

GLENORCHY PLANNING AUTHORITY
MINUTES
MONDAY, 30 MAY 2016



Chairperson: Alderman K. Johnston.

Hour: 3.00 p.m.

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

In attendance: Mr. P. Garnsey (Manager – Environment and Development), Mr. P. Meloy (Senior Statutory Planner), Ms. V. Tomlin (Planning Officer), Mr. L. Meline (Development Technical Officer) and Ms. B. Narksut (Development Engineer).

1. PLANNING AUTHORITY DECLARATION

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

2. APOLOGIES

None.

3. PECUNIARY INTERESTS

None.

4. CONFIRMATION OF MINUTES

Resolution:

PEARCE/QUICK

That the minutes of the Glenorchy Planning Authority Meeting held on Monday, 16 May 2016 be confirmed.

The motion was put.

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

AGAINST:

The motion was CARRIED.

5. PROPOSED USE AND DEVELOPMENT - OUTBUILDING (RESIDENTIAL) RELYING ON PERFORMANCE CRITERIA - 28 BERMUKA STREET, WEST MOONAH

File Reference: 3327228

REPORT SUMMARY:

Application No.:	PLN-16-075
Applicant:	B W Wojcik and H L Wojcik
Owner:	B W Wojcik and H L Wojcik
Zone:	General Residential
Use Class	Residential
Application Status:	Discretionary
Discretions:	Setbacks and building envelope 10.4.2 (P3) (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	02 Jun 2016
Existing Land Use:	Single dwelling
Representations:	1
Recommendation:	Approval, subject to conditions

Resolution:

STEVENSON/QUICK

That a permit be granted for the proposed use and development of an outbuilding (Residential) relying on performance criteria at 28 Bermuka Street West Moonah, subject to the following conditions:

Planning

1. Use and development shall be substantially in accordance with planning permit application No. PLN-16-075 and Drawing No. P1 submitted on 20 April 2016, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Appendix A, form part of this permit.
3. The use of the outbuilding is limited to residential use, in association with the existing single dwelling.
4. Privacy screening to a height of 1.7m, as shown on the plan, must be permanently fixed and must have uniform transparency of no more than 25%.
5. Plans submitted with the building permit application must show landscaping in the form of planting(s) along the rear boundary of the site, to minimise visual impact, in terms of scale, bulk and proportions of the outbuilding on the adjoining residential property, to the satisfaction of Council's Senior Statutory Planner.

Engineering

6. Soil and water management is to comply with best practice to prevent any transfer of soil material outside of the area specifically and necessarily disturbed for construction. Particular attention is to be paid to ensure no soil material is tracked onto roads and footpaths or to enter the Council's stormwater system. All aspects and protection measures in connection with soil and water management are to comply with the requirements of Council's Development Engineer and be installed prior to the removal of and/or disturbance of any soil or vegetation.
7. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
8. Driveways, car parking and turning areas must be constructed and sealed with an approved impervious surface treatment within one month of Certificate of Completion or prior to use of the building (whichever occurs first). All runoff from paved and driveway areas must be retained within site boundaries and discharged into Council's stormwater system. Construction details must generally be in accordance with Council's standard requirements.
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 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.

The motion was put.

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

AGAINST:

The motion was CARRIED.

Reason for Decision:

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

6. PROPOSED ONE LOT SUBDIVISION PLUS BALANCE IN A HIGH FIRE PRONE AREA ON A SLOPE GREATER THAN 1 IN 4 - 29 LESDELLE STREET, CLAREMONT

File Reference: 3327228

REPORT SUMMARY:

<i>Application No.:</i>	PLN-15-041
<i>Applicant:</i>	Nick Grigg & Co
<i>Owner:</i>	HUMD PTY LTD
<i>Zone:</i>	Landscape and Conservation and Future Urban under the Glenorchy Planning Scheme 1992
<i>Use Class</i>	Subdivision
<i>Application Status:</i>	Discretionary
<i>Discretions:</i>	Subdivision, bush fire hazard, tree preservation and unstable land
<i>Level 2 Activity?</i>	No
<i>42 Days Expires:</i>	31st May 2016
<i>Existing Land Use:</i>	Vacant
<i>Representations:</i>	1
<i>Recommendation:</i>	Approval, subject to conditions

