

**GLENORCHY PLANNING AUTHORITY MEETING
AGENDA
MONDAY, 24 JANUARY 2022**



GLENORCHY CITY COUNCIL

- * 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 Bec Thomas

Hour: 5.00 p.m.

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1. PLANNING AUTHORITY DECLARATION

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

2. APOLOGIES/LEAVE OF ABSENCE

3. PECUNIARY INTERESTS

4. CONFIRMATION OF MINUTES

That the minutes of the Glenorchy Planning Authority Meeting held on 6 December 2021 be confirmed.

5. PROPOSED USE AND DEVELOPMENT - EXTENSION TO SHOWROOM AND SIGNAGE (BULKY GOODS SALES) - 209-215 MAIN ROAD DERWENT PARK

Author: Planning Officer (Grace Paisley)
 Qualified Person: Planning Officer (Grace Paisley)
 Property ID: 1924037

REPORT SUMMARY

Application No.:	PLN-21-550
Applicant:	Artas Architects
Owner:	North Hobart Investments Pty Ltd
Zone:	Commercial Zone
Use Class	Bulky Goods Sales
Application Status:	Discretionary
Discretions:	<p style="text-align: center;">17.4.6 Landscaping (P1)</p> <p style="text-align: center;">C1.6.1 Design and siting of signs (P1 & P3)</p> <p style="text-align: center;">C1.6.2 Illuminated signs (P1)</p> <p style="text-align: center;">C2.5.2 Bicycle parking numbers (P1)</p> <p style="text-align: center;">(The proposal meets all other applicable standards as demonstrated in the attached appendices)</p>
Level 2 Activity?	No
42 Days Expires:	25 January 2022
Existing Land Use:	Bulky Goods Sales
Representations:	0
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL

PROPOSAL

The application proposed an extension, alterations and signage to an existing car sales use at 209-215 Main Road, Derwent Park.

The extension would be in the form of a 265.41sqm showroom which would be utilised as a car dealership showroom. The extension would be located on the northern side of the existing showroom with a setback of 23.25m from Main Road (figure 1). The extension would have a maximum height of 5.2m above existing ground level.



Figure 1: Proposed site plan. Area of proposed works shown in yellow.

Minor external alterations are also proposed to the Volkswagen dealership on the eastern portion of the site. The alterations include demolition of the existing awning and construction of new entryway, cladding and signage (figure 2).

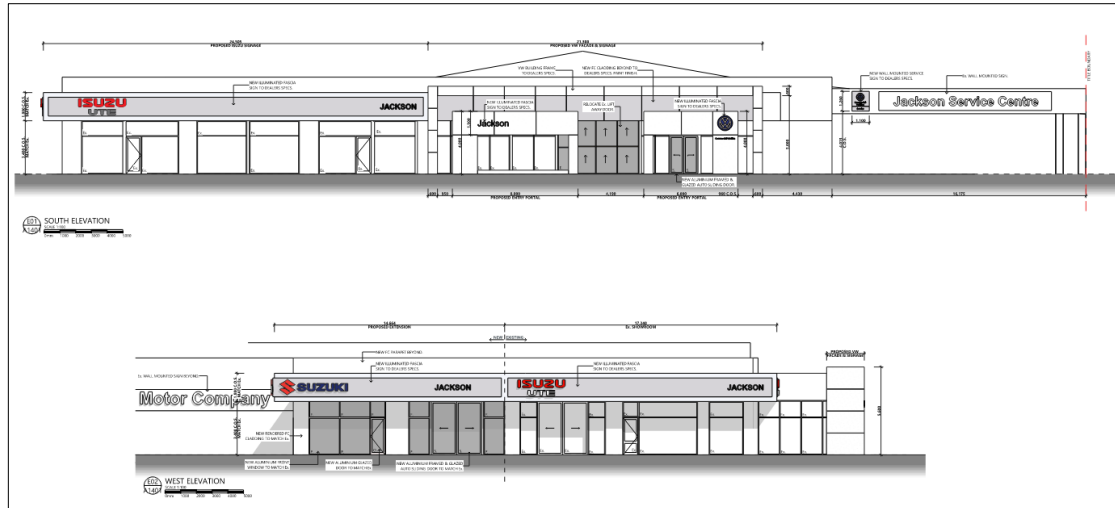


Figure 2: Proposed south and west elevations

As part of the proposal, new signage is proposed for the site. This includes illuminated signs with each dealership on the applicable building (figures 2 and 3). The signs would be illuminated from dusk to 11.00pm with a luminance level of 150.

The use would operate between the following hours:

- Monday – Friday 8.00am to 6.00pm
- Saturdays – 9.00am to 4.00pm



Figure 3: Proposed north and east elevations

SITE and LOCALITY

The site is located on the corner of the intersection of Main Road and Derwent Park Road. The site is irregular in shape with an overall area of 7764sqm. The site has a frontage of approximately 90m onto Main Road and approximately 82m onto Derwent Park Road. The site is adjoined by Council land to the rear which has approval to be used for additional car parking for the site (PLN-15-139). No works are proposed to this area as part of this application. To the north, the site is adjoined by commercial land containing multiple warehouses.

The site is currently used for a car dealership for Suzuki, Isuzu and Volkswagen, and is fully developed with showrooms, workshops, vehicle display area and car parking (figure 4). The site has access onto Main Road and Derwent Park Road.



Figure 4: Aerial image of the subject site and surrounds

ZONE

The site is located in the Commercial Zone and is adjoined by land in the Utilities Zone.

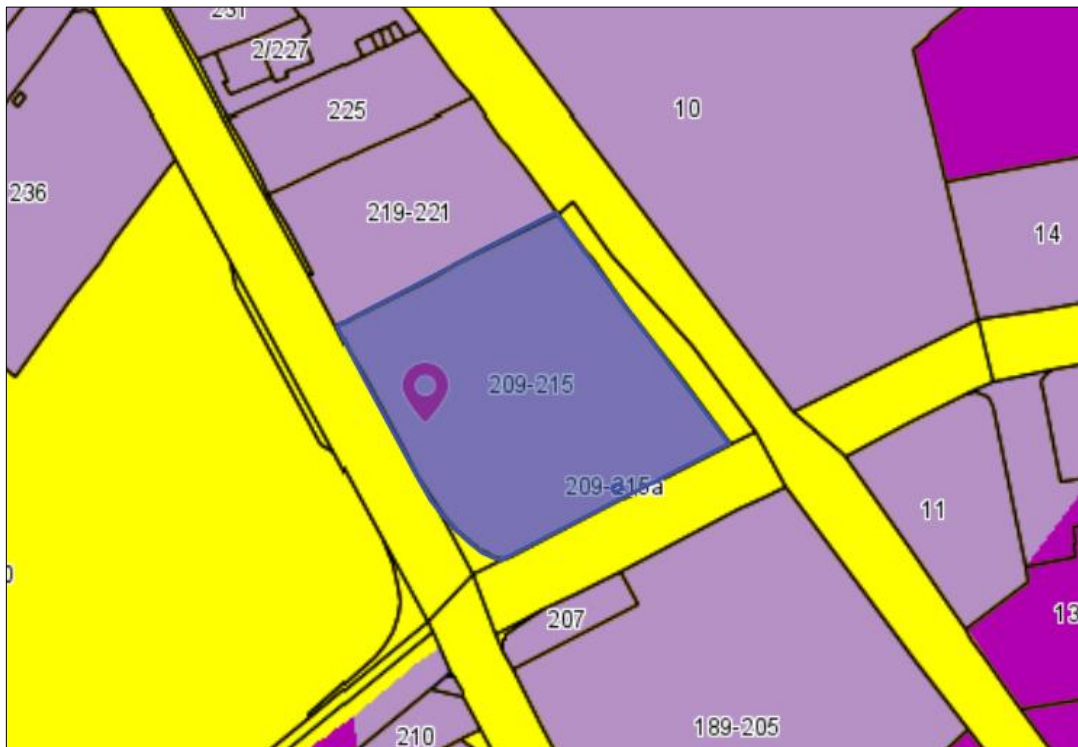


Figure 5: Zoning map of the subject site and surrounds

BACKGROUND

- PLN-08-0296 Sales and hire premises requiring a variation to car parking requirement and associated business identification signage - Approved
- PLN-10-041 New business identification signage - Approved
- PLN-13-117 Extension to existing Sales & Hire premises - Approved
- PLN-15-139 New parking area (sales & hire premises) - Approved

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.

TASMANIAN PLANNING SCHEME - GLENORCHY 2021

State Planning Provisions (SPP)

Administration

Exemptions (Tables 4.1 – 4.6)

Nil.

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

A general provision, SAP or Code provision does not override Zone provisions in this assessment.

Use Class Description (Table 6.2):

Bulky Goods Sales means use of land for the sale of heavy or bulky goods which require a large area for handling, storage and display. Examples include garden and landscaping materials suppliers, rural suppliers, timber yards, trade suppliers, showrooms for furniture, electrical goods and floor coverings, and motor vehicle, boat or caravan sales.

Other relevant definitions (Clause 3.0):

Applicable standard means as defined in subclause 5.6.2, 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:

- (i) a zone;
 - (ii) an area to which a specific plan relates, or
 - (iii) an area to which a site-specific qualification applies, or
- (b) the proposed use or development is a use or development to which a relevant code applies; and
- (c) 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.

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

General Provisions

There are no applicable general provisions of the Scheme.

Zones

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

Zone Purpose Statements

17.1.1 To provide for retailing, service industries, storage and warehousing that require:

- (a) large floor or outdoor areas for the sale of goods or operational requirements; and*
- (b) high levels of vehicle access and parking for customers.*

17.1.2 To provide for a mix of use and development that supports and does not compromise or distort the role of other activity centres in the activity centre hierarchy.

Comment:

The proposed extension to the use of the land for Bulky Goods Sales is in keeping with the purpose statements of the Commercial Zone. The use provides a retail service which requires a large floor area and outdoor area for the storage and display of vehicles for sale, and high levels of vehicle access and parking for customers. The proposal would not compromise or distort the role of other activity centres, noting a use of this nature could not be located within the central business district.

Use Table

Bulky Goods Sales is a 'permitted' use in the Commercial Zone. However, the application is discretionary as it relies on performance criteria to comply with applicable standards.

Use Standards

The proposal complies with all applicable use standards as demonstrated in the attached Appendix.

Development Standards for Buildings or Works

17.4.6 Landscaping (P1)

Landscaping is only provided along the frontages to a depth of 1.5m due to the existing development on the site. The proposal must therefore be assessed against the performance criteria which states if a building is setback from a road, landscaping treatment must be provided along the frontage of the site, having regard to:

- (a) the width of the setback;*
- (b) the width of the frontage;*
- (c) the topography of the site;*
- (d) existing vegetation on the site;*
- (e) the location, type and growth of the proposed vegetation; and*
- (f) the character of the streetscape and surrounding area.*

Comment:

Landscaping treatment is provided along the length of the frontages, except for where vehicular access is provided. The landscaping is to a depth of 1.5m and is established on the site. The existing landscaping is considered acceptable given the existing development of the site and the character of the streetscape which has limited landscaping.

The proposal is assessed as complying with the performance criteria and meeting the standard.

Codes

The following codes of the Scheme apply to this proposal:

C1.0 Signs Code

C1.6.1 Design and siting of signs (P1)

The acceptable solution for this standard requires a sign to meet the sign standards for the relevant sign type set out in Table C1.6. Table C1.6 states that for building fascia signs, they must not exceed two thirds the depth of the fascia and must not exceed 1m in vertical dimension. As the signs exceed these dimensions, it does not comply with the acceptable solution and must be assessed against the performance criteria. The performance criteria for this standard states a sign must:

- (a) be located within an applicable zone for the relevant sign type as set out in Table C1.6; and*
- (b) be compatible with the streetscape or landscape, having regard to:*
 - (i) the size and dimensions of the sign;*
 - (ii) the size and scale of the building upon which the sign is proposed;*
 - (iii) the amenity of surrounding properties;*
 - (iv) the repetition of messages or information;*
 - (v) the number and density of signs on the site and on adjacent properties;*
and
 - (vi) the impact on the safe and efficient movement of vehicles and pedestrians.*

Comment:

The signage proposed is defined as building fascia signs in the Signs Code. Building fascia signs are permitted in the Commercial Zone in accordance with point (a).

The signage would be compatible with the streetscape which is characterised by bulky goods retailers such as Harvey Norman and car dealerships. The signage has been designed to be an appropriate size and scale for the building by fitting on the fascia. The signage would not result in an unreasonable repetition of messages or information with the signs containing the same information, located to draw the attention from different street perspectives rather than facing the same way. The signs are wholly contained within the site therefore would not impact on the safe and efficient movement of vehicles and pedestrians.

The proposal is assessed as complying with the performance criteria and meeting the standard.

C1.6.1 Design and siting of signs (P3)

The acceptable solution for this standard only allows one of each sign type per business. As the proposed signs are all building fascia signs and more than one are proposed per business, the proposal does not comply with acceptable solution A3. The proposal must be assessed against the performance criteria which states the number of signs for each business or tenancy on a street frontage must:

- (a) not unreasonably increase in the existing level of visual clutter in the streetscape, and where possible, reduce any existing visual clutter in the streetscape by replacing existing signs with fewer, more effective signs; and*
- (b) not involve the repetition of messages or information.*

Comment:

The number of signs for each business would not unreasonably increase the existing level of visual clutter in the streetscape or involve repetition of messages and information. The signs have been designed to ensure the business is easily identifiable to passers by through promoting the branding and business name on each frontage to an acceptable level. The signs containing the same information such as the car brand name, have been located to attract the attention of passers by from different perspectives rather than to repeat the same message.

The proposal is assessed as complying with the performance criteria and meeting the standard.

C1.6.2 Illuminated signs (P1)

There is no acceptable solution for this standard. Therefore, the proposal must be assessed against the performance criteria which states an illuminated sign must not cause an unreasonable loss of amenity to adjacent properties or have an unreasonable effect on the safety, appearance or efficiency of a road, and must be compatible with the streetscape, having regard to:

- (a) the location of the sign;*
- (b) the size of the sign;*
- (c) the intensity of the lighting;*
- (d) the hours of operation of the sign*
- (e) the purpose of the sign;*
- (f) the sensitivity of the area in terms of view corridors, the natural environment and adjacent residential amenity;*
- (g) the intended purpose of the changing message of the sign;*
- (h) the percentage of the sign that is illuminated with changing messages;*

- (i) *proposed dwell time; and*
- (j) *whether the sign is visible from the road and if so the proximity to and impact on an electronic traffic control device.*

Comment:

The illuminated signage would not cause an unreasonable loss of amenity to adjacent properties or have an unreasonable effect on the safety, appearance or efficiency of the road. The site is located within an established commercial area where illuminated signs are common. The signs would be well setback from the frontage and not located near any residential uses. The signs would only be illuminated between dusk and 11.00pm and would not contain any moving parts or animation.

Although the signs are located close to the intersection of Main Road and Derwent Park Road which has electronic traffic control, the signs are well setback from the traffic lights and would be clearly distinguishable from the traffic lights due to the design and colours.

The proposal is assessed as complying with the performance criteria and meeting the standard.

C2.0 Parking and Sustainable Transport Code

With the proposed extension, there would be a total floor area of 3368.18sqm. Table C2.1 Parking Space Requirements states the car parking rate for Bulky Goods Sales is 1 space per 100m² of display, storage and workshop floor area. Based on this 34 (rounded up from 33.68) car parking spaces are required to comply with Clause C2.5.1 Car parking numbers. The site plan provided demonstrates the site has in excess of 34 car parking spaces (not including the additional spaces on Council land) and therefore complies with acceptable solution A1 for Clause C2.5.1 Car parking numbers.

C2.5.2 Bicycle parking numbers (P1)

Under the Code, one (1) bicycle parking space is required per 500sqm of floor area. The proposal results in a 265.41sqm increase in floor area therefore triggering the requirement for one (1) space. The applicant has not provided the space. The performance criteria states bicycle parking spaces must be provided to meet the reasonable needs of the use, having regard to:

- (a) *the likely number of users of the site and their opportunities and likely need to travel by bicycle; and*
- (b) *the availability and accessibility of existing and any planned parking facilities for bicycles in the surrounding area.*

Comment:

The shortfall of one (1) bicycle space is considered acceptable in this instance given the site is already fully developed, is provided with a surplus of car parking spaces and is located within Main Road where there is high frequency public transport. The use of the land for a car dealership makes it unlikely there would be a demand for parking facilities for bicycles. In the instance where a person does utilise a bicycle, the site is fully sealed and there would be sufficient room for persons to park bicycles on the site.

