e) the pedestrian movement system must be at street level, avoiding pedestrian overhead bridges.*

Comment

The proposal is for an even levelled forecourt to be provided with a high quality ground level pavement. There are no proposed ramps nor any vehicle accesses. With specific regard to (a) the proposal is considered to conveniently consolidate pedestrian movement to the preferred entrance to the Library, which as well will expand to an enjoyable public space. It is considered that as the forecourt is presently connected to the existing pedestrian network in Glenorchy, this criteria is satisfied. Generally, the proposal is considered to meet the objective of the standard through the relevant performance criteria.

F9.7.10 Landscaping

For landscaping, there is no acceptable solution. The proposal is reliant on the performance criteria which require,

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 public open spaces, with a shared palette of paving materials, street furniture, lighting and the like.

Comment

The proposal is for the most part a plan for landscaping.

he proposal is considered to satisfy the objective through the performance criteria owing to being drafted by recognised urban designers, clearly demonstrating that the palette of paving materials is selected to be shared and integrated with future public works within Glenorchy, and as well, will provide a selection of street furniture which will support the objective of the standard which is to,

Contribute to the quality of the public realm as a safe, secure and attractive environment for pedestrian movement and social interaction.

To ensure a high standard of landscaping throughout the forecourt, a condition of approval is recommended.

INTERNAL REFERRALS

Development Engineer

The proposal has been referred to Council's Development Technical officer who has made the following comments.

The application is works to forecourt.

Traffic, Access & Parking

There are no traffic or parking issues associated with this application.

GCC Services (Stormwater)

There are no GCC stormwater mains affected by this application.

Other

Geoscience issues

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

Flooding/Inundation issues

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

Waste Management Officer

The proposal involves the replacement of a council serviced public waste bin. The proposal has been referred to Council's Waste Services Coordinator, who has advised that he is in support of the proposal to replace the bin and considered the proposed new location to involve no change to Council's Waste Services to that land.

EXTERNAL REFERRALS

TasWater

The proposal has been referred to TasWater and has provided a response. TasWater advises that pursuant to the *Water and Sewerage Industry Act 2008 (TAS) Section 56P(1)* TasWater does not object to the proposed development and no conditions are imposed.

Other**REPRESENTATIONS**

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

CONCLUSION

The proposed works to the forecourt at the 4 Terry Street, known as the Glenorchy LINC, are considered to comply with the zone purpose statement for the Central business zone, the purpose statement for the Glenorchy Activity Centre Urban Design Specific Area Plan, as well as the purpose statements of relevant codes.

The proposal also meets all of the acceptable solutions of the development standards for buildings and works in the Glenorchy Activity Centre Urban Design Specific Area Plan, except where reliant on the performance criteria F9.7.8 (P1) Crime Prevention through Environmental Design, F9.7.9 (P1) Pedestrian Movement and F9.6.10 (P1) Landscaping.

The proposal is assessed to substantially comply with the requirements of the Glenorchy Interim Planning Scheme 2015, subject to recommended conditions.

Recommendation:

That a permit be granted for the proposed use and development of Works to the forecourt, including landscaping subject to The Glenorchy Activity Centre Urban Design. at 4 Terry Street, Glenorchy subject to the following conditions:

Planning

1. Use and development shall be substantially in accordance with planning permit application No. PLN-16-289 and Drawing No. P1 submitted on 21/12/2016 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. Lighting of the forecourt must be undertaken in accordance with *AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1* and be maintained for the life of the development to the satisfaction of the Senior Statutory Planner.
4. All vegetation within the forecourt area must be maintained to a high standard, as shown on the endorsed plan. Ongoing maintenance of vegetation must be undertaken to the satisfaction of Council's Senior Statutory Planner.
5. All works undertaken within the forecourt must be undertaken in accordance with *AS 4970 – 2009 Protection of trees on development sites*.
6. Root directors/deflectors must be installed for all those trees where the Structural Root Zone (SRZ) as defined in *AS 4970 – 2009 Protection of trees on development sites*, would otherwise encroach upon footpaths, and or underground infrastructure.

7. All trees must be formative pruned two years after planting to provide good branch structure, direct growth to a desired shape to accommodate site constraints and reduce encroachment on utilities, buildings, pedestrian and vehicular clearance spaces as the tree matures.

Formative Pruning must be carried out by a qualified arborist and be in accordance with clause 7.2.5 of AS 4373 - 2007, Pruning of amenity trees.