Resolution:

QUICK/PEARCE

That pursuant to Clause 8 of the Glenorchy Planning Scheme 1992, a permit be granted for the following use and development:

Description of proposal:	One (1) lot subdivision plus balance in a high fire prone area on a slope of greater than 1 in 4.
Address	29 Lesdelle Street Claremont 29 Lesdelle Street Claremont

subject to the following conditions:

Planning

1. Use and development shall be substantially in accordance with planning permit application No. PLN-15-041 and Drawing No. P4 submitted on 22/03/16, 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. A covenant must be placed on the title of Lot 2 to which Council is a party to the effect that the land of the Hazard Management Area for Lot 2 must not be clear-felled and is limited to the removal of understory vegetation and selective trees in accordance with the Bushfire Report by JMG dated March 2016. No blue gums (*Eucalyptus globulus*) are to be removed.
4. A covenant must be placed on the title of Lot 2 to which Council is to be a party to the effect that a Part 5 Agreement must be entered into to maintain a right to a cleared area of up to 23m wide on Lot 2 for an Interim Hazard Management Area, in accordance with the Bushfire Report by JMG dated March 2016. The land of the Interim Hazard Management Area for Lot 1 must not be clear-felled and is limited to the removal of understory vegetation and selective trees in accordance with the Bushfire Report by JMG dated March 2016. No blue gums (*Eucalyptus globulus*) are to be removed.
5. A covenant must be placed on the title of Lot 1 and Lot 2 to which Council is to be a party to the effect that any dwelling constructed on site must achieve a Bushfire Attack Level of not more than BAL19 and must provide for a sufficient on-site static water supply.

Engineering

6. Soil and water management is to comply with best practice to prevent any transfer of soil material outside of the area specifically and necessarily disturbed for construction. Particular attention is to be paid to ensure no soil material is tracked onto roads and footpaths or to enter the Council's stormwater system.

All aspects and protection measures in connection with soil and water management are to comply with the requirements of Council's Development Engineer and be installed prior to the removal of and/or disturbance of any soil or vegetation.

7. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
8. A common access to serve lot 1 and lot 2 shall be constructed within the Right of Way from the road frontage of Lesdelle Street to lot 1 proper. The access shall have adequate stormwater protection, be a minimum of 4.0m wide and include passing bay(s) with dimensions of 5.5 metres wide by 6.0 metres deep (excluding tapers) at intervals of not more than 45 metres, and a minimum 3.0 metres wide imperviously sealed wearing surface.
9. Stormwater connections to existing underground stormwater infrastructure will be required to be undertaken by Council at the developer's cost.
10. In conjunction with the above conditions and prior to the commencement of any works on site, the applicant must submit for approval to the requirements Council's Development Engineer, detailed engineering design plans of the proposed subdivision infrastructure detailing the vehicular access and location of proposed stormwater connections to serve each lot.
11. A detailed estimate for the works must be provided and payment of the engineering assessment fee must be made prior to the issue of approved engineering drawings. The engineering assessment fee is 1% of the value of the works or minimum of \$290. Construction must not commence until the approved engineering plans have been issued. The amount is subject to annual adjustment dependent on the date it is paid.
12. All approved subdivision infrastructure works must be completed in accordance with the approved engineering plans and the requirements of Council's Development Engineer. Financial guarantees covering the cost of the uncompleted and unsecured works prior to the completion of approved Council infrastructure will not be permitted to be lodged.
13. Easements shall be created over all existing and any proposed Council stormwater mains in accordance with Council requirements. An original and two copies of each of the Plan of Survey and Schedule of Easements shall be submitted to Council for sealing.
14. Road reservation at the end of Lesdelle Street must be provided, to the approval of Council's Development Engineer, to allow for a future turning facility. The road reservation shall be shown on the plan of survey submitted to Council for sealing.