The proposal is assessed as complying with the performance criteria and meeting the standard.

C3.0 Road and Railway Assets Code

The application was referred to Council's Development Engineer who is satisfied the proposal complies with the acceptable solutions of the applicable standards. This is demonstrated in the attached Appendix.

State Planning Provisions - Applied, Adopted or Incorporated Documents

N/A

Glenorchy Local Provisions Schedule (GLPS)

Local Area objectives

There are no applicable local area objectives.

Particular Purpose Zones

The site is not located in a particular purpose zone.

Specific Area Plans

The site is not affected by a specific area plan.

GLE-Site Specific Qualifications

No site specific qualifications apply to this site.

GLE-Code lists

None applicable.

GLE-Applied, Adopted and Incorporated Document

None applicable.

INTERNAL REFERRALS

Development Engineer

The development application seeks an approval to extend the showroom and install signage.

C2.0 Parking and Sustainable Transport Code

The development complies with the Code and is considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected. There are no additional car parking spaces required for the proposed development. According to the Scheme, 1 bicycle parking space is required. The applicant is not proposing any bicycle parking spaces however considering the existing use, the increase in floor area and the area available to park within the site; the performance criteria are considered satisfied.

C3.0 Road and Railway Assets Code

The proposed development is not expected to increase vehicle movements over 20% or 40 vehicle trips per day. The site can be accessed off the existing vehicle crossings, and no new access is proposed. Therefore, the proposed development complies with the code requirements.

Other

C7.0 Natural Assets Code

There are no Natural assets issues identified through Council's records that affect the application.

C12.0 Flood-Prone Areas Hazard Code

There are no Flooding issues identified through Council's records that affect the application.

C15.0 Landslide Code

There are no landslide issues identified through Council's records that affect the application.

EXTERNAL REFERRALS

TasWater

Pursuant to the *Water and Sewerage Industry Act 2008* (TAS) Section 56P(1) TasWater has assessed the application for the above mentioned permit and has determined that the proposed development does not require a submission from TasWater.

TasNetworks

Based on the information provided, the development is not likely to adversely affect TasNetworks' operations.

TasGas

The site is partially located in a declared gas pipeline planning corridor. Tas Gas has no conditions or objections to the development application.

REPRESENTATIONS

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

CONCLUSION

The proposal is relying on the performance criteria to comply with applicable standards. The proposal is assessed as satisfying the performance criteria and complies with those standards. The proposal is assessed as complying with all other subdivision standards of the Commercial Zone, as well as the applicable standards of the Signs Code, Parking and Sustainable Transport Code and Road and Railway Assets Code.

The application was publicly advertised for the statutory 14-day period and no representations were received. It is concluded that the proposal is consistent with the Scheme's zone purpose statements and is satisfactory.

Recommendation:

That a permit be granted for the proposed use and development of 209-215 Main Road Derwent Park subject to the following conditions:

Planning

1. Use and development must be substantially in accordance with planning permit application No. PLN-21-550 and Drawings submitted on 18/10/2021 (4 pages), except as otherwise required by this permit.
2. The illuminated signs must not create the effect of flashing, animation, or movement.

Engineering

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

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

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

Advice: For further information please refer to the Soil and Water Management Fact Sheets published by the Department of Primary Industries, Parks Waters and Environment. These are available from Council or online at www.derwentestuary.org.au

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 Tasmanian Planning Scheme - Glenorchy. 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 6216 6800.

Attachments/Annexures

- 1 GPA Attachment - 209-215 Main Rd Derwent Park

APPENDIX**17.0 Commercial Zone**

Standard	Acceptable Solution	Proposed	Complies?
17.3 Use Standards			
17.3.1 All uses	A1 Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, must be within the hours of: (a) 7.00am to 9.00pm Monday to Saturday; and (b) 8.00am to 9.00pm Sunday and public holidays.	The site is not located within 50m of a residential zone.	N/A
	A2 External lighting for a use, excluding Natural and Cultural Values Management or Passive Recreation, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, must: (a) not operate within the hours of 11.00pm to 6.00am, excluding any security lighting; and (b) if for security lighting, be baffled so that direct light does not extend into the adjoining property in those zones.	The site is not located within 50m of a residential zone.	N/A
	A3 Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, must be within the hours of:	The site is not located within 50m of a residential zone.	N/A

Standard	Acceptable Solution	Proposed	Complies?
	(a) 7.00am to 9.00pm Monday to Saturday; and (b) 8.00am to 9.00pm Sunday and public holidays.		
17.3.2 Discretionary uses	A1 No Acceptable Solution.	Bulky Goods Sales is a permitted use in the Commercial Zone.	NA
17.3.3 Retail impact	A1 The gross floor area for Bulky Goods Sales must be not less than 250m ² per tenancy, unless the use relies on more than 50% of the site area for outdoor display of goods for sale.	All three tenancies exceed 250sqm each.	Yes
17.4 Development Standards for Buildings and Works			
17.4.1 Building height	A1 Building height must be not more than 12m.	Proposed height of 5.2m.	Yes
	A2 Building height: (a) within 10m of a General Residential Zone, Low Density Residential Zone, or Rural Living Zone must be not more than 8.5m; or (b) within 10m of an Inner Residential Zone must be not more than 9.5m.	The extension is not located within 10m of a residential zone.	N/A
17.4.2 Setbacks	A1 Buildings must have a setback from a frontage of: (a) not less than 5.5m; (b) not less than existing buildings on the site; or	The extension is proposed to have a setback to match the existing buildings on the site which is 23.25m from the Main Road frontage and behind the existing buildings fronting Derwent Park Road.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(c) not more or less than the maximum and minimum setbacks of the buildings on adjoining properties.		
	<p>A2</p> <p>Buildings must have setback from an adjoining property within a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone of not less than:</p> <p>(a) 4m; or</p> <p>(b) half the wall height of the building, whichever is the greater.</p>		N/A
	<p>A3</p> <p>Air extraction, pumping, refrigeration systems or compressors must be separated a distance of not less than 10m from the General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone. [S24]</p>	The nearest residential zone is located over 100m from the site.	Yes
<p>17.4.3</p> <p>Design</p>	<p>A1</p> <p>Buildings must be designed to satisfy all the following:</p> <p>(a) provide a pedestrian entrance to the building that is visible from the road or publicly accessible areas of the site;</p> <p>(b) mechanical plant and other service infrastructure, such as heat pumps, air conditioning units, switchboards, hot water units and the like, must be screened from the street and other public places;</p> <p>(c) roof-top mechanical plant and service infrastructure, excluding lift structures, must be contained within the roof or screened from public spaces and adjoining properties;</p>	<p>(a) The pedestrian entrance to the building would be clearly visible from the road and publicly accessible areas due to the large size of the entrance.</p> <p>(b) None visible.</p> <p>(c) None visible.</p> <p>(d) No security shutters or grilles proposed.</p> <p>(e) Awning over a public footpath does not exist on the site or adjoining properties.</p> <p>(f) Existing lighting for parking areas.</p>	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(d) not include security shutters or grilles over windows or doors on a façade facing the frontage or other public places; (e) provide awnings over a public footpath if existing on the site or on adjoining properties; and (f) provide external lighting to illuminate external vehicle parking areas and pathways.		
17.4.4 Fencing	A1 No Acceptable Solution. [S25]. Footnotes [S25] An exemption applies for fences in this zone – see Table 4.6.	No fencing proposed.	N/A
	A2 Common boundary fences with a property in a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, if not within 4.5m of a frontage, must: (a) have a height above existing ground level of not more than 2.1m; and (b) not contain barbed wire. ²		N/A
17.4.5 Outdoor storage areas	A1 Outdoor storage areas, excluding for the display of goods for sale, must not be visible from any road or public open space adjoining the site.	The only outdoor storage areas proposed are for the display of vehicles.	Yes
17.4.6 Landscaping	A1 If a building is set back from a road, landscaping treatment must be provided along the frontage of the site: (a) to a depth of not less than 5.5m; or	The landscaping along the front of the site is existing to a depth of 1.5m.	No

Standard	Acceptable Solution	Proposed	Complies?
	(b) not less than the frontage of an existing building if it is a lesser distance.		
<p style="text-align: center;">17.5 Development Standards for Subdivision</p> <p style="text-align: center;">Not applicable.</p>			

APPENDIX

C1.0 Signs Code

Standard	Acceptable Solution	Proposed	Complies?
C1.6 Development Standards for Buildings and Works			
C1.6.1 Design and siting of signs	<p>A1</p> <p>A sign must:</p> <p>(a) be located within the applicable zone for the relevant sign type set out in Table C1.6; and</p> <p>(b) meet the sign standards for the relevant sign type set out in Table C1.6,</p> <p>excluding for the following sign types, for which there is no Acceptable Solution:</p> <p>(i) roof sign;</p> <p>(ii) sky sign; and</p> <p>(iii) billboard.</p>	The signs do not comply with the sign standards set out in Table C1.6.	No
	<p>A2</p> <p>A sign must be not less than 2m from the boundary of any lot in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone, Rural Living Zone or Landscape Conservation Zone.</p>	The site does not adjoin any of these zones.	N/A
	<p>A3</p> <p>The number of signs for each business or tenancy on a road frontage of a building must be no more than:</p> <p>(a) 1 of each sign type, unless otherwise stated in Table C1.6;</p> <p>(b) 1 window sign for each window;</p>	More than 1 of each sign type is proposed for the tenancies.	No

Standard	Acceptable Solution	Proposed	Complies?
	(c) 3 if the street frontage is less than 20m in length; and (d) 6 if the street frontage is 20m or more, excluding the following sign types, for which there is no limit: (i) name plate; and (ii) temporary sign.		
	A4 An illuminated sign must not be located within 30 metres of a residential use, except if a Statutory Sign.	The site is not located near any residential uses.	Yes
C1.6.2 Illuminated signs	A1 No Acceptable Solution.	No acceptable solution.	No
	A2 An illuminated sign visible from public places in adjacent roads must not create the effect of flashing, animation or movement, unless it is providing direction or safety information.	The illuminated signage would not have any flashing, animation or movement.	Yes
C1.6.3 Third party sign	No Acceptable Solution.	No third party signs proposed.	N/A
C1.6.4 Signs on local heritage places and in local heritage precincts and local historic landscape precincts	A1 A sign located on a site that is a local heritage place, in a local heritage precinct or local historic landscape precinct listed under the Local Historic Heritage Code, must: (a) be not more than 0.2m ² ; (b) not be an illuminated sign; and (c) there must be not more than 1 sign per site.	The site is not heritage listed.	N/A

APPENDIX

C2.0 Parking and Sustainable Transport Code

Standard	Acceptable Solution	Proposed	Complies?
C2.5 Use Standards			
<p>C2.5.1 Car parking numbers</p>	<p>A1 The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if:</p> <ul style="list-style-type: none"> (a) 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; (b) the site is contained within a parking precinct plan and subject to Clause C2.7; (c) the site is subject to Clause C2.5.5; or (d) it relates to an intensification of an existing use or development or a change of use where: <ul style="list-style-type: none"> (i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or (ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows: $N = A + (C - B)$ 	<p>No change to the existing parking arrangements</p>	<p>Yes</p>

Standard	Acceptable Solution	Proposed	Complies?
	<p>N = Number of on-site car parking spaces required</p> <p>A = Number of existing on site car parking spaces</p> <p>B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1</p> <p>C= Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.</p>		
<p>C2.5.2 Bicycle parking numbers</p>	<p>A1 Bicycle parking spaces must:</p> <p>(a) be provided on the site or within 50m of the site; and</p> <p>(b) be no less than the number specified in Table C2.1.</p>	<p>1 space required. Performance criteria is satisfied.</p>	<p>No</p>
<p>C2.5.3 Motorcycle parking numbers <i>This applies to:</i> <i>Business and Professional Services;</i> <i>Community Meeting and Entertainment;</i> <i>Custodial Facility;</i> <i>Crematoria and Cemeteries;</i> <i>Educational and Occasional Care;</i> <i>Food Services;</i> <i>General Retail and Hire;</i> <i>Hospital Services;</i> <i>Hotel Industry;</i> <i>Pleasure Boat Facility;</i> Residential if for a communal residence, multiple dwellings or hostel use;</p>	<p>A1 The number of on-site motorcycle parking spaces for all uses must:</p> <p>(a) be no less than the number specified in Table C2.4; and</p> <p>(b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained.</p>	<p>Not required</p>	<p>NA</p>

Standard	Acceptable Solution	Proposed	Complies?
<i>Sports and Recreation; and Tourist Operation.</i>			
C2.5.4 Loading bays <i>This applies to:</i> <i>Bulky Goods Sales;</i> <i>General Retail and Hire;</i> <i>Manufacturing and Processing;</i> <i>and</i> <i>Storage.</i>	A1 A loading bay must be provided for uses with a floor area of more than 1000m ² in a single occupancy.	Not required	NA
C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential Zone <i>This applies to:</i> <i>Business and Professional Services;</i> <i>Community Meeting and Entertainment;</i> <i>Educational and Occasional Care;</i> <i>Emergency Services;</i> <i>Food Services;</i> <i>General Retail and Hire;</i> <i>Sports and Recreation; and</i> <i>Utilities, if not for minor utilities.</i>	A1 Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for: (a) Food Services uses up to 100m ² floor area or 30 seats, whichever is the greater; and (b) General Retail and Hire uses up to 100m ² floor area, provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone.	Not required	NA
C2.6 Development Standards for Building Works			
C2.6.1 Construction of parking areas	A1 All parking, access ways, manoeuvring and circulation spaces must: (a) be constructed with a durable all weather pavement; (b) be drained to the public stormwater system, or contain stormwater on the site; and		NA

Standard	Acceptable Solution	Proposed	Complies?
	(c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.		
C2.6.2 Design and layout of parking areas	<p>A1.1 Parking, access ways, manoeuvring and circulation spaces must either:</p> <p>(a) comply with the following:</p> <ul style="list-style-type: none"> (i) have a gradient in accordance with <i>Australian Standard AS 2890 - Parking facilities, Parts 1-6</i>; (ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces; (iii) have an access width not less than the requirements in Table C2.2; (iv) have car parking space dimensions which satisfy the requirements in Table C2.3; (v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces; (vi) have a vertical clearance of not less than 2.1m above the parking surface level; and 		NA

Standard	Acceptable Solution	Proposed	Complies?
	<p>(vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or</p> <p>(b) comply with <i>Australian Standard AS 2890- Parking facilities, Parts 1-6.</i></p> <p>A1.2 Parking spaces provided for use by persons with a disability must satisfy the following:</p> <p>(a) be located as close as practicable to the main entry point to the building;</p> <p>(b) be incorporated into the overall car park design; and</p> <p>(c) be designed and constructed in accordance with <i>Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities.</i> [S35]</p>		
<p>C2.6.3 Number of accesses for vehicles</p>	<p>A1 The number of accesses provided for each frontage must:</p> <p>(a) be no more than 1; or</p> <p>(b) no more than the existing number of accesses,</p> <p>whichever is the greater.</p>	<p>No change</p>	<p>Yes</p>
	<p>A2 Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.</p>		<p>NA</p>
<p>C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone</p>	<p>A1 In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roads and pedestrian paths serving 5 or more car parking spaces, which are used outside</p>		<p>NA</p>

Standard	Acceptable Solution	Proposed	Complies?
	<p>daylight hours, must be provided with lighting in accordance with Clause 3.1 “Basis of Design” and Clause 3.6 “Car Parks” in <i>Australian Standard/New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements</i>.</p>		
<p>C2.6.5 Pedestrian access</p>	<p>A1.1 Uses that require 10 or more car parking spaces must:</p> <ul style="list-style-type: none"> (a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by: <ul style="list-style-type: none"> (i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or (ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and (b) be signed and line marked at points where pedestrians cross access ways or parking aisles. <p>A1.2 In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.</p>		<p>NA</p>
<p>C2.6.6 Loading bays</p>	<p>A1 The area and dimensions of loading bays and access way areas must be designed in accordance with <i>Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Offstreet commercial vehicle facilities</i>, for the type of vehicles likely to use the site.</p>		<p>NA</p>

Standard	Acceptable Solution	Proposed	Complies?
	<p>A2 The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward direction in accordance with <i>Australian Standard AS 2890.2 – 2002, Parking Facilities, Part 2: Parking facilities Offstreet commercial vehicle facilities.</i></p>		NA
<p>C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone</p>	<p>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.</p>		NA
	<p>A2 Bicycle parking spaces must:</p> <ul style="list-style-type: none"> (a) have dimensions not less than: <ul style="list-style-type: none"> (i) 1.7m in length; (ii) 1.2m in height; and (iii) 0.7m in width at the handlebars; (b) have unobstructed access with a width of not less than 2m and a gradient not steeper than 5% from a road, cycle path, bicycle lane, shared path or access way; and (c) include a rail or hoop to lock a bicycle that satisfies <i>Australian Standard AS 2890.3-2015 Parking facilities - Part 3: Bicycle parking.</i> 		NA
<p>C2.6.8 Siting of parking and turning areas</p>	<p>A1 Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking</p>		NA

Standard	Acceptable Solution	Proposed	Complies?
	<p>spaces and vehicle turning areas, including garages or covered parking areas must be located behind the building line of buildings, excluding if a parking area is already provided in front of the building line.</p> <p>A2 Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must:</p> <ul style="list-style-type: none"> (a) have no new vehicle accesses, unless an existing access is removed; (b) retain an active street frontage; and (c) not result in parked cars being visible from public places in the adjacent roads. 		NA
C2.7 Parking Precinct Plan			
<p>C2.7.1 Parking Precinct Plan</p>	<p>A1 Within a parking precinct plan, onsite parking must:</p> <ul style="list-style-type: none"> (a) not be provided; or (b) not be increased above existing parking numbers. 		NA

Footnotes

[S35] Requirements for the number of accessible car parking spaces are specified in part D3 of the National Construction Code 2016.