Engineering

8. 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. A soil and water management plan is to be submitted for approval by Council's Development Engineer prior to the commencement of any works onsite. 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.
9. All internal hydraulic service works required for the development shall be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor.

Advice to Applicant

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

Other Permits

Please be aware that this planning permit is a planning approval issued under the Glenorchy Interim Planning Scheme 2015. You should consult with an accredited Building Surveyor prior to commencing this use or work to ensure all relevant requirements of the Building Act 2016 are complied with. In addition to this planning permit, a building permit and/or plumbing permit may also be required. If further clarification is required, please contact Council's Building Section on 62166800.

APPENDIX 1**22.0 Central Business Zone**

Standard	Acceptable Solution	Proposed	Complies?
22.3 Use Standards			
22.3.1 Hours of Operation	A1 Hours of operation of a use within 50 m of a residential zone must be within: (d) 6.00 am to 10.00 pm Mondays to Saturdays inclusive; (e) 7.00 am to 9.00 pm Sundays and Public Holidays. except for office and administrative tasks.	There is no change to the proposed hours of operation	N/A
22.3.2 Noise	A1 Noise emissions measured at the boundary of a residential zone must not exceed the following: (a) 55dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm; (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm to 7.00 am; (c) 65dB(A) (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.	N/A	N/A

Standard	Acceptable Solution	Proposed	Complies?
	Noise levels are to be averaged over a 15 minute time interval.		
22.3.3 External Lighting	A1 External lighting within 50 m of a residential zone must comply with all of the following: (a) be turned off between 11:00 pm and 6:00 am, except for security lighting; (b) security lighting must be baffled to ensure they do not cause emission of light outside the zone.	Proposed lighting is in excess of 50m from a residential zone.	Yes
22.3.4 Commercial Vehicle Movements	A1 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must be within the hours of: (a) 6.00 am to 10.00 pm Mondays to Saturdays inclusive; (b) 7.00 am to 9.00 pm Sundays and public holidays.	There are no proposed commercial vehicle movements	N/A

APPENDIX 2**F9 Glenorchy Activity Centre Urban Design Specific Area Plan**

Standard	Acceptable Solution	Proposed	Complies?
F9.6 Use Standards			
F9.6.1 Ground Floor Use	A1 Except for minimal interruptions necessary to provide access to foyers, arcades, tenancies, parking or servicing, including for residential uses on upper levels, building uses at ground floor level must be for retail, business, community or other non-residential purposes.	NA	NA
F9.7 Development Standards for Buildings and Works			
F9.7.1 Building Setback from a frontage or other public space boundary	A1 Building setback from a frontage or other public domain boundary must be in accordance with the following, as applicable: (a) where the alignment of the boundary of the site and adjacent lots to a frontage or other public space boundary is the same and adjacent buildings are built to that boundary; nil setback; (b) where the alignment of the site and adjacent lots to a frontage or other public space boundary is different and adjacent buildings are built to that boundary; a setback which most nearly maintains a continuous building line; (c) where adjacent buildings are not built to the frontage or other public space boundary, a	NA	NA

Standard	Acceptable Solution	Proposed	Complies?
	setback consistent with the existing established building alignments; (d) street setbacks may be modulated within a site to break up long building facades provided that no potential concealment or entrapment opportunity is created by ensuring that no projecting or receding element is deeper than 0.3m.		
F9.7.2 Building Height	A1 Building height must not be more than the following: (a) within 6m of a road: 10m; (b) on a site adjoining a building that is a heritage place or a place listed on the Tasmanian Heritage Register: not more than the height of the highest building on that place; (c) in all other cases, 20m.	NA	NA
F9.7.3 Design of Buildings at Ground Level	A1 The ground floor level of a building must comply with all of the following: (a) constructed on or parallel to a frontage or other public space boundary; (b) have its main pedestrian entrance facing the road or other public space boundary; (c) have clear glazed ground level windows facing the road or other public space boundary that allow internal uses to be visible from and have opportunity to functionally relate to the road or other public space boundary;	NA	NA