Advice to Applicant:

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

- The development is identified as subject to a 'Medium Hazard' as per the Dept. of Premier & Cabinet / Mineral Resources Tasmania MRT Hazard Maps for susceptibility to landslide. Due to the 'Medium Hazard' and the development being adjacent to an existing developed area, a Geotechnical Report was not required to be submitted with the application. The applicant may wish to seek further advice from a geotechnical engineer in regards to the proposed development and the potential hazard.

Further information can also be found at the following website:
http://www.dpac.tas.gov.au/divisions/local_government/osem/mitigating_natural_hazards

- The developer is required to contact Council's Development Technical Officer on (03) 62166426 to organise for Council to provide an estimate of costs and perform the stormwater connection works required for the development.

The motion was put.

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

AGAINST:

The motion was CARRIED.

Reason for Decision:

After seeking to further the objectives of the Land Use Planning and Approvals Act 1993; considering the matters set out in representations (if any); and reference to the current provisions of the Glenorchy Planning Scheme 1992, the Glenorchy Planning Authority decides **to grant a permit** for the reasons set out in the officer's report, except an additional condition included in recommendation: New Engineering Condition (Condition 14) as follows:

Road reservation at the end of Lesdelle Street must be provided, to the approval of Council's Development Engineer, to allow for a future turning facility. The road reservation shall be shown on the plan of survey submitted to Council for sealing.

7. PROPOSED S.43A COMBINED AMENDMENT REQUEST AND PLANNING PERMIT APPLICATION - PLS43A-16/01 (PLAM 16/01) REZONE PORTION OF CT 167222/1 FROM OPEN SPACE TO LOW DENSITY RESIDENTIAL WITH REMOVAL OF BIODIVERSITY PROTECTION OVERLAY AND 2 LOT SUBDIVISION AND BALANCE - 32 GILLIES ROAD, CLAREMONT

File Reference: 3299626

REPORT SUMMARY:

To seek the Planning Authority's decision on a Section 43A combined planning permit application and amendment request PLS43A-16/01 (PLAM-16/01) for rezoning of a portion of land in CT 167222/1 from Open Space to Low Density Residential; deletion of a portion of the Biodiversity Protection Overlay from the rezoned land; and a planning permit application for a 2-lot subdivision and balance.

Resolution:

PEARCE/QUICK

Amendment

- A. That pursuant to Section 33 of the Land Use Planning and Approvals Act 1993, the Planning Authority agree to initiate Amendment PLS43A-16/01(PLAM-16/01) to the Glenorchy Interim Planning Scheme 2015, to rezone a portion of CT 167222/1 from Open Space to Low Density Residential with removal of the Biodiversity Protection Overlay and 2-lot Subdivision and balance at 32 Gillies Road Claremont, as shown in the attachments to this report.
- B. That pursuant to Section 34(b) of the Land Use Planning and Approvals Act 1993, the Planning Authority agree to initiate Amendment PLS43A-16/01(PLAM-16/01) to the Glenorchy Interim Planning Scheme 2015, to rezone a portion of CT 156864/100 (Casement) from Open Space to Low Density Residential with removal of the Biodiversity Protection Overlay at the Presnell Street Road Reserve, Claremont
- C. That having decided to initiate an amendment, and having prepared that amendment, the Planning Authority certifies pursuant to Section 35 of the Land Use Planning and Approvals Act 1993 that the draft amendment meets the requirements specified in Section 32 of the Act.
- D. That a permit be granted for the proposed use and development of 2-lot subdivision and balance PLS43A-16/01 (PLAM16/01) at 32 Gillies Road Claremont subject to the following conditions

- E. That the Planning Authority, having certified the draft amendment and granted a planning permit determined pursuant to the former provisions of Sections 38 and 43F of the Land Use Planning and Approvals Act 1993 to place the draft amendment, application documents and planning permit on public exhibition for a period of 28 days.

Permit Conditions

Planning

1. Use and development shall be substantially in accordance with planning permit application No.PLS43A-16/01 and Drawing No. P1 submitted on 19/02/16 and Drawing No. P2 submitted on 02/05/2016, 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. An original and two copies of each of the Plan of Survey and Schedule of Easements shall be submitted to Council for sealing.
4. Council having determined not to require the subdivider to increase areas of open space before approving the plan of subdivision, requires payment of an amount to Council in accordance with Section 117 of the Local Government (Building & Miscellaneous Provisions) Act 1993, to the equivalent of five percent of the unimproved value of the whole area shown on the plan of subdivision as determined by a registered valuer engaged by the subdivider.
5. No works must be conducted other than boundary fencing works within the Waterway Protection Area.
6. The services, vehicular access and driveway must be located outside the Waterway Protection Area.