APPENDIX

C3.0 Road and Railway Assets Code

Standard	Acceptable Solution	Proposed	Complies?
C3.5 Use Standards			
<p>C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction</p>	<p>A1.1 For a category 1 road or a limited access road, vehicular traffic to and from the site will not require:</p> <ul style="list-style-type: none"> (a) a new junction; (b) a new vehicle crossing; or (c) a new level crossing. <p>A1.2 For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority.</p> <p>A1.3 For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.</p> <p>A1.4 Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:</p> <ul style="list-style-type: none"> (a) the amounts in Table C3.1; or 	<p>Vehicular traffic is not expected to increase by 20% AADT.</p>	<p>Yes</p>

Standard	Acceptable Solution	Proposed	Complies?
	<p>(b) allowed by a licence issued under Part IVA of the <i>Roads and Jetties Act 1935</i> in respect to a limited access road.</p> <p>A1.5 Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>		
C3.6 Development Standards for Buildings and Works			
<p>C3.6.1 Habitable buildings for sensitive uses within a road or railway attenuation area</p>	<p>A1 Unless within a building area on a sealed plan approved under this planning scheme, habitable buildings for a sensitive use within a road or railway attenuation area, must be:</p> <p>(a) within a row of existing habitable buildings for sensitive uses and no closer to the existing or future major road or rail network than the adjoining habitable building;</p> <p>(b) an extension which extends no closer to the existing or future major road or rail network than:</p> <p style="padding-left: 20px;">(i) the existing habitable building; or</p> <p style="padding-left: 20px;">(ii) an adjoining habitable building for a sensitive use;</p> <p>(c) located or designed so that external noise levels are not more than the level in Table C3.2 measured in accordance with Part D of the <i>Noise Measurement Procedures Manual, 2nd edition, July 2008</i>.</p>		<p>NA</p>

Standard	Acceptable Solution	Proposed	Complies?
C3.7 Development Standards for Subdivision			
C3.7.1 Subdivision for sensitive uses within a road or railway attenuation area	A1 A lot, or a lot proposed in a plan of subdivision, intended for a sensitive use must have a building area for the sensitive use that is not within a road or railway attenuation area.		NA

6. PLANNING SCHEME AMENDMENT TO REVISE THE WATERWAY AND COASTAL PROTECTION AREAS OVERLAY AND ADD NEW AREAS TO THE FLOOD PRONE HAZARD AREAS OVERLAY – VARIOUS PROPERTIES

Author: Senior Strategic Planner (Lyndal Byrne)
 Qualified Person: Senior Strategic Planner (Lyndal Byrne)
 Property ID: 265478

REPORT SUMMARY

Application No.:	PLAM-21/03
Applicant:	Prepared by Council Officers
Owner:	Various
Existing Zoning:	Various
Existing Land Use:	Various
Proposal in Brief:	<p>To seek approval to prepare a planning scheme amendment and place it on exhibition.</p> <p>The amendment reduces the width of the Waterway and Coastal Protection Areas Overlay to align with the text of the Natural Assets Code and adds new areas to the Flood-Prone Hazards Areas Overlay.</p> <p>The overlays apply throughout the municipality.</p>
Representations:	Advertising occurs after amendment is prepared
Recommendation:	Prepare and certify amendment, and exhibit for 28 days

REPORT IN DETAIL

EXECUTIVE SUMMARY

The draft amendment is generally in accordance with the requirements of *Land Use Planning and Approvals Act 1993* (LUPAA), and it is recommended that it be prepared.

The amendment will ensure the planning scheme maps contain the most up-to-date information and reflect the requirements in the written part of the planning scheme.

The social, economic, and environmental benefits of the proposal are:

- Identification, through modelling, of areas prone to flooding.
- Reduction in costs for applicants, by providing updated mapping, which indicates which properties are impacted by these values and hazards.
- Protection of the environmental values of waterways by mapping the current alignment of watercourses.

The social, economic, and environmental consequences of the proposal are:

- While the maps are based on the most up to date information and best practice modelling was used, unknown factors may impact the data. However, as the Glenorchy Local Provisions Schedule is required to be reviewed every 5 years, negative impacts should be mitigated.

On balance, the proposal is considered to be a fair, orderly and sustainable amendment to the planning scheme, and it is recommended that the planning authority prepare the amendment.

The report provides details of the amendment and the site. The strategic outcomes of the proposal are outlined, having regard to matters of local, regional and then State importance. The report ends with a discussion of the degree of compliance with legislative requirements.

If prepared, the following two outcomes must occur:

- The amendment is exhibited for at least 28 days.
- The Tasmanian Planning Commission (the Commission) will decide whether to approve the amendment, approve the amendment with modifications or reject the amendment.

If the planning authority resolves not to prepare the amendment, the applicant can appeal the decision to the Commission. (It is noted that the amendment has been prepared by Council officers)

Any representations to the amendment will be considered at a future Glenorchy Planning Authority meeting, where modifications can be recommended. In response to the representations, the Planning Authority could also recommend that the Commission does not approve the amendment.

If no representations are received, the senior planning staff have delegation to forward a report to that effect to the Commission.

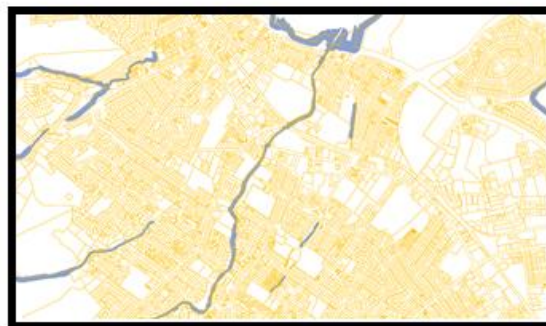
The Commission will assess and decide on the amendment based on the issues raised in the representations and the outcomes of any hearings it may hold.

PROPOSED PLANNING SCHEME AMENDMENTThe amendment seeks to update two existing Code overlay maps in the Glenorchy Local Provision Schedule (Glenorchy LPS):

- **Waterway and Coastal Protection Areas Overlay under C7.0 Natural Assets Code**
The existing maps are modified so that the width of the buffer areas around waterways and coastal protection areas is reduced to 10m either side of a watercourse or coastal protection area that is within or adjoins an urban zone (ie the zones listed in Table C7.3 Spatial Extent of Waterway and Coastal Protection Areas) and is removed from piped waterways – see Figure 1.



Extract of current Waterway and Coastal Protection Overlay



Extract of draft Waterway and Coastal Protection Overlay

Figure 1 – comparison of current and draft overlay

The revised mapping also reflects the correct course of some waterways, see Figure 2, as the State guidance maps used for the existing mapping appears to be out of date.



Current alignment of the waterway buffer

Correct alignment of the waterway buffer

Figure 2 Corrected alignment of the buffer to follow the watercourse

It is noted that representations were received on the width of the buffer area along Roseneath Rivulet during the exhibition of the Glenorchy LPS. The buffer was reduced as a result of these representations and approved under the new scheme. The new maps reflect these changes.

- Flood-Prone Areas Hazard Overlay

The Flood-Prone Areas Hazard Overlay maps are amended to include flood prone areas identified by recent flood studies and modelling by Councils Hydraulics engineers.

The flood studies have been undertaken in line with the national guidelines for flood modelling in Australia [*Australian Rainfall and Runoff: A Guide to Flood Estimation*, Commonwealth of Australia (Geoscience Australia), 2019]. Computer models were run using historical flood data, which enabled the extent of urban flooding for a range of flood events, including flood scenarios related to climate change, to be estimated. Rural catchment areas were not assessed.

Draft maps were put on informal consultation from 1 July to 28 July 2021. There were no issues raised during this comment period. The maps however were reviewed, and further filtering parameters adopted to:

- Remove all inundated area with water depth less than 50mm and with DV (depth times velocity) less than 0.008 m²/s
 - Remove all separate 'puddles' with an area of 100m² or smaller.

This has reduced the extent of the area shown as flood-prone in the informally exhibited maps.

The CBD catchment area (Barossa Creek, Humphreys Rivulet and Little John Creek) was approved as part of the Glenorchy LPS and already forms part of the planning scheme. However, it is recommended that the full extent of the flood maps be exhibited to minimise confusion, as exhibiting the new maps without the existing CBD area may imply that area is not impacted by flooding.

Both map series are included in **Attachment 1** – Amendment Documents.

SITE AND LOCALITY: Site characteristic and adjoining land

Both the Flood-Prone Hazard Area maps and the Waterway and Coastal Protection Area maps apply to numerous properties across the municipality.

Infrastructure

The Waterways and Coastal Protection Areas maps will not impact on Council or State infrastructure as the purpose of the Code is to minimise potential impacts on natural values of the watercourse.

The identification of flood prone areas, while a requirement of the Tasmanian Planning Scheme, is also an outcome of Council's stormwater management plan developed under the *Urban Drainage Act 2013*.

The identification of flood-prone hazard areas seeks to ensure that buildings and works within a flood-prone hazard area can achieve and maintain a tolerable risk from flood, and that they will not increase the risk of flood to adjacent land and public infrastructure. In this regard, identifying flood-prone hazard areas, will assist in the protection of council infrastructure.

Environmental, social, and economic values relevant to the land

The revisions to the Waterway and Coastal Protection Area maps will ensure that biodiversity values are appropriately protected.

BACKGROUND: During the Panel hearing on the Glenorchy LPS, the Tasmanian Planning Commission (the Commission) indicated that its preference for mapping the Waterway and Coastal Protection Overlay was for the maps to reflect the widths outlined in Table C7.3 Spatial Extent of Waterway and Coastal Protection Areas. This new approach was introduced after the Glenorchy LPS had been exhibited. The Commission subsequently encouraged Council to revise the overlay via a future amendment.

ASSESSMENT / STRATEGIC OUTCOMES Local Strategy, Policy and Impacts: The amendment is essentially a consequential amendment resulting from discussions with the Commission to produce mapping that matches the text of the Natural Assets Code (ie a standard watercourse buffer width for urban areas) and the implementation of outcomes from Council's stormwater management plan developed under the *Urban Drainage Act 2013*.

Revisions to the Waterways and Coastal Protection Areas mapping to realign buffer areas and correctly reflect watercourses, will also assist in protecting local environmental values.

Identifying Flood-Prone Hazard areas and revising the buffer extent of the Waterways and Coastal Protection areas furthers the objectives of Council's Strategic Plan as it creates certainty for the developers, making it clear whether they are affected by these planning scheme controls or not (see **Appendix 1** Statutory Assessment - Response to criteria requirements for Local Provisions Schedule under LUPAA).

Regional Strategy and Policy

To be approved, compliance with the *Southern Tasmania Regional Land Use Strategy 2010-2035* (STRLUS) must be demonstrated. In providing updated flood hazard mapping and ensuring natural values of watercourses are recognised through correct mapping, the amendment promotes and is consistent with the following regional policies:

- *BNV 1: Maintain and manage the region's biodiversity and ecosystems and their resilience to the impacts of climate change*
- *WR 1: Protect and manage the ecological health, environmental values and water quality of surface and groundwater, including waterways, wetlands and estuaries.*
- *WR 2 Manage wetlands and waterways for their water quality, scenic, biodiversity, tourism and recreational values.*
- *C 1: Maintain, protect and enhance the biodiversity, landscape, scenic and cultural values of the region's coast.*
- *MRH 2: Minimise the risk of loss of life and property from flooding.*

(See **Appendix 1** - Statutory Assessment - Response to criteria requirements for Local Provisions Schedule under LUPAA, for assessment of the amendment against the relevant STRLUS policies).

STATE STRATEGY AND POLICY To be approved, the amendment must be consistent with State policy. The amendment achieves the objectives of the *State Policy on Water Quality Management 1997* by ensuring that watercourses are correctly identified, and therefore managed, under the Natural Assets Code which considers the impacts of development on water quality.

Some of the mapped areas are within the coastal zone and therefore the amendment must be consistent with the *State Coastal Policy 1996*. As the Waterway and Coastal Protection Area is designed to acknowledge and protect coastal areas, it is considered that updates and corrections to the maps is consistent with the key principles of this policy.

(See **Appendix 1** Statutory Assessment - Response to criteria requirements for Local Provisions Schedule under LUPAA, for assessment of the amendment against the relevant State policies)

STATUTORY CONSIDERATIONS Section 32 of LUPAA provides for the contents of a Local Provisions Schedules, and Section 34 outlines the LPS Criteria.

The amendment utilises the tools available under the State Planning Provisions and is consistent with the requirements under *Section 8A Guideline No 1 – Local Provisions Schedule (LPS): zone and code application*.

The amendment is consistent with the criteria. **Appendix 1** - Statutory Assessment - Response to criteria requirements for Local Provisions Schedule under LUPAA, provides a detailed assessment of the amendment against the requirements of these provisions.

PUBLIC EXHIBITION The amendment affects a large number of properties in the municipality. Under the *Land Use Planning and Approvals Act Regulations 2014*, S.7(5), a planning authority is not required to formally write to land holders unless the amendment is site specific.

Significant community engagement has been undertaken in respect to both map sets:

- Informal consultation in July 2021 for the flood mapping – noting that the area displayed during that time has been reduced in the draft amendment.
- Statutory consultation during the exhibition of the Glenorchy Local Provisions Schedule (LPS) for the waterways mapping. While most areas have been reduced in the draft amendment maps, about 8 new properties are affected and about 31 have a different part of their land affected.

Consultation on the mapping will be undertaken in line with the statutory requirements (two notices in the Mercury newspaper, website updates, copies at Council offices) with letters provided to those owners/occupiers whose properties were not affected by the waterways mapping during the Glenorchy LPS exhibition.

CONCLUSION

The amendment seeks to revise and update existing maps within the planning scheme. These updates will protect local natural values, clearly identify hazards and improve consistency between the scheme text and maps.

For the above reasons, it is assessed that the proposed amendment is consistent with the objectives and other requirements of the *Land Use Planning and Approvals Act 1993*, the tenor of the Tasmanian Planning Scheme - Glenorchy and is consistent with the Southern Tasmanian Regional Land Use Strategy and State policies.

Recommendation:

- A. That pursuant to Section 40D (b) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority agree to prepare Amendment PLAM-21/03 to the Glenorchy Local Provisions Schedule to revise the Waterway and Coastal Protection Overlay and update the Flood Prone Hazard Areas overlay as shown in **Attachment 1**.
- B. That having decided to prepare the amendment, the Planning Authority certifies pursuant to Section 40F of the *Land Use Planning and Approvals Act 1993* that the draft amendment meets the *Land Use Planning and Approvals Act 1993*.
- C. That, in accordance with Section 40G of the *Land Use Planning and Approvals Act 1993*, the Planning Authority places the amendment on public exhibition for a period of 28 days.

Attachments/Annexures

- 1** Attachment 1 - Amendment Documents

APPENDIX 1 - STATUTORY ASSESSMENT – RESPONSE TO CRITERIA REQUIREMENTS FOR LOCAL PROVISIONS SCHEDULE UNDER LUPAA

Section 34(2) of LUPAA requires a relevant planning instrument to meet all of the following criteria:

a) *contains all the provisions that the SPPs specify must be contained in an LPS*

LP1.7.5 provides that if a planning authority has identified areas for waterways and coastal protection, the LPS must contain an overlay showing those areas. The amendment revises the existing overlay so that the mapped buffer areas reflect the text of Table C7.3 to identify width of watercourses in urban areas.