Standard	Acceptable Solution	Proposed	Complies?
	(d) avoid expanses of blank walls greater than 20% of wall length; (e) have a ground floor façade no higher than 4m. (f) not have a facade wall that contains with a recess or projection more than 0.3m; or creates a recess or projection more than 0.3m in combination with a facade wall on an adjacent site.		
F9.7.5 Design of Buildings on Corner Lots	A1 A building on a corner site must be designed to define the corner by incorporating one or more of the following: (a) corner elements such as pediments, turrets, verandahs, balconies or other articulation into the design of the building; (b) prominent entrances or windows at the apex; (c) increased roof expression or building height at the corner to emphasise the importance of the street corner; (d) a chamfered edge at the corner; (e) corner elements projected forward; (f) a change of building articulation, material or colour.	NA	NA

Standard	Acceptable Solution	Proposed	Complies?
F9.7.6 Awnings	A1 A box awning, cantilevered from the face of the building, must be provided along the full width of the building frontage and must have the following features: (a) set back 1m from the face of the kerb; (b) where there is no side slope, be horizontal and match the height of an adjoining or nearby awning; (d) where there is side slope, be horizontal and step up or down in height relative to other awnings to accommodate the slope; (e) has a consistent face depth of no more than 450mm; (f) the underside of the awning is a minimum of 3 metres and a maximum of 4 metres above the finished footpath level; (g) has 1m clearance to any tree trunk and main branches; (h) ensures that the lighting environment under the awning is in accordance with the standard required for applicable lighting sub-category P3, in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.	NA	NA

Standard	Acceptable Solution	Proposed	Complies?
F9.7.7 Parking Design and Location	A1 Car parking associated with development must be designed and located in accordance with all of the following: (a) Parking must be located behind or underneath buildings. (b) Parking structures must comply with both of the following: (i) The facade of above ground parking must avoid expressing sloping ramps, strong horizontal banding, or features with an excessive vertical emphasis; (j) Openings in parking structure facades must be screened to hide the parking operation as much as possible.	NA	NA
F9.7.8 Crime Prevention Through Environmental Design	A1 No acceptable solution.	There is no acceptable solution. the proposal must be assessed against the performance criteria	No - refer to report

Standard	Acceptable Solution	Proposed	Complies?
F9.7.9 Pedestrian Movement	A1 Development must comply with all of the following: (a) be located away from the public domain; (b) involve no changes to existing pedestrian or vehicular access.	The proposal involves changes to pedestrian and vehicle movements.	No – Refer Report
F9.7.10 Landscaping	A1 No acceptable solution.	There is no acceptable solution. the proposal must be assessed against the performance criteria	No – Refer Report
F9.7.11 Lighting	A1 The lighting environment in the public domain and adjacent publicly-accessible space must meet the standard for the applicable lighting sub-category in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting, corresponding to the appropriate area, as follows: (a) Pedestrian or cycle-oriented pathways (including footpaths): P3; (b) Areas around major entertainment venues, other than licensed premises: P6; (c) Transport terminals and interchanges: P6; (d) Areas primarily for pedestrian use, (including outdoor shopping precincts, malls & civic centres): P3.	Proposal is to light the public areas in accordance with the Australian Standard	Yes

APPENDIX 3**E6.0 Parking and Access Code**

Standard	Acceptable Solution	Proposed	Complies?
E6.6 Use Standards			
E6.6.1 Number of Car Parking Spaces	A1 The number of on-site car parking spaces must be: (c) no less than the number specified in Table E6.1 and no more than 10% greater than that number; 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.	There is no requirement for additional car parking spaces to be provided pursuant to the TableE6.6.1, owing to the proposed works.	N/A
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.	There is no requirement for the provision of accessible parking spaces pursuant to the BCA for this structure.	N/A

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.	N/A	N/A
E6.6.4 Number of Bicycle Parking Spaces	A1 The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.	N/A	N/A

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.	Yes	Yes
	A2 A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply: (d) the size of new impervious area is more than 600 m ² ; (e) new car parking is provided for more than 6 cars; (f) a subdivision is for more than 5 lots.	N/A	N/A
	A3 A minor stormwater drainage system must be designed to comply with all of the following: (b) 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; (c) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.	N/A	N/A
	A4 A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.	N/A	N/A

Attachments/Annexures

- 1  Attachment - 4 Terry Street, Glenorchy

CLOSED TO MEMBERS OF THE PUBLIC

8. APPEALS REPORT

This item is to be considered at a closed meeting of the Glenorchy Planning Authority by authority of the Local Government (Meeting Procedures) Regulations 2015 Regulation 15(4).