Engineering

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

9. Prior to sealing of the Final Plan of subdivision, all approved subdivision infrastructure works must be completed in accordance with the approved engineering plans and the requirements of Council's Development Engineer. Financial guarantees covering the cost of the uncompleted and unsecured works prior to the completion of approved Council infrastructure will not be permitted to be lodged.
10. Prior to the sealing of the Plan of Survey, the developer must arrange for and install electrical reticulation mains to any created lots using underground cables to the specifications of the Electricity Authority and Council. The electrical reticulation design must be submitted to Council's Development Engineer for approval prior to the commencement of construction.
11. The applicant must construct a 225mm Council stormwater drainage main within the property boundary and 150mm stormwater connection branches to provide legal point of discharge to each residential lot in accordance the requirements of Council's Development Engineer. Council will supply a quotation for the cost of the works.
12. The 18 metre and 6 metre wide easements in accordance with Council requirements shall be created over the mainstream of the creek and the open drain along the rear of Lot 48 respectively. Both easements will be contained wholly within the balance lot. An original and two copies of each of the Plan of Subdivision and Schedule of Easements shall be submitted to Council for sealing.
13. A detailed estimate for the works must be provided and payment of the engineering assessment fee must be made prior to the issue of approved engineering drawings. Under Council Resolution Nov 10/03, the engineering assessment fee is 1% of the value of the works or minimum of \$306. This amount is subject to annual adjustment in accordance with the Council Fees and Charges Register. Construction must not commence until the approved engineering plans have been issued.
14. Prior to the sealing of the Final Plan, the proposed vehicular accesses to the property boundary servicing lot 48 and lot 49 must be completed to Council's requirements at developer's cost. Vehicular access shall be 3.6-metre wide tapering to 3.0-meters at the property boundary and constructed in accordance with standard drawing SD-1003. Any driveway / crossover work within Council's road reservation must be carried out by a Council approved contractor and all work, including redundant vehicular access points must be reinstated to match the existing adjacent footpath/nature strip profile. A Property Access Works Application must be completed prior to any work being undertaken. The application is available from Council's planning department or available from Council's website at:
<http://gcc.tas.gov.au/content/Driveways.GCC?ActiveID=1304>

15. Any driveway crossover work within Council's road reservation must be carried out by a Council-registered contractor. A road-opening permit from Council's Planning Services Program is required. An inspection fee is payable upon application. Any modifications to vehicular kerb crossing must include reinstatement of the footpath/nature strip and kerbing to match the existing environment
16. Upon practical completion, the Council required infrastructure works shall be subject to a 12 month defects liability period during which all defects must be rectified at the developers cost and to the satisfaction of Council's Development Engineer. Should the Developer require the final plan of survey for the subdivision sealed by Council at the commencement of the statutory defects liability period the developer is required to lodge security with Council to the value of 5% of the cost of the Council required infrastructure works. Upon completion of the statutory defects liability and rectification of any defects the Council required infrastructure works shall be transferred to Council and the security sum shall be returned to the developer. Council will not accept security for uncompleted works.
17. All internal hydraulic service works required for the development shall be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor. Any alterations or works to Council mains shall be undertaken by Council at the developer's cost.

Environmental Health

18. A covenant, to which Council is to be made a party, must be placed on the title of all lots to the effect that all dwellings must be constructed in accordance with Category 3 construction measures in AS 3671-1989 to minimise traffic noise impacts.

The motion was put.

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

AGAINST:

The motion was CARRIED.

Reason for Decision:

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

PEARCE/QUICK

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

The motion was put.

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

AGAINST:

The motion was CARRIED.

CLOSED TO MEMBERS OF THE PUBLIC

8. APPEALS REPORT

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

The meeting closed at 4.18 p.m.

Confirmed,

CHAIRMAN