LP1.7.10 provides that if a planning authority has flood-prone areas within its municipal area, the LPS must contain an overlay showing these areas. The draft amendment updates the existing Glenorchy LPS Flood-Prone Hazard Areas Overlay with new flood modelling data for additional catchments in the municipality.

The codes maps have been applied in accordance with the Section 8A Guideline No 1- Local Provisions Schedule (LPS): zone and code application.

b) *is in accordance with [section 32](#)*

This section identifies the technical aspects of a LPS such as inclusion of zone maps and overlays, and what additional local provisions can be included, for instance, the inclusion of Particular Purpose Zones or provisions that, if permitted to do so under the SPPs, can override the SPPs - such as site-specific qualifications and specific area plans.

Section 32(4) identified that a LPS may only include these additional local provisions where:

- (a) *a use or development to which the provision relates is of significant social, economic or environmental benefit to the State, a region or a municipal area; or*

- (b) *the area of land has particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.*

The draft amendment includes Code maps allowed under this section and does not include an additional provision.

(c) *further the objectives set out in Schedule 1 of LUPAA*

Assessment of the amendment against the Schedule 1 objectives is provided in the following table.

Part 1 Objectives	Comment
<p><i>a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity</i></p>	<p>The revised waterways mapping will provide for the protection of wetlands, watercourses, and the coast by ensuring the mapping correctly reflects these areas. While the revised maps reduce the width of the buffer in urban areas, this aligns with the requirements under the State Planning Provisions which have been found by the State government to further the Schedule 1 Objectives.</p> <p>Identification of flood prone hazard areas within the municipality, will ensure that new development is responsive to flood hazard and developed in a sustainable manner.</p>

<p><i>b) to provide for the fair, orderly and sustainable use and development of air, land and water</i></p>	<p>Identifying hazards such as flood-prone areas, is key to promoting orderly and sustainable use and development of land.</p> <p>Ensuring that the buffer areas over watercourses is correctly located is consistent with the achievement of fair, orderly, and sustainable planning objectives.</p>
<p><i>c) to encourage public involvement in resource management and planning</i></p>	<p>The statutory process for assessment of amendments involves a public notification period. Any representations received will be considered by the Planning Authority. The Planning Authority is required to report on any representations to the Tasmanian Planning Commission, which in turn may hold public hearings into representations.</p>

<p><i>d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c)</i></p>	<p>Correctly locating the waterway buffer areas and reducing their width to reflect the written requirements of the Natural Assets Code, provides clarity for applicants and mitigates the lodgement and processing of unnecessary planning permit applications, reducing costs to Council and applicants.</p> <p>The identification of flood-prone hazard areas in the scheme alerts applicants to potential hazards and development design implications.</p> <p>The identification of hazards assists the protection of council infrastructure, mitigates costs by promoting early recognition of design requirements, and subsequently promotes sustainable economic development.</p>
<p><i>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</i></p>	<p>Community, industry, and other government agencies will have the opportunity to comment on both map overlays during the exhibition process.</p>

Part 2 Objectives	Comment
<p>a) <i>to require sound strategic planning and co-ordinated action by State and local government</i></p>	<p>The map overlays have been prepared with the most up-to-date information and best practice modelling to identify flood impacts. Identification and mapping of watercourses and flood-prone hazard areas is consistent with the <i>Southern Tasmania Regional Land Use Strategy 2010 - 2035 (STRLUS)</i>, and the revision of the Waterway and Coastal Protection Areas mapping has been supported by Commission officers.</p>
<p>b) <i>to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development, and protection of land</i></p>	<p>The mapping of values and hazards is consistent with the mapping requirements under the SPPs: LP1.7.5 Natural Assets Code and LP1.7.10 Flood-Prone Areas Hazard Code.</p>
<p>c) <i>to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land</i></p>	<p>Updating the Waterways and Coastal Protection Areas and Flood-Prone Hazard Areas overlays in the Glenorchy LPS ensures that these values and hazards are considered when assessing applications and making broader strategic planning decisions on the use and development of land.</p>
<p>d) <i>to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels</i></p>	<p>The amendment relies on the tools available under State Planning Provisions to identify these values and hazards.</p>

e) <i>to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals</i>	The amendment relies on the tools available under State Planning Provisions to identify these values and hazards.
f) <i>to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation</i>	The identification of values and hazards via publicly accessible planning scheme maps elevates community awareness and helps to promote a safe and pleasant environment.
g) <i>to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value</i>	This objective is not relevant to the amendment.
h) <i>to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community</i>	The identification of flood prone land will assist in minimising risk to public infrastructure from buildings and works.
i) <i>to provide a planning framework which fully considers land capability.</i>	The amendment relies on the tools available under State Planning Provisions to identify these values and hazards within the Glenorchy municipality.

(d) is consistent with each State policy;

Assessment of the amendment against the various policies is provided in the following table

State Policy	Comment
<p><i>State Policy on the Protection of Agricultural Land 2000.</i></p>	<p>The proposal does not involve the conversion of prime agricultural land to non-agricultural use.</p>
<p><i>State Policy on Water Quality Management 1997</i></p> <p>Specific outcomes to achieve water quality objectives are specified under the following divisions:</p> <ul style="list-style-type: none"> ▪ Division 1 – Measure to achieve policy objectives ▪ Division 2 – Management of point sources of pollution ▪ Division 3 - Management of diffuse sources of pollution. 	<p>The proposed amendment per se would not result in an increase in sediment transport to surface waters.</p> <p>The revised Waterway and Coastal Protection Areas mapping, which identifies the current path of watercourses, ensures that water quality can be managed under the Natural Assets Code, noting that the current mapping does not correctly align with all of the municipal watercourses.</p>
<p><i>State Coastal Policy 1996.</i></p> <p>The key principles are:</p> <ul style="list-style-type: none"> ▪ Natural and Cultural values of the coast shall be protected ▪ The coast shall be used and developed in a sustainable manner ▪ Integrated management and protection of the coastal zone is a shared responsibility. 	<p>Some of the mapped areas are within the coastal zone.</p> <p>The Flood-Prone Hazard Areas mapping identifies the potential for flooding impacts and consequently will not impact on the natural values or sustainable management of coastal areas.</p> <p>As the Waterway and Coastal Protection Area is designed to acknowledge and protect coastal areas it is considered consistent with the key principles of this policy.</p>

State Policy	Comment
<p><i>National Environmental Protection Measures</i></p> <p>National Environment Protection Measures (NEPM) are automatically adopted as State Policies under section 12A of the <i>State Policies and Projects Act 1993</i> and are administered by the Environment Protection Authority.</p> <p>The NEPMs relate to:</p> <ul style="list-style-type: none"> ▪ ambient air quality ▪ ambient marine, estuarine and fresh water quality ▪ the protection of amenity in relation to noise (but only if differences in markets for goods and services) ▪ general guidelines for the assessment of site contamination ▪ environmental impacts associated with hazardous wastes ▪ the re-use and recycling of used materials. <p>Principle 5 of the NEPMs states that planning authorities 'that consent to developments, or changes in land use, should ensure a site that is being considered for development or a change in land use, and that the authorities ought reasonably know if it has a history of use that is indicative of potential contamination, is suitable for its intended use.</p>	<p>The two overlays apply to a number of sites across the municipality. However, neither overlay increases the potential for development or changes the types of use permissible on the land.</p> <p>The identification of values and hazards through the mapping is considered to be consistent with the NEPMs.</p>

(da) satisfies the relevant criteria in relation to the TPPs;

The Tasmanian Planning Polices have not been implemented.

(e) as far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates;

The regional land use strategy for Glenorchy is the Southern Tasmanian Regional Land Use Policy 2010-2035 (STRLUS). Comments against the relevant STRULS strategies are provided below:

Relevant STRLUS strategies	Comment
<p><i>Biodiversity and Geodiversity</i></p> <p>BNV 1: Maintain and manage the region’s biodiversity and ecosystems and their resilience to the impacts of climate change</p> <p>BNV 1.2: recognise and protect biodiversity values deemed significant at the local level and ensure that the planning schemes:</p> <p><i>a) specify the spatial area I which biodiversity values are to be recognised and protected; and</i></p> <p><i>b) implement an ‘avoid, minimise, mitigate’ hierarchy of actions with respect to development that may impact on recognised and protected biodiversity values.</i></p>	<p>The amendment updates the existing Waterways and Coastal Protection Areas Overlay to reflect the correct location of watercourses. It will therefore promote the protection and recognition of biodiversity values within the municipality (where possible) under the provisions of the Natural Assets Code.</p>

Relevant STRLUS strategies	Comment
<p><i>Water resources</i></p> <p>WR 1: Protect and manage the ecological health, environmental values and water quality of surface and groundwater, including waterways, wetlands and estuaries.</p> <p>WR 1.3: Include buffer requirements in the planning scheme to protect riparian areas relevant to their classification under the Forest Practices System.</p> <p>WR 2 Manage wetlands and waterways for their water quality, scenic, biodiversity, tourism and recreational values.</p> <p>WR 2.3 Minimise clearance of native riparian vegetation</p>	<p>The amendment is consistent with these regional policies as it updates and corrects the existing Waterways and Coastal Protection Areas mapping.</p>
<p><i>The Coast</i></p> <p>C 1: Maintain, protect and enhance the biodiversity, landscape, scenic and cultural values of the region’s coast.</p> <p>C 1.1: Use and development is to avoid or minimise clearance of coastal native vegetation.</p>	<p>The amendment is consistent with these regional policies as it updates and corrects the existing Waterways and Coastal Protection Areas mapping.</p>

Relevant STRLUS strategies	Comment
<p><i>Managing Risks and Hazards</i></p> <p>MRH 2: Minimise the risk of loss of life and property from flooding.</p> <p>MRH 2.1: Provide for the mitigation of flooding risk at the earliest possible stage of the land use planning process (rezoning or if no rezoning required; subdivision) by avoiding locating sensitive uses in flood prone areas.</p> <p>MRH 2.2: Include provisions in the planning scheme for use and development in flood prone areas based upon best practice in order to manage residual risk.</p>	<p>The amendment is consistent with these regional policies as it applies the Flood-Prone Hazard Areas maps to areas within the municipality that have been identified as flood-prone.</p>

(f) has regard to the strategic plan, prepared under [section 66 of the Local Government Act 1993](#), that applies in relation to the land to which the relevant planning instrument relates

The municipal strategic plan is the *Glenorchy Strategic Plan 2016-2025*. The amendment is consistent with the following objectives:

- 2.1 Stimulate a prosperous economy:

The amendment will clearly identify areas which are flood prone (and hence those areas that are not). This will reduce the costs for developers to undertake flood modelling in those areas where the information was not previously available.

The revised waterways maps reduce the width of buffers in urban areas to reflect the widths identified in the text of the Natural Assets Code, removes it from piped waterways and applies it more accurately than the State mapping that was used for the drafting of the LPS. This will reduce the potential for lodgement and assessment of unnecessary applications.

▪ 4.1 Govern in the best interests of our community:

The amendment creates certainty in the application of the overlays, which promotes an efficient assessment process.

(g) as far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates;

There are no LPSs in effect in the neighbouring municipalities.

(h) has regard to the safety requirements set out in the standards prescribed under the [Gas Safety Act 2019](#) .

The overlays intersect in various places with the declared gas pipeline planning corridor that runs through the municipality. However, the overlays themselves do not promote increased development opportunities in these areas and will not impact on access to or the use of the corridor.

7. COMBINED PLANNING SCHEME AMENDMENT & PLANNING PERMIT APPLICATION REQUEST - 263, 271 AND 295 MAIN ROAD, AUSTINS FERRY – PLS43A-21/03

Author: Senior Strategic Planner (Lyndal Byrne)

Qualified Person: Senior Strategic Planner (Lyndal Byrne)

Property ID: 7657873

REPORT SUMMARY

Application No	PLS43A-21/03
Applicant	SJM Property Developments
Owners	Valhal Properties Tasmanian PTY LTD; Kar Blar Wah, Hser La Wee & Law Eh Paw, Sally Woolley & Phillip Marsh; and Glenorchy City Council
Existing Zoning	Rural Living A and Open Space
Existing Land Use	Single dwellings and pump station (open space)
Proposal in Brief	To seek approval to prepare a planning scheme amendment and place it on exhibition. To rezone 263, 271 & 295 Main Road, Austins Ferry to a General Residential Zone and apply a Specific Area Plan to the land, combined with an application for forty-two (42) multiple dwellings at 271 Main Road and 400 Main Road, Austins Ferry
Representations	Advertising occurs after amendment is prepared
Recommendation	Prepare and certify amendment, grant permit and exhibit for 28 days

REPORT IN DETAIL

EXECUTIVE SUMMARY

The draft amendment is generally in accordance with the requirements of *Land Use Planning and Approvals Act 1993* (LUPAA), and it is recommended that it be prepared.

The amendment will include land inside the Urban Growth Boundary in the more appropriate General Residential Zone and provide for increased housing opportunities. The amendment also applies a Specific Area Plan (SAP) over the land to protect the amenity of new residents against noise from the existing industry operating to the north of the land; the SAP will also ensure existing light industrial uses can continue to operate as the SAP is designed for new uses to 'self-protect' themselves from noise.

The social, economic and environmental benefits of the proposal are:

- Provision of increased housing opportunities within the Urban Growth Boundary
- Provision of increased housing opportunities on urban land that is free of natural values and hazards and well serviced by infrastructure.

The social, economic and environmental consequences of the proposal are:

- Including land in a General Residential Zone next to a Light Industrial Zone has the potential to impact on the operational ability of uses in that Light Industrial Zone. However, the application of a Specific Area Plan, requiring new residential development to be designed to mitigate noise, will reduce the potential conflict between uses in these zones. This will assist in maintaining the economic potential of the Light Industrial Zone and also protect the amenity of new residential development.

On balance, the request is considered to be a fair, orderly and sustainable amendment to the planning scheme, and it is recommended that the planning authority prepare the amendment.

The report provides details of the amendment and the site. The strategic outcomes of the proposal are outlined, having regard to matters of local, regional and then State importance. The report ends with a discussion of the degree of compliance with legislative requirements.

The report also contains an assessment of the combined planning permit application, for forty -two (42) multiple dwellings at 271 Main Road, assessed against the provisions of the scheme as if the amendment were approved. The permit application is supported.

If prepared, the following two outcomes must occur:

- The amendment will be exhibited for at least 28 days.
- The Tasmanian Planning Commission (the Commission) will decide whether to approve the amendment, approve the amendment with modifications or reject the amendment.

If the planning authority resolves not to prepare the amendment, the applicant can appeal the decision to the Commission.

Any representations to the amendment will be considered at a future Glenorchy Planning Authority meeting, where modifications can be recommended. In response to the representations, the Planning Authority could also recommend that the Commission does not approve the amendment.

The Commission will assess and decide on the amendment and planning permit application, based on the issues raised in the representations and the outcomes of any hearings it may hold.

If no representations are received, the senior planning staff have delegation to forward a report to that effect to the Commission.

PROPOSED PLANNING SCHEME AMENDMENT

The amendment seeks to:

- Rezone 263, 271 and 295 Main Road, Austins Ferry from part Open Space and part Rural Living A Zone to a General Residential Zone.
- Apply a Specific Area Plan to all rezoned land to minimise the likelihood for sensitive uses to conflict with, interfere with or constrain uses with the potential to cause emissions on adjacent land uses for industrial and commercial activity at Whitestone Drive.

The amendment will facilitate infill development and efficient residential use.

The amendment is included in **Attachment 1** – Amendment Documents

PROPOSED USE AND DEVELOPMENT

The amendment is combined with a planning permit application for forty-two (42) multiple dwelling units at 271 Main Road, Austins Ferry with upgrades to the pump station at 400 Main Road, Austins Ferry (Council land).

The application seeks approval for the demolition of the existing dwelling on site and construction of 17 single storey and 25 two (2) storey dwellings.

The dwellings are primarily three bedrooms, though nine are two (2) bedrooms. Each dwelling is provided with two (2) car parking spaces and fourteen (14) visitor spaces are also provided on site. Each dwelling has a minimum of 60 m of open space.

Details of the proposal are discussed in Part 2 of this Report.

*SITE AND LOCALITY:**Site characteristics*

The land subject to the planning scheme amendment consists of three (3) titles (see table 1 below). The proposed planning permit application relates to 271 Main Road and 400 Main Road, Council land).

It is noted that the submitted request refers to 293 Main Road, Austins Ferry, however Council records identify the subject title (CT-161440/2) and the land within the Rural Living A Zone, as 295 Main Road, Austins Ferry.

Table 1 – Title and owner information

Address	Title	Area	Owner
263 Main Road	154966/4	1.04ha	Kar Blar Wah, Hser La Wee, Law Eh Paw
271 Main Road	19088/3	1.47ha	Valhal Properties Tasmania Pty Ltd
295 Main Road	161440/2	1.16ha	Sally Woolley and Phillip Marsh
400 Main Road	CT: 238952/1; No CT - Road reserve in front of 400 Main Road, Granton and CT 122249/2002.	9092m ²	Glenorchy City Council

The three properties related to the rezoning are used for residential purposes, with 295 and 263 containing single dwellings. The dwelling at 271 Main Road was demolished prior to the submission of this request.

The land is largely cleared of vegetation, being primarily developed with exotic gardens (See Figures 1 to 4 – site photos). The land traverses a low, south-east to north-west ridgeline, with a gradient ranging from approximately 1 in 19 at the ridge peak to approximately 1 in 5 on the north-east slope.



- *Figure 1 – looking north towards 295 Main Road from 271 Main Road*



- *Figure 2 looking north, east and south across 271 Main Road*



- *Figure 3 access to 271 Main Road*



- *Figure 4 – looking east and south east to 293 Main Road from 271 Main Road*

The total area of the three sites is 3.67ha (See Figure 5 – Aerial image).



Figure 5 – aerial showing land subject to rezoning

Adjoining land

The locality is characterised by a variety of uses and varying degrees of development. To the south-west is established residential development, primarily for single dwellings on suburban lots, with some larger lots containing fragmented remnant pasture and vegetation, and two small, Council-owned areas of public open space. Large tracts of Council reserve and public open space are located to the north and north-west, including Gould's Lagoon Sanctuary.

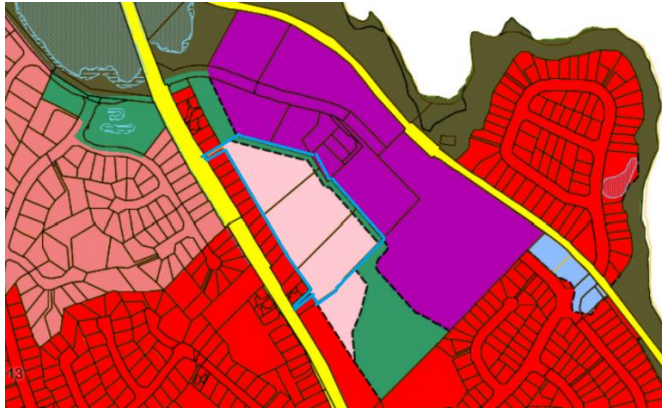
An area of light industrial use and development for warehouses, factories and a contractor's yard separates the site from the railway corridor to the north and north-east. To the south-east is a large parcel of generally undeveloped, Council-owned land, incorporating a single dwelling and public open space. Planning permit applications have recently been lodged for a short extension to Whitestone Drive along with fill and use for materials storage at the northern end of the lot, by a private proponent.

Ongoing completion of a large subdivision at Whitestone Point is located further to the north-east and south-east.

Planning scheme controls

The parcels of 263 and 295 Main Road, are split zoned Open Space and Rural Living A Zone; 271 Main Road is split zoned Open Space, Rural Living A and General Residential (the access strip of the site, and about 1350m² in area) – see Figure 6.

The surrounding land to west is within a General Residential Zone, with land further to the west in a Low Density Residential Zone. A small parcel of land to the north is included in an Open Space Zone. The Utilities Zone applies to Main Road which runs to the south west of the land. Land to the north and north east is included in a Light Industrial Zone, and land to the south of the site is included in a Rural Living A Zone.



- *Figure 6– Zoning under the TPS Glenorchy*

A small portion of 295 Main Road is affected by the Landslip Hazard Code – see Figure 7



- *Figure 7 – portion of the site affected by the Landslip Hazard Code (medium landslip hazard band)*

While not mapped under the TPS-Glenorchy, Council’s internal flood modelling data, indicates that part of the land is potentially flood-prone – see Figure 8



- *Figure 8 – portion of the land that may be flood prone.*

Infrastructure

- The land can connect to existing reticulated water, sewer and stormwater services at Main Road.

Environmental Values

The site is largely cleared, with vegetation primarily being exotic gardens. No natural values are identified on the land.

Social and Economic Values

Rezoning the land will enable residential development at housing densities more appropriate for land within the Urban Growth Boundary as designated under the *Southern Tasmania Regional Land Use Strategy 2010-2035* (STRLUS) than the current zoning. Boosting housing supply is a significant inherent social value of the land. Increased residential development may also support the economic function of future services within the Local Business Zone at Whitestone Point.

As the amendment includes the application of a Specific Area Plan to require new residential development to be constructed using appropriate noise attenuation measures, the likelihood for residential uses to conflict or constrain the operation of uses in the adjoining Light Industrial Zone will be minimised.

BACKGROUND

An existing dwelling at 271 Main Road, Austins Ferry was demolished without approval prior to the lodgment of the proposal. The combined planning permit application includes the request for demolition of this dwelling, and this has been considered through the assessment process.

PART 1 - ASSESSMENT / STRATEGIC OUTCOMES LOCAL STRATEGY, POLICY AND IMPACTS:

Rezoning

The opportunity to redevelop the site for more housing is consistent with Council's Strategic Plan, as it presents an opportunity for more residents which in turn support the local economy. **Appendix 1** includes an assessment against the *Glenorchy Strategic Plan 2016-2025*.

The land can be serviced via connections to infrastructure along Main Road. TasWater were consulted on the proposal and indicated no objection to the planning scheme amendment and the potential to increase residential densities in the area. However, TasWater require upgrades to its pump station located at 400 Main Road (this matter is considered in more detail in Part 2 of the report – assessment of the planning permit application). Council's traffic engineer has also indicated no concerns with increased traffic on the local infrastructure (subject to full assessment requirements occurring through the planning permit application process).

The land contains no priority vegetation under C7.0 Natural Asset Code and will have no negative local environmental impacts.

The 10m strip of Open Space Zone land along the north-eastern boundary of the subject land corresponds with a steep embankment between the elevated areas of the subject land and the Light Industrial Zone. Council's property services area has indicated that the strip is not suitable as a walkway due to the steep topography. The zoning has transitioned through several previous planning schemes and may have been applied as an attempt to create an attenuation buffer, however the 10m width is not effective for this purpose. Rezoning this strip of land is therefore considered appropriate.

Specific Area Plan

Preliminary strategic assessment of the operational efficiency of the industrially zoned land in Whitestone Drive, has identified that retention of this area for employment opportunities should be supported. Providing opportunities for increased housing within the urban area of Glenorchy is also a local imperative. However, including land in a General Residential Zone adjacent to a Light Industrial Zone creates the opportunity for land use conflicts.

The application of a Specific Area Plan (the SAP) requiring new residential development to be constructed using appropriate noise attenuation measures will reduce the potential for conflict. The applicant provided a Noise Assessment Report (Tarkarri Engineering Technical Memo) to identify potential noise impacts and recommendations to mitigate noise for any new residential uses on the land. Council's Environmental Health Officers are satisfied that the recommendations to mitigate noise impacts identified in the submitted Noise Assessment Report have been transitioned into the SAP (refer to **Appendix 3** – referrals).

Minor modifications have been made to the submitted SAP to reflect the need for a suitably qualified person to provide an acoustic assessment, reflect the correct property address and include cross references to the Tarkarri Engineering Technical Memo on Noise.

Inclusion of the SAP is consistent with the requirements of Section 32(4) LUPAA as the area has particular social (opportunity for increased housing and ensuring residential amenity) and economic (employment opportunities) qualities that must be protected. It is considered that protection of these qualities justifies the additional controls being applied.

In conclusion, as the amendment will result in increased housing supply with minimal impacts on the environment, local infrastructure and the operation of adjoining land uses, it is considered consistent with local policy. **Appendix 1** includes an assessment against relevant local policy and Section 32(4) LUPAA.

Land at 261 Main Road, Austins Ferry

A portion of land at 261 Main Road, Austins Ferry is also included in a Rural Living A Zone. This land forms part of a larger parcel owned by Glenorchy City Council (see Figure 9– Council parcel outlined in blue and Rural Living A Zone circled).

Inclusion of the Rural Living A portion of land in the subject amendment is considered to be premature as Council has not assessed whether it is appropriate to dispose of this portion of land, and whether any disposal would be limited to the Rural Living A portion or whether additional land could be included.

Consideration was also given as to whether the parcel could be included in a Future Urban Zone, which could potentially reflect its future use given its location inside the Urban Growth Boundary. However, the area within a Rural Living A Zone is about 0.6 ha, and it is noted that there is infrastructure in the vicinity of the site. It is therefore considered that applying a Future Urban Zone is not appropriate as this zone is more oriented to larger greenfield parcels.

While leaving this small parcel of isolated Rural Living A Zone land might be considered inconsistent with the objectives of orderly planning, strategic work to review this precinct (including the most efficient function of land in Whitestone Drive) is ongoing and likely to address the zoning of 261 Main Road in the short to medium term.

Therefore, the subject land does not form part of this amendment proposal.

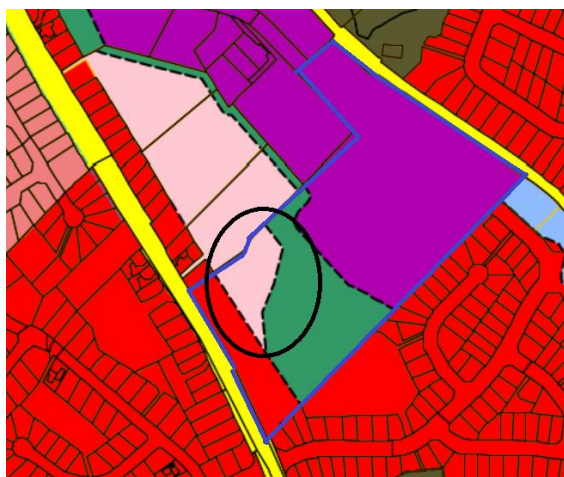


Figure 9 – Zoning of 261 Main Road, Austins Ferry – outlined in blue (red: General Residential; pink: Rural Living A; green: Open Space; and purple: Light Industrial)

Regional Strategy and Policy

To be approved, compliance with the *Southern Tasmania Regional Land Use Strategy 2010-2035* (STRLUS) must be demonstrated. **Appendix 1** includes an assessment against relevant STRLUS policies.

The amendment is consistent with STRLUS, as it will:

- Rezone land within the Urban Growth Boundary to a zone that facilitates urban density development opportunities.
- Assist Glenorchy reach its greenfield development targets at appropriate density levels.
- Ensure that the industrial area can continue to operate without having a negative impact on the new residential development.

State Strategy and Policy

The amendment furthers the objectives in Schedule 1 of LUPAA, by promoting sustainable and orderly development through the more efficient use of underutilised, serviced, urban land and including the land in a General Residential Zone.

While the amendment will not result in any direct impacts on water quality, the combined planning permit application can be conditioned to manage water quality during development and promote consistency with the *State Policy on Water Quality Management 1997*.

The amendment will not have any negative impacts on the State Coastal Policy, as the site is urban land and its redevelopment for dwellings at suburban densities will not conflict with the principles of this policy.

Appendix 1 provides a detailed assessment of the amendment against the objectives of Schedule 1 of LUPAA and State Policies.

Statutory considerations

Section 32 of LUPAA provides for the contents of a Local Provisions Schedules, and Section 34 outlines the LPS Criteria. **Appendix 1** provides a detailed assessment of the amendment against the requirements of these provisions. The amendment is considered to satisfy all of the listed considerations.

CONCLUSIONS ON THE AMENDMENT

The amendment seeks to rezone land within the Urban Growth Boundary to facilitate increased housing opportunities. The Rural Living A and Open Space zones that currently apply do not enable the best use of this urban site. A General Residential Zone reflects the zoning of the surrounding area and has been applied in line with the Commission's guidelines on the application of the State Planning Provisions, is consistent with local policy and the Southern Tasmanian Regional Land Use Strategy and State policies.

The SAP is consistent with the LPS Criteria as it has particular social (opportunity for increased housing and ensuring residential amenity) and economic (employment opportunities) qualities that must be protected. It is considered that protection of these qualities justifies the additional controls being applied.

For the above reasons, it is assessed that the proposed amendment is consistent with the objectives and other requirements of the *Land Use Planning and Approvals Act 1993* and should be prepared.

PART 2 - ASSESSMENT OF PLANNING PERMIT APPLICATION Proposal in detail

The application seeks approval for demolition of the existing dwelling on site and construction of 42 dwellings [17 single storey and 25 two - storey dwellings] at 271 Main Road, Austins Ferry. The dwellings are a mix of 2 and 3 bedrooms. Each dwelling is provided with two (2) car parking spaces and fourteen (14) visitor spaces are also provided on site. Each dwelling has a minimum of 60m of open space (see Figure 10 - unit layout).

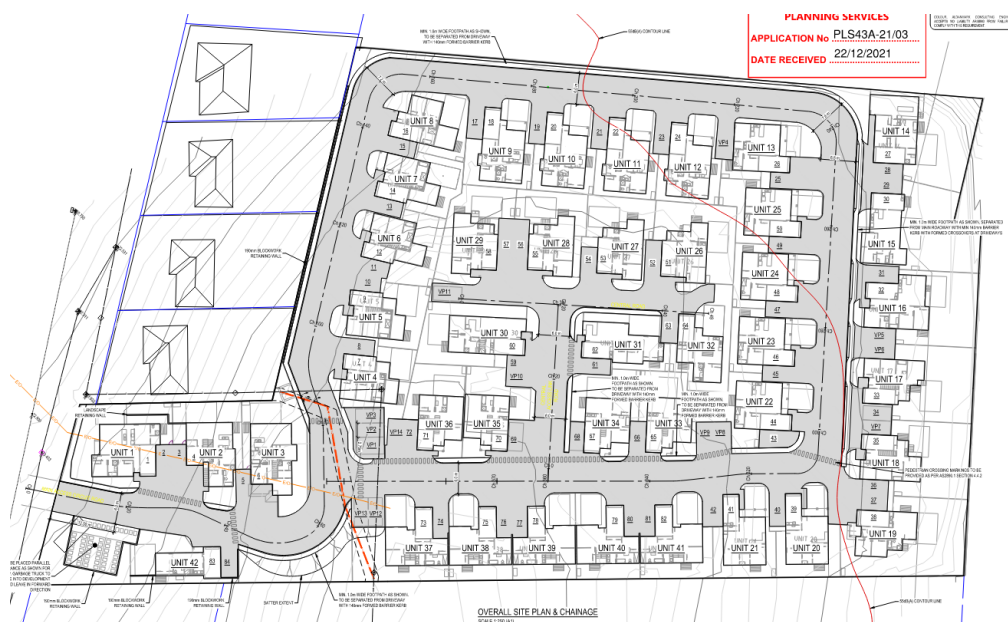


Figure 10 – unit layout

A copy of the plans is included in **Attachment 2**.

TasWater identified the need to undertake upgrades to the Hestercombe Road Sewerage Pumping Station at 400 Main Road, Austins Ferry (corner Main Road and Hestercombe Road) to facilitate the project (see **Appendix 3** – Comments from Referral bodies). This land is owned by Glenorchy City Council and is included part within an Open Space Zone, part within a Utilities Zone and part within an Environmental Management Zone (see Figure 11 – location and zoning of pump station).



Figure 11– location and zoning of Pump Station

Use class and permissibility with the zone

The proposal is for a Residential use (land for self-contained or shared accommodation, which includes multiple dwellings). The proposal provides for 42 multiple dwellings and is considered to be consistent with the zone purpose statements by providing for residential development.

Multiple dwellings are a permitted use under Clause 8.2 Use Table of the General Residential Zone.

TasWater requires an additional 6.1m³ of emergency storage capacity for its Hestercombe Road Sewage Pumping Station to cater for the additional dwellings proposed. The work will be underground, however it is included in the Utilities use class (minor utilities). Utilities are ‘no permit required’ in the Open Space and Utilities Zones and Discretionary in the Environment Management Zone. However the application of a General Provision at 7.2.1 enables development associated with an existing Discretionary use to be considered as a permitted use.

The proposal requires discretionary consideration as it relies on performance criteria to comply with some applicable standards under the various zones and codes applying to the land and redevelopment of the site. Assessment against these standards is discussed below. An assessment of the proposal against all relevant provisions of the Tasmanian Planning Scheme – Glenorchy is included in **Appendix 2 – Statutory assessment of planning permit application**. Full details of internal and external referrals are included in **Appendix 3 – Referrals**.

Discretions*8.4.2 Setback and building envelop for all dwellings P3*

While the proposal meets the front setback and overall height limits, it does not meet the side setback requirements under the acceptable solution as the 2.5m high acoustic fence extends along the rear boundary, for 30m along the southern side boundary and 85m along the northern side boundary. Unit 14 has also has a wall length of 9.49m.

The performance criteria provides:

The siting and scale of a dwelling must:

- a) *not cause an unreasonable loss of amenity to adjoining properties, having regard to:*
 - i. *reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;*
 - ii. *overshadowing the private open space of a dwelling on an adjoining property;*
 - iii. *overshadowing of an adjoining vacant property; or*
 - iv. *visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property; and*
- b) *provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area.*
- c) *not cause an unreasonable reduction in sunlight to an existing solar energy installation on:*
 - i. *an adjoining property; or*
 - ii. *another dwelling on the same site*

Unit 14 is located to the northern boundary of the site. The acoustic fence is located on the northern eastern and southern boundaries. There is no potential to unreasonably impact the amenity of adjoining properties through overlooking or overshadowing from Unit 14. Overshadowing onto the adjoining land to the south will also be minimal from a 2.5m high fence. In the context of the development proposed, the lesser setback of unit 14 and the 2.5m high boundary fence will have no noticeable visual impact through scale, bulk or proportions. The scale of Unit 14 is typical of unit development.

The subject site is much larger than the typical residential properties in the area and direct comparison as required by subclause (b) is not straightforward. Nevertheless, within the area south of Whitestone Drive and east of Main Road, there are a number of existing unit developments with minimal side and rear setbacks. The separation proposed is not inconsistent with these established developments.

There are no nearby solar energy installations to consider.

The application is assessed as satisfying the performance criteria and complies with the standard

8.4.3 Site coverage and private open space for all dwellings P2

The acceptable solution requires a dwelling to have an area of open space of 24m², with a minimum horizontal dimension of 4m. While all units have an adequate area of open space, Unit 16, 17 and 18 include access steps within the designated open space area and do not meet the minimum 4m dimensions.

The acceptable solution also requires private open space only to be located between the dwelling and the frontage if it has a northern orientation. Unit 42 has private open space located between the dwelling and the frontage, and the frontage is on the south western side of the lot.

The performance criteria provides:

A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is:

- a) conveniently located in relation to a living area of the dwelling; and*
- b) orientated to take advantage of sunlight.*

The private open space areas of Unit 16, 17 and 18 are directly accessible from a living area and all have a northern orientation. Overshadowing from the 2.5m high boundary fence will be minimal given the setback from the rear boundary and slope of the land. It is considered that the layout and orientation of the private open space area for these units will be functional and provide for the reasonable outdoor recreational needs of the residents.

The private open space of unit 42 is located between the frontage and the dwelling, although the private open space is located 17m from the front boundary and behind the shared bin storage area for the development. Locating the private open space this close to the bin area is likely to have a negative impact on the amenity and use of the open space for residents (this is discussed in more detail against Clause 8.4.8 Waste Storage areas for multiple dwellings), noting there is additional open space on the northern side of the dwelling, however this too is in proximity to the waste storage areas.

The objectives of this standard relate to convenient location of the open space, access to sunlight, opportunities for planting and servicing outdoor recreation and operational needs of residents. There is opportunity for screen planting between the open space area and the waste storage area, which may assist in mitigating negative impacts. Therefore, it is considered that the location of this area, given its size and northern orientation, is reasonable.

- The application is assessed as satisfying the performance criteria and complies with the standard.

8.4.6 Privacy for all dwellings P1

The acceptable solution requires car parking spaces, balconies and decks that are more than 1m above the existing ground level to be not less than 3m from a side boundary, unless it is screened to 1.7m in height. The plans provide for screens to ensure privacy is maintained in line with this standard.

The deck of Unit 14 is within 0.9m of the northern side boundary and not screened to these requirements.

The performance criteria provides:

A balcony, deck, roof terrace, parking space or carport for a dwelling (whether free standing or part of the dwelling) that has a finished surface or floor level more than 1m above existing ground level, must be screened or other designed to minimise overlooking of:

- a) a dwelling on an adjoining property or its open space*
- b) another dwelling on the same site or its open space.*

The adjoining land at 295 Main Road is a large parcel containing a single dwelling. However, this land also forms part of the rezoning request and may be developed for higher density in the future. To minimise any future overlooking and address the performance criteria it is recommended that a condition requiring screening of the northern elevation of the deck to Unit 14 be included as a condition of the planning permit.

Subject to the above condition, the application is assessed as satisfying the performance criteria and complies with the standard.

8.4.6 Privacy for all dwelling P2

The acceptable solution requires that, where the finished floor level is greater than 1m, windows or glazed doors to be setback 3m from the side boundary, 4m from the rear boundary and to be not less than 6m from a habitable room window or private open space area for a dwelling on the same site.

With the exception of units 39 and 40, the acceptable solution is met by sill heights of 1.7m above floor level. The northern elevation windows of Units 39 and 40 have potential to overlook adjoining dwellings open space from the respective upper levels.

The performance criteria provides:

A window or glazed door, to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level, must be screened, or otherwise located or designed, to minimise direct views to:

- a) window or glazed door, to a habitable room of another dwelling; and*
- b) the private open space of another dwelling.*

To reduce overlooking of the private open space areas of these dwellings, it is recommended that a condition requiring screening of the northern elevation dining room windows of Unit 39 and 40 be included as a condition of the planning permit.

Subject to the condition identified above, the application is assessed as satisfying the performance criteria and complies with the standard.

8.4.7 Frontage fences for all dwellings P1

Fences are exempt within 4.5m of a frontage if they are not more than 1.2m in height if solid, or up to 1.8m in height if they are at least 30% transparent above 1.2m. The plans provide for a 1.2m high slat screen fence along the southern side of the access in the front boundary and a 1m high solid masonry wall along the northern side of the access.

However the side boundary fence is designated as 1.8m high and this appears to extend along the side boundary and into the 4.5m front setback.

The performance criteria provides:

A fence (including a free-standing wall) within 4.5m of a frontage for a dwelling must:

- a) provide for security and privacy, while allowing for passive surveillance of the road; and*
- b) be compatible with the height and transparency of fences in the street, having regard to:
 - i. the topography of the site; and*
 - ii. traffic volumes on the adjoining road.**

The private open space of Unit 1 is located in line with the front of the building and 3.7m from the frontage at the side boundary. It is considered that a higher front fence in this section is appropriate to protect the privacy and security of the residents.

Most adjoining properties have low front fences, which is reflected in the subject proposal, however side boundary fences also taper down to a lower height within the front setback. The higher fence will not impede driver sightlines from the site or adjoining properties given the separation from the kerb to the front boundary.

The application is assessed as satisfying the performance criteria and complies with the standard.

8.4.8 Waste storage for multiple dwellings P1

The acceptable solution provides for a common storage area that has an area of at least 1.5m² per dwelling, setback 4.5m from the frontage, appropriately screened and not less than 5.5m from any dwelling. The common waste storage area is about 120m² in area and 4.5m from the front setback. It is screened by a 1.9m high slat screen fence, however it is 3.8m from Unit 42 with the private open space area of the unit located between the storage area and the dwelling.

The performance criteria provides:

A multiple dwelling must have storage for waste and recycling bins that is:

- a) capable of storing the number of bins required for the site*
- b) screened from the frontage and dwellings; and*
- c) if the storage area is a common storage area, separated from dwellings on the site to minimise impacts caused by odours and noise.*

The applicant has discussed the common bin storage area with Council's waste services area and the plans show an appropriately screened area that provides for adequate bin numbers (see waste Management referral in **Appendix 3** - Comments from referral bodies).

However, while the waste storage area is screened, it is in close proximity to Unit 42 and abuts the private open space of that dwelling. It is recommended that vegetation capable of providing an additional screen may further reduce the negative amenity impacts from this bin storage area.

Subject, to this condition, the application is assessed as satisfying the performance criteria and complies with the standard.

C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction P1

According to the TIA the proposed development is expected to increase vehicular traffic to and from the site to 265 vehicle movements per day which exceeds the amount of acceptable increase in Table C3.1. Therefore, the development is unable to comply with the acceptable solution and hence triggers the assessment against the performance criteria C3.5.1 P1.

The performance criteria provides:

Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:

- a) any increase in traffic caused by the use;*
- b) the nature of the traffic generated by the use;*
- c) the nature of the road;*
- d) the speed limit and traffic flow of the road;*
- e) any alternative access to a road;*
- f) the need for the use;*
- g) any traffic impact assessment; and*
- h) any advice received from the rail or road authority.*

The TIA submitted with the application was assessed by Council's Traffic Engineer and details of that assessment are included in their referral response in **Appendix 3**.

The TIA assesses the existing traffic conditions, traffic efficiency and traffic safety of the surrounding networks, using the parking survey, the speed limit, operating speed, and crash data for the last 5 years, to evaluate the impact from traffic generated by the proposed development. The local networks studied are Main Road 250m both sides of the proposed access.

Based on the assessment, the TIA concludes that the additional vehicle movements along Main Road generated by the development is not expected to cause any adverse impact in level of service now or in 10 years' time based on a traffic growth rate of 2% and there is sufficient capacity within Main Road to absorb additional traffic movement without adversely impacting on the local road network. Therefore, the performance criteria for C3.5.1 P1 is met. Sight distance at the driveway with Main Road was assessed in the TIA and meets the required safe intersection sight distance.

The proposal is assessed as satisfying the performance criteria and is considered to satisfy this standard.

C7.6.1 Buildings and works within a waterway and coastal protection area or future coastal refugia area P1.1

The works to upgrade the existing pump station require an additional 6.1m³ of storage capacity for additional sewerage flows and are underground. However there is no building area designated on the title to indicate where these works will occur, so the acceptable solution is not met.

The performance criteria provides that:

Buildings and works within a waterway and coastal protection area must avoid or minimise adverse impacts on natural assets, having regard to:

- a) impacts caused by erosion, siltation, sedimentation and runoff;*
- b) impacts on riparian or littoral vegetation;*
- c) maintaining natural streambank and streambed condition, where it exists;*
- d) impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;*
- e) the need to avoid significantly impeding natural flow and drainage;*
- f) the need to maintain fish passage, where known to exist;*
- g) the need to avoid land filling of wetlands;*
- h) the need to group new facilities with existing facilities, where reasonably practical;*
- i) minimising cut and fill;*
- j) building design that responds to the particular size, shape, contours or slope of the land;*
- k) minimising impacts on coastal processes, including sand movement and wave action;*
- l) minimising the need for future works for the protection of natural assets, infrastructure and property;*
- m) the environmental best practice guidelines in the Wetlands and Waterways Works Manual; and*
- n) the guidelines in the Tasmanian Coastal Works Manual.*

The works are required to expand capacity of the existing pump station and are underground.

The existing pump station is about 20m from the edge of Goulds Lagoon. The works will not impede water flow or, as the area is cleared, impact on native vegetation. Standard permit conditions for the management of sediment during construction are recommended to further mitigate runoff into the lagoon. It is considered that the works will have limited potential to impact this natural asset and the application is assessed as satisfying the performance criteria and complies with the standard.

C9.5.2 Sensitive use within an Attenuation area P1

A metal fabrication business is located at 1 Whitestone Drive, about 250m from the subject land, and therefore the development site is within the 500m attenuation distance created by this use. There is no acceptable solution for this standard.

The performance criteria provides:

Sensitive use within an attenuation area, must not interfere with or constrain an existing activity listed in Tables C9.1 or C9.2, having regard to:

- a) *the nature of the activity with potential to cause emissions including:
 - i. *operational characteristics of the activity;*
 - ii. *scale and intensity of the activity; and*
 - iii. *degree of hazard or pollution that may be emitted from the activity;**
- b) *the nature of the sensitive use;*
- c) *the extent of encroachment by the sensitive use into the attenuation area;*
- d) *measures in the design, layout and construction of the development for the sensitive use to eliminate, mitigate or manage effects of emissions of the activity;*
- e) *any advice from the Director, Environment Protection Authority; and*
- f) *any advice from the Director of Mines.*

Council's Environment Health Officers have assessed the Noise Assessment Report provided by Tarkarri Engineering, Technical Memo January 2022, and the recommendations identified in the report (referred to detailed assessment in **Appendix 3**).

The acoustic boundary fence and the materials proposed for second storey development are considered to mitigate noise impacts from this site. Conditions to identify the proposed construction materials for the fence, and second storeys that will not be protected by the fence, are recommended, along with the requirement for a noise verification report to ensure the noise levels are being appropriately managed are recommended.

It is considered that the noise mitigation techniques proposed are adequate to manage potential land use conflict between sensitive uses and ensure the operations of the existing light industrial activity will not be constrained.

The application is assessed as satisfying the performance criteria and complies with the standard

Compliance with Acceptable Solutions of the SAP - GLE-S13.6.1 Development for sensitive use

The development has generally been designed to meet the noise mitigation requirements under the SAP. Council's Environmental Health officers have assessed the proposal against the SAP (refer to referral in **Appendix 3**). It is noted that the fence along the north west and eastern boundary corner does not meet the location requirements and that second storey balconies for Units 17, 18 and 19 are on the northern and eastern sides of the building.

The applicant has indicated that they are amenable to a condition requiring realignment of the fence and the deletion of these northern and eastern second story balconies/decks. This is considered appropriate and can be achieved without impacting on open space areas and access to sunlight for unit 14, or the three units which will lose upper-level balconies (units 17, 18 & 19).

A condition requiring a Noise Verification Report to ensure the proposed materials used for the upper levels of Units 17, 18 & 19 and the fence will mitigate noise as required under the standard is also recommended. The application of these conditions ensure the proposal meets the acceptable solutions of the SAP.

Conclusion

The proposal is relying on performance criteria to comply with applicable standards. The proposal is assessed as satisfying the performance criteria and complies with those standards as discuss above; the proposal is assessed as satisfying the acceptable solutions of the other relevant standards in the General Residential Zone, Environmental Management Zone, the Parking and Sustainable Transport Code, the Road and Railway Assets Code, the Natural Assets Code, the Attenuation Code and the Specific Area Plan as detailed in **Appendix 2**.

Recommended conditions

The proposed use and development is assessed to be consistent with the requirements of the Tasmanian Planning Scheme - Glenorchy, the objectives of the Land Use Planning and Approvals Act 1993 and relevant State Policies.

Should the amendment be prepared, it is recommended that a permit be granted for the proposed use and development of forty-two (42) multiple dwellings at 271 Main Road and 400 Main Road, Austins Ferry subject to the following conditions:

Planning

1. Use and development shall be substantially in accordance with planning permit application No PLS43A-21/03 and Drawing submitted on 5 August 2021 (1 page) 16 November 2021 (121 pages) and 22 December 21 (15 pages) except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater and set out in the attached Submission to Planning Authority Notice, reference No TWDA 2021/01418-GCC, dated 26 November 2021, form part of this permit.
3. The acoustic fence at the corner of the rear boundary and the north eastern side boundary of 271 Main Road must be aligned to reflect the location identified in Figure 6-5 of the Tarkarri Engineering Technical Memo January 2022, to the satisfaction of the Senior Statutory Planner. The realignment must be shown on the building plans.
4. The second storey balconies and decks on the northern and eastern elevations of Units 17, 18 and 19 must be deleted to the satisfaction of the Senior Statutory Planner. The modification must be shown on the building plans.
5. A permanently fixed privacy screen to 1.7m in height above the finished floor level must be provided:
 - (a) along the northern elevation of the deck to Unit 14; and
 - (b) for the northern elevation dining room windows of Unit 39 and 40,to the satisfaction of the Senior Statutory Planner. The modification must be shown on the building plans.
6. A vegetation screen along the northern boundary of the waste storage area and outside of the private open space area of Unit 42 must be provided to reduce impacts from the bin storage area to the satisfaction of the Senior Statutory Planner.

The screening must not be a declared or environmental weed (refer to <https://dpiwwe.tas.gov.au/invasive-species/weeds>) and must be planted at a minimum height of 2.0 m prior to occupancy of unit 42. The screening must be shown on the building plans.

Engineering

7. Prior to the issuing of a Building Approval or the commencement of works on site for each stage, including demolition (whichever occurs first), submit a Soil and Water Management Plan detailing proposed sediment and erosion control measures to the satisfaction of Council's Development Engineer.

The approved control measures must be installed prior to any disturbance of soil or construction activity such as concrete cutting, demolition and must be regularly inspected and maintained during the construction and demolition period to prevent soil and other materials entering the local stormwater system, roadways or adjoining properties.

The approved control measures must remain in place until such time as all construction activity likely to generate sediment has been completed or all disturbed areas have been stabilised using vegetation and/or restored or sealed to the satisfaction of the Council.

The approved Soil and Water Management Plan (SWMP) forms part of this permit and must be complied with.

Advice: For further information please refer to the Soil and Water Management Fact Sheets published by the Department of Primary Industries, Parks, Waters and Environment. These are available from Council or online at www.derwentestuary.org.au.

8. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
9. No civil works related to or associated with the use or development approved by this permit are to occur on or external to the site unless these works are in accordance with engineering drawings that have been approved by Council's Development Engineer.

Changes to the design and/or location of civil works will require the submission of amended engineering drawings prepared by a licensed civil engineer for approval by Council's Engineer.

10. Provide written certification from a licensed civil engineer certifying that all civil works have been completed in accordance with the engineering drawings approved by Council's Development Engineer and to the applicable Australian Standards prior to the commencement of the use or within 20 days of completion of the works whichever occurs sooner
11. Arrange a compliance inspection with Council of the civil works that have been approved by Council's Development Engineer prior to the commencement of the use or within 20 days of completion of the works whichever occurs sooner. Note that a minimum of five (5) business days notice must be given to Council for a compliance inspection.
12. 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.

Drawings showing the driveway details must be in accordance with the Australian Standard and submitted with the Building Application for approval by Council's Development Engineer prior to the commencement of works on site.

The proposed driveway and parking must comply with the following:-

- (a) Be constructed to a sealed finish and the finished gradient must not exceed the maximum gradient of 20%.
- (b) A total of ninety-eight (98) clearly marked car parking spaces must be provided. Each dwelling must be provided with 2 car parking spaces.
- (c) Of the proposed number of car parking spaces, fourteen (14) visitor parking spaces must be provided, clearly line-marked and always kept available for these purposes.
- (d) Vertical alignment must include transition curves (or straight sections) at all grade changes greater than 12.5%.
- (e) A 1-metre-wide pedestrian path must be provided, signed and line-marked at points of crossing.
- (f) All runoff from paved and driveway areas must be discharged into Council's stormwater system.
- (g) The gradient of any parking areas must not exceed 5% and
- (h) Minimum carriageway width is to be no less than 5.5 metres.

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. All works required by this condition must be installed prior to the occupancy of the dwellings for each stage.

13. A 6m wide vehicle crossing must be constructed in accordance with the Tasmanian standard drawing TSD-R09-v3, TSD-R11-v3 and TSD-R14-v3 between the kerb and the property boundary and completed to the satisfaction of Council's Development Engineer prior to the occupancy.

The detail design must be submitted and approved prior to the issuing of a Building Permit Approval.

14. Barriers compliant with the Australian Standard AS 1170.1 must be installed to prevent vehicles running off the edge of a carriageway, raised platform or deck where the drop from the edge of the trafficable area to a lower level is 600mm or greater, and wheel stops must be installed for drops between 150mm and 600mm. Barriers must not limit the width of the driveway access or parking and turning areas approved under the permit.

All works required by this condition must be installed prior to the occupancy of the dwelling(s).

15. Upon approval of the WSUD and OSD Maintenance Scheme, and in association with a Building Permit Application, the applicant shall enter into a registered agreement with Council, at the sole expense of the applicant, pursuant to Part 5 of the Land Use Planning and Approvals Act 1993, for the area which is subject to this permit.

The Owner and all successors in title must advise any subsequent successor in title of the existence of the Agreement and its terms and conditions.

The Part 5 agreement shall require the Owner and all successors in title to covenant and agree with Council the following:

- (a) All works outlined in the WSUD and OSD Maintenance Scheme submitted by the applicant and approved by Council, including the maintenance method and frequency for individual WSUD and OSD elements, must be implemented and managed by the Owner and all successors in title at their sole expense.
- (b) The Owner must keep the maintenance records in an accessible form (either printed or electronic) for five years from the date of the work was carried out to prove that the maintenance of each WSUD and OSD element has been conducted in accordance with the WSUD and OSD Maintenance Scheme.
- (c) Repair and replace all the WSUD and OSD elements at the sole expense of the Owner and all successors in title so that the WSUD and OSD functions (stormwater quality and quantity control) in a safe and efficient manner.
- (d) Permit the Council from time to time and upon giving reasonable notice (but in the case of an emergency, at any time and without notice) to enter and inspect the WSUD and OSD elements for compliance with the requirements of this agreement.
- (e) Comply with the terms of any written notice issued by the Council in respect of the requirements of this agreement within the time stated in the notice.

Waste Services

16. The design for each of the three bin enclosures must comply with the following:
 - (a) must be built on a flat surface with a concrete base/pad and surround of a brick or painted block enclosure or similar;
 - (b) have concrete at the entrance to the bin enclosures;

- (c) each enclosure must suit 14 X 240L wheelie bins of size 1100 height x 600mm wide x 800mm deep and must allow for 300mm space in between each bin;
 - (d) recommended minimum height of the enclosure is 1200mm and minimum recommended depth is 930mm;
 - (e) the front of the enclosures must face the internal access driveway, and be left open to enable the bins to be removed, and returned in a safe and efficient manner;
 - (f) there must be no lip on the concrete slab of the bin enclosures; and
 - (g) all wheelie bins must be placed on the concrete pad in front of the bin enclosures for collection:
17. Detailed drawings for the bin enclosures, if not shown on the building plans, must be submitted to Council's Waste Services Co-ordinator prior to the commencement of works.
18. Prior to occupancy, the bin enclosure must be constructed to the satisfaction of Council's Waste Services Co-ordinator.

Environmental Health

19. Material and finishes identified in the Tarkarri Engineering Technical Memo – 8. Appendix, 13 January 2022 for units 17, 18 and 19 must be used and identified on the building plans.
20. A Noise Verification Report must be submitted to Council's Senior Environmental Health Officer within:
- (a) four weeks of an occupancy permit being issued for any of the units in Stage 2 in respect to the acoustic fence, and
 - (b) four weeks of the occupancy permit being issued for Units 17, 18 or 19.

The report must assess the noise in the habitable rooms of the second storeys of Units 17, 18 & 19 and the noise received within the acoustic boundary fence.

The report must demonstrate and certify that:

- (a) the acoustic fence provides a contiguous mass barrier with a sound transmission loss of 20 dB or more at frequencies from the 125 Hz 1/1-octave band and above; and
- (b) second storey habitable room of Units 17, 18 and 19 meet *AS2107:2016 – Acoustics - (Recommended Design Sound Levels and Reverberation Times for Building Interiors)*.

Should further noise mitigation measures be required to achieve the stated sound levels (as per Tarkarri Engineering technical Memo – Environmental Noise Assessment, 13 January 2022) these measures must be installed within eight weeks of the date of the report. A further noise verification check must be undertaken and submitted to the satisfaction of Council's Senior Environmental Health Officer. Noise mitigation treatments must be shown to be effective.

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.

Prior to the commencement of any work within the road reservation by a private contractor, the contractor must obtain a Road Opening Permit from the Council's Compliance Officer. This permit shall include items such as hours of work, road safety, reinstatement, soil and water management, etc.

The Road Opening Permit Application Form is available via Council's website <https://www.gcc.tas.gov.au/wp-content/uploads/2021/03/Road-Opening-Permit-Application-Form-1.pdf>

Waste Services:

Waste Services to the proposed multiple dwelling development at 271 Main Rd Austins Ferry would be Council's **shared** bin service, **collected weekly**. The wheelie bins should be stored in three bin enclosures, one each for waste, recycling, and FOGO, within the property boundary and are not to be taken to individual units.

A **Deed of Release** must be signed by the Developer and Council prior to Waste Service collection vehicles entering the site and commencing wheelie bins collections.

TasNetworks

Consideration should be given to the electrical infrastructure works that will be required to ensure a supply of electricity can be provided to each lot. To understand what these requirements may entail, it is recommended the proponent to contact TasNetworks Early Engagement team at early.engagement@tasnetworks.com.au at their earliest convenience.

Recommendation:

- A. That pursuant to Section 40D (a)(i) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority agrees to prepare Amendment PLS43A-21/03 to the Glenorchy Local Provisions Schedule to rezone 263, 271 and 293 Main Road, Austins Ferry to a General Residential Zone as shown in **Attachment 1**.
- B. That having decided to prepare the amendment, the Planning Authority certifies pursuant to Section 40F of the *Land Use Planning and Approvals Act 1993* that the draft amendment meets the *Land Use Planning and Approvals Act 1993*.
- C. That in accordance with Section 40Y of the *Land Use Planning and Approvals Act 1993*, the Planning Authority agrees to grant a permit for forty-two (42) multiple dwelling at 271 and 400 Main Road, Austins Ferry, subject to the conditions identified in this report.
- D. That, in accordance with Section 40G of the *Land Use Planning and Approvals Act 1993*, the Planning Authority places the amendment and permit on public exhibition for a period of 28 days.

Attachments/Annexures

- 1** PLS43A-21 03 GPA Attachment 1- Amendment Documents
- 2** PLS43A-21 03 GPA Attachment 2 – Site plans and TasWater conditions

Appendix 1 Statutory Assessment – Response to criteria requirements for Local Provisions Schedule under LUPAA

Section 34(2) of LUPAA requires a relevant planning instrument to meet all of the following criteria:

(a) contains all the provisions that the SPPs specify must be contained in an LPS

The draft amendment seeks to rezone the land and uses one of the suite of zones available under the SPPs. The application of the zone has been applied in line with Section 8A Guideline No 1- Local Provisions Schedule (LPS): zone and code application.

The application of a General Residential Zone is appropriate as:

GRZ1: The land is not targeted for higher density given its distance from municipal activity centres; and it can be connected to a reticulated water supply and sewerage system (noting that some upgrades to existing infrastructure will be required).

GRZ2: The land is not identified as ‘future urban’.

GRZ3: The land is not constrained by values or natural hazards; the impacts of the adjoining Light Industrial Zone are resolved through the application of the SAP to the land.

b) is in accordance with [section 32](#)

This section identifies the technical aspects of a LPS such as inclusion of zone maps and overlay, and what additional local provisions can be included, if permitted to do so, to add to or override the SPPs.

Section 32(4) identified that a LPS may only include these additional local provisions where:

- a) a use or development to which the provision relates is of significant social, economic or environmental benefit to the State, a region or a municipal area; or*

b) the area of land has particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.

The draft amendment seeks to rezone the land and apply a Specific Area Plan (SAP) to the land.

Ideally, residential land would not abut land in an industrial zone. However, the historical development of the area (initially as a brickworks and a timber mill) has resulted in the current land use pattern. With the increasing challenges of finding land to provide for housing within the Urban Growth Bounday, the subject land can no longer be considered as appropriately zoned to meet current local, regional and State housing objectives. Preliminary strategic assessment of the operational efficiency of the industrially zoned land in Whitestone Drive, has identified that retention of this area for employment opportunities should be supported.

The SAP seeks to ensure that uses operating in the Light Industrial Zone to the north of the subject land are not subject to operational constraints with the introduction of new residential uses. While impacts of some new uses would be addressed through the Attenuation Code, the potential for operational impacts on the existing uses at Whitestone Drive needs to be minimised to ensure the continued operation of this area.

It is considered that the application of the SAP to include provisions over the land, in addition to the provisions of the SPPs, is required as the land has particular economic qualities – the need to protect the continued operation of activities in Whitestone Drive, and social qualities – the need to ensure that new residents have an appropriate level of amenity.

(c) furthers the objectives set out in Schedule 1 of LUPAA

Assessment of the amendment against the Schedule 1 objectives is provided in the following table.

Part 1 Objectives	Comment
(a) <i>to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity;</i>	The amendment enables the efficient use of underutilised land by including land within the Urban Growth Boundary within a General Residential Zone, therefore furthering the objectives of sustainable development.
(b) <i>to provide for the fair, orderly and sustainable use and development of air, land and water;</i>	The site has access to existing infrastructure and will not impact on natural values. The small portion of the site affected by the Landslip Hazard Code, is unlikely to prevent development of the site to its full potential. By including the site in a zone appropriate for urban areas it promotes orderly and sustainable development.
(c) <i>to encourage public involvement in resource management and planning;</i>	The statutory process for amendment requests involves a public notification period. Any representations received will be considered by the Planning Authority. The Planning Authority is required to report on any representations to the Tasmanian Planning Commission, which in turn may hold public hearings into representations.
(d) <i>to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c);</i>	By increasing opportunities for housing the proposal will, in turn, bring in new residents to support local business and services, having a positive economic outcome.
(e) <i>to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State;</i>	The proposal has been considered by TasWater, who indicated no objection to the amendment or the planning permit application (subject to conditions). The proposal will have limited impact at the State government level. The proposal will not impact on the attainment of this objective.

Part 2 Objectives	
<i>(a) to require sound strategic planning and co-ordinated action by State and local government;</i>	The amendment represents the efficient use of unconstrained and serviced land. Applying a more appropriate zone to land within the Urban Growth Boundary is a sound strategic planning response.
<i>(b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land;</i>	The amendment uses a zone from the suite of zones available under the State Planning Provisions, and the zone is considered to be applied in accordance with the regional strategy. The SAP is considered appropriate as it addresses the requirements of Section 32(4) of LUPAA as discussed above.
<i>(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land;</i>	This urban infill site contains no priority vegetation, so its redevelopment will have minimal impact on the environment. As noted above, providing increased housing opportunities within an urban area will achieve positive social and economic benefits.
<i>(d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels;</i>	The rezoning of the land will facilitate increased housing options within the metropolitan area and is considered to align with land use management policies at a State, regional and local level.
<i>(e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals;</i>	The proposal is a combined planning scheme amendment and planning permit application. The proposal was referred to TasWater, who indicated it had no objection to the amendment, and supported the grant of the planning permit application subject to conditions. Requirements for redevelopment of the site have, as far as practical under the State Planning Provisions, been considered.

<p>(f) <i>to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation;</i></p>	<p>The proposal will enable the provision of additional housing stock within the urban area.</p>
<p>(g) <i>to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;</i></p>	<p>There are no known or listed historical scientific, aesthetic, architectural or special cultural building values on the site.</p>
<p>(h) <i>to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community;</i></p>	<p>TasWater has indicated no objection to the rezoning, and while it has identified that the increase in dwellings at 271 Main Road will require upgrades to services (pump station at corner of Main & Hestercombe Road), this has not been identified as prohibitive to the redevelopment. It is considered that redevelopment of this urban land can occur efficiently and in a co-ordinated manner without having a negative impact on public utilities.</p>
<p>(i) <i>to provide a planning framework which fully considers land capability.</i></p>	<p>The proposal includes a planning permit application, which has demonstrated that the site is capable of residential use and development.</p>

(d) is consistent with each State policy;

Assessment of the amendment against the various policies is provided in the following table

State Policy	Comment
State Policy on the Protection of Agricultural Land 2000.	<ul style="list-style-type: none"> The proposal does not involve the conversion of prime agricultural land to non-agricultural use.
State Policy on Water Quality Management 1997	<ul style="list-style-type: none"> The proposed amendment <i>per se</i> would not result in an increase in sediment transport to surface waters. <p>A planning permit condition is recommended, should the planning permit application be approved, that appropriate water quality management measures are put in place at the time of works.</p>
<p>State Coastal Policy 1996.</p> <p>The key principles of the policy are:</p> <ul style="list-style-type: none"> Natural and Cultural values of the coast shall be protected. The coast shall be used and developed in sustainable manner Integrated management and protection of the coastal zone is a shared responsibility. 	<p>The subject land is about 213m from the River Derwent and therefore is within the coastal zone.</p> <p>However, the land lies within an urban setting. In this regard, the amendment will not conflict with the principles of the <i>State Coastal Policy</i>.</p>

<p><i>National Environmental Protection Measures</i></p> <ul style="list-style-type: none"> • National Environment Protection Measures (NEPM) are automatically adopted as State Policies under section 12A of the <i>State Policies and Projects Act 1993</i> and are administered by the Environment Protection Authority. • The principles are: <ul style="list-style-type: none"> • ambient air quality • ambient marine, estuarine and fresh water quality • the protection of amenity in relation to noise (but only if differences in markets for goods and services) • general guidelines for the assessment of site contamination • environmental impacts associated with hazardous wastes • the re-use and recycling of used materials. • Principle 5 of the NEPM states that planning authorities <i>'that consent to developments, or changes in land use, should ensure a site that is being considered for development or a change in land use, and that the authorities ought reasonably know if it has a history of use that is indicative of potential contamination, is suitable for its intended use.</i> 	<ul style="list-style-type: none"> • There are no known contamination issues associated with the land. • A noise assessment report assessed the potential impacts and mitigation measures for residential development of the land. Recommendations from the report have been incorporated into the Specific Area Plan.
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(da) satisfies the relevant criteria in relation to the TPPs;

- The Tasmanian Planning Polices have not been implemented.

(e) as far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates;

The regional land use strategy for Glenorchy is the Southern Tasmanian Regional Land Use Policy 2010-2035 (STRLUS). Comments against the relevant STRULS strategies are provided below

Relevant STRLUS strategies	Comment
<p>Biodiversity and Geodiversity</p> <p>BNV 1: Maintain and manage the region's biodiversity and ecosystems and their resilience to the impacts of climate change.</p> <p>BNV 1.1: Manage and protect significant native vegetation at the earliest possible stage of the land use planning process. Where possible, avoid applying zones that provide for intensive use or development to areas that retain biodiversity values that are to be recognised and protected by the planning scheme.</p>	<p>The site is largely cleared and contains exotic vegetation in residential gardens. The land is not affected by the Natural Assets Code.</p> <p>Redevelopment of the land for residential purposes at suburban densities does not conflict with this strategy.</p>
<p>Recreation and Open Space</p> <p>ROS 1 Plan for an integrated open space and recreation system that responds to existing and emerging needs in the community and contributes to social inclusion, community connectivity, community health and well being, amenity, environmental sustainability and the economy.</p> <p>ROS 1.5: Provide for residential areas, open spaces and other community destinations that are well connected with a network of high quality walking and cycling routes.</p>	<p>The open space strip that runs along the north eastern boundary of the site is proposed to be rezoned. All of this open space strip is on private land.</p> <p>Council's open space services area indicated there was no intention to create or require this portion of the land as a link to other recreational areas in the locality. It is also noted that the topographical constraints of this area of land is not suitable for the construction of through site walking or open space linkages.</p> <p>It is noted that there are open space and recreation areas (Goulds Lagoon, Whitestone Point) within the vicinity of the site that can be accessed via the existing footpath along Main Road.</p> <p>It is noted that the planning permit application includes pedestrian footpaths within the complex.</p>

<p>ROS 1.6: Subdivision and development is to have regard to the principles outlined in 'Healthy by Design: A Guide to Planning and Designing Environments for Active Living in Tasmania'.</p>	<p>Inclusion of this portion of the land within a General Residential Zone is not inconsistent with this policy.</p>
<p>Physical Infrastructure</p> <p>PI 1: Maximise the efficiency of existing physical infrastructure</p> <p>PI 1.1 Preference growth that utilise under-capacity of existing infrastructure through the regional settlement strategy and Urban Growth Boundary for metropolitan area of greater Hobart.</p>	<p>The amendment seeks to rezone land within the urban growth boundary to a zone that facilitates urban density development opportunities.</p> <p>The proposal was referred to TasNetworks and TasWater, who indicated no objection to the rezoning (noting that TasWater has required upgrades to its physical infrastructure to facilitate the residential redevelopment of 271 Main Road).</p> <p>The proposal is therefore consistent with this strategy.</p>
<p>Land Use and Transport Integration</p> <p>LUTI 1: Develop and maintain an integrated transport and land use planning system that supports economic growth, accessibly and modal choice in an efficient, safe and sustainable manner.</p>	<p>The proposal is consistent with this strategy as it will facilitate residential development at suburban densities adjacent exiting local road infrastructure.</p>
<p>Industrial Activity</p> <p>IA 1: Identify, protect and manage the supply of well-sited industrial land that will meet regional need across the 5, 15 and 30 year horizons.</p>	<p>The industrially zoned land to the north of the site provides valuable employment opportunities to the local area. Rezoning the subject land for increased residential development may potentially impact on the operation of existing uses within the site, noting that not all uses will be managed under the Attenuation Code. In order to ensure interface areas between residential and industrial activities are appropriately managed, a SAP to ensure residential development on the land is appropriately attenuated to limit noise impacts, forms part of the planning scheme amendment. This will ensure that the industrial area can continue to operate without having a negative impact on the new residential development.</p>

<p>Settlement and Residential Development</p> <p>SRD 1 Provide a sustainable and compact network of settlements with Greater Hobart at its core, that is capable of meeting projected demand.</p> <p>SRD 1.5 Encourage land zoned General Residential to be developed at a minimum of 15 dwellings per hectare (net density).</p> <p>SRD 2 Manage residential growth for Greater Hobart on a whole of settlement basis and in a manner that balances the need for greater sustainability, housing choice and affordability.</p> <p>SRD 2.1 residential growth for Greater Hobart is to occur through 50% infill development and 50% greenfield development.</p> <p>SRD 2.7 Distribute residential infill growth across the existing urban areas for the 25 year planning period as follows [Glenorchy LGA 40 % (5300 dwelling)].</p> <p>SRD 2.10 Investigate the redevelopment to higher densities potential of rural residential areas close to the main urban extent of Greater Hobart.</p> <p>SRD 2.11 Increase the supply of affordable housing.</p>	<p>The amendment provides for new residential development opportunities within the Urban Growth Boundary and will assist Glenorchy reach its greenfield development targets at an appropriate density levels.</p> <p>In line with SRD 2.10, the subject area is considered to be more appropriately zoned for general residential densities (rather than rural living densities) given it is: surrounded by residential development at suburban densities, can be connected to reticulated services and is adjacent to existing road infrastructure, is largely free from hazards, and contains no significant natural values.</p> <p>Rezoning the land to facilitate residential densities more appropriate to its urban location will assist in reducing urban sprawl.</p> <p>While housing affordability is increasingly difficult to achieve in the current Hobart market, increasing the supply of housing does improve housing affordability.</p> <p>For the above reasons, it is considered that the amendment is consistent with these strategies.</p>
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(f) has regard to the strategic plan, prepared under [section 66 of the Local Government Act 1993](#), that applies in relation to the land to which the relevant planning instrument relates

The municipal strategic plan is the *Glenorchy Strategic Plan 2016-2025*. The amendment is consistent with the following objectives:

▪ 2.1 Stimulate a prosperous economy:

By providing increased housing opportunities within the existing urban area of Glenorchy, the amendment provides an opportunity for new residents to live closer to where they work, and/or to live close to businesses and services and support the local economy.

(g) as far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates;

There are no LPSs in effect in the neighbouring municipalities.

(h) has regard to the safety requirements set out in the standards prescribed under the [Gas Safety Act 2019](#).

The site is not located in the vicinity of the gas secondary distributor pipeline

Appendix 2 – Statutory assessment of planning permit application

State Policies and objectives of 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.

There are no inconsistencies with any other State policies or with the objectives of LUPAA.

Tasmanian Planning Scheme – Glenorchy

Exemptions (Tables 4.1 – 4.6)

There are no exemptions relevant to the application.

Planning Scheme Operation (Does a General Provision, Specific Area Plan (SAP), Site- Specific Qualification (SSQ) or Code override Zone provisions?)

No SSQ or Code provisions override Zone provisions in this assessment.

The minor upgrades to the existing pump station rely on the General Provision 7.2 Development for Existing Discretionary Uses, to determine this aspect of the proposal as if it were a permitted use in the Environmental Management Zone.

7.2.1: Notwithstanding clause 6.8.1 of this planning scheme, proposals for development (excluding subdivision), associated with a Use Class specified in an applicable Use Table, as a Discretionary use, must be considered as if that Use Class had Permitted status in that Use Table, where the proposal for development does not establish a new use, or substantially intensify the existing use.

The SAP introduced under the planning scheme amendment is in addition to controls under the General Residential Zone and the Attenuation Code and is assessed in the relevant sections of this report.

Use Class Description (Table 6.2)

Residential means use of land for self-contained or shared accommodation. Examples include a secondary residence, boarding house, communal residence, home-based business, home-based child care, residential care facility, residential college, respite centre, assisted housing, retirement village and single or multiple dwellings.

Utilities: use of land for utilities and infrastructure including:

- a) telecommunications;
- b) electricity generation;
- c) transmitting or distributing gas, oil, or electricity;
- d) transport networks;
- e) collecting, treating, transmitting, storing or distributing water; or
- f) collecting, treating, or disposing of storm or floodwater, sewage, or sullage.

Examples include an electrical sub-station or powerline, gas, water or sewerage main, optic fibre main or distribution hub, pumping station, railway line, retention basin, road, sewage treatment plant, storm or flood water drain, water storage dam and weir.

Other relevant definitions (Clause 3.0)

Applicable standard means as defined in subclause 5.5.2, 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.

Frontage means a boundary of a lot which abuts a road.

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.

Road means land over which the general public has permanent right of passage, including the whole width between abutting property boundaries, all footpaths and the like, and all bridges over which such a road passes.

Sensitive use means a residential use or a use involving the presence of people for extended periods except in the course of their employment such as a caravan park, childcare centre, dwelling, hospital or school.

Zones

The land is within a **General Residential Zone** and the following zone purpose statements, use table, use standards and/or development standards apply to this proposal:

Zone Purpose Statements

9.1.1 To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.

9.1.2 To provide for the efficient utilisation of available social, transport and other service infrastructure.

9.1.3 To provide for non-residential use that:

- a) primarily serves the local community; and*
- b) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.*

9.1.4 To provide for Visitor Accommodation that is compatible with residential character.

The proposal for 42 multiple dwellings is in keeping with the purpose statements of the General Residential Zone as the proposal would provide for a range of dwelling types where full infrastructure and services can be provided.

Use Table

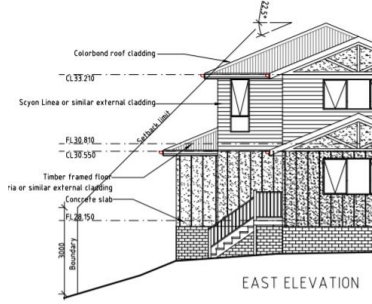
The residential use class for multiple dwellings is a 'permitted' use within the General Residential Zone. However, the application requires discretionary consideration because it relies on performance criteria to comply with applicable standards.

Compliance with Use, Development and Subdivision Standards and relevant Codes are identified in the following table

8.0 General Residential Zone


Standard	Acceptable Solution	Proposed	Complies?
8.3 Use Standards			
The use standards of the zone are not applicable in this instance.			
8.4 Development Standards for Buildings and Works			
8.4.1 Residential density for multiple dwellings	A1 Multiple dwellings must have a site area per dwelling of not less than 325m ² .	Proposal for 42 dwellings on 1.437ha site equates to 1 dwelling per 342m ² .	Yes
8.4.2 Setbacks and building envelope for all dwellings	A1 Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, not less than 4.5m, or, if the setback from the primary frontage is less than 4,5m, not less than the setback, from	Unit 1 is setback 4.695m from the front setback, which complies with A1(a).	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<p>the primary frontage, of any existing dwelling on the site;</p> <p>(b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site;</p> <p>(c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or</p> <p>(d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level.</p>		
	<p>A2 A garage or carport for a dwelling must have a setback from a primary frontage of not less than:</p> <p>(a) 5.5m, or alternatively 1m behind the building line;</p> <p>(b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or</p> <p>(c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</p>	No garage or carport is within 5.5m of the frontage	Yes

	<p>A3 A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <ul style="list-style-type: none"> (a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by: <ul style="list-style-type: none"> (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and (b) only have a setback within 1.5m of a side or rear boundary if the dwelling: <ul style="list-style-type: none"> (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or (ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser). 	<ul style="list-style-type: none"> (a) The site plans provide a front setback of 4.695m unit 1; northern rear setback of 9.535m Unit 16; north eastern side setback of 0.9m Unit 14 and southwestern side setback of 0.9m for Unit 43. The acoustic fence extending along the rear boundary and portion of both side boundaries is 2.5m in height. [NOTE: the detailed plans for unit 14 (page 57) show a 1300m setback; however the plans have been revised to address road layout requirements and this update has not been reflected in the consultants report] <p>Maximum height is 8.486m (unit 29) Unit 14 is 4.9m in height and fits within the envelope; unit 16 is 5.279m in height and fits within the envelope and unit 42 is 5.425m in height and fits within the building envelop Unit 19 has a minor protrusion into the building envelope, however it complies with the envelope.</p>  <p>Therefore the proposal complies with (a)</p>	<p>No See report for discussion</p>
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Standard	Acceptable Solution	Proposed	Complies?
		<p>(b) Unit 14 is setback from the side boundary by 0.9m and has a wall length of 9.49m and the northern side boundary length is 123m. A 2.5m high acoustic fence also extends 85m along the northern boundary, 30m on the southern and the full length of the rear boundary. Therefore, the proposal does not meet (b).</p>	
<p>8.4.3 Site coverage and private open space for all dwellings</p>	<p>A1 Dwellings must have:</p> <p>(a) a site coverage of not more than 50% (excluding eaves up to 0.6m wide); and</p> <p>(b) for multiple dwellings, a total area of private open space of not less than 60m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the ground level (excluding a garage, carport or entry foyer).</p>	<p>(a) Site coverage of 25%,</p> <p>(b) All units have a minimum of 60m² of open space</p>	<p>Yes</p>
	<p>A2 A dwelling must have private open space that:</p> <p>(a) is in one location and is not less than:</p> <p style="padding-left: 20px;">(i) 24m²; or</p> <p style="padding-left: 20px;">(ii) 12m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);</p> <p>(b) has a minimum horizontal dimension of:</p> <p style="padding-left: 20px;">(i) 4m; or</p>	<p>(a) All units have a minimum of 24m²,</p> <p>(b) Units 16, 17 and 18 include access steps within the designed 24m² of open space and do not meet the minimum 4m dimension, noting that some units include portions of open space under verandahs – but still meet the minimum dimensions,</p> <p>(c) Unit 42 has 24m² of open space between the frontage and the dwelling, and</p>	<p>No See report for discussion.</p>

Standard	Acceptable Solution	Proposed	Complies?
	<ul style="list-style-type: none"> (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and (d) has a gradient not steeper than 1 in 10. 	<ul style="list-style-type: none"> (d) Gradient is less than 1 in 10. 	
<p>8.4.4 Sunlight to private open space of multiple dwellings</p>	<p>A1 A multiple dwelling that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 8.4.3, must satisfy (a) or (b), unless excluded by (c):</p> <ul style="list-style-type: none"> (a) the multiple dwelling is contained within a line projecting (see Figure 8.4): <ul style="list-style-type: none"> (i) at a distance of 3m from the northern edge of the private open space; and (ii) vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal. (b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight within the hours of 9.00am to 3.00pm on 21st June. (c) this Acceptable Solution excludes that part of a multiple dwelling consisting of: <ul style="list-style-type: none"> (i) an outbuilding with a building height not more than 2.4m; or 	<p>Several dwellings are 3m or less from the north of the open space of a dwelling to the south:</p> <ul style="list-style-type: none"> ☒ Unit 9 – single storey and 3m from the northern edge of the pos of unit 29 – fits the building envelop and meets (a) ☒ Unit 11 – single storey and 3m from the northern edge of unit 27 and meets the building envelop and satisfied (a) ☒ Unit 31 – 3m from the northern edge of pos of Unit 34 and as single storey meets the building envelop and satisfied (a) ☒ Unit 10 is 2.17m to the north of the pos of Unit 28 however 45% of the open space area is not south of the wall (see image below), therefore the remaining 55% of the open space area would satisfy (b). 	<p>Yes</p>

Standard	Acceptable Solution	Proposed	Complies?
	<p>(ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling.</p>		
<p>8.4.5 Width of openings for garages and carports for all dwellings</p>	<p>A1 A garage or carport for a dwelling within 12m of a primary frontage, whether the garage or carport is free-standing or part of the dwelling, must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).</p>	<p>No garages are within 12m of the frontage</p>	<p>Yes</p>
<p>8.4.6 Privacy for all dwellings</p>	<p>A1 A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above existing ground level must have a permanently fixed screen to a height of not less than 1.7m above the finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a: (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 3m from the side boundary;</p>	<p>Side boundary</p> <ul style="list-style-type: none"> • Unit 14 is 0.9m from the side and has a deck 1m above ground level within this setback • Unit 20 is 2.5m from the side but no decks carparks etc 1m above existing ground level • Unit 21 is 2.5 from the side but no decks carparks etc 1m above existing ground level • Unit 42 is 0.9m from the side but no decks carparks etc 1m above existing ground level (car park and dwelling cut in) 	<p>No – see report for assessment</p>

Standard	Acceptable Solution	Proposed	Complies?
	<p>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and</p> <p>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m:</p> <p>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</p> <p>(ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.</p>	<p>Development is setback 9.535m from the rear boundary</p> <p>Dwellings on the same site with windows within 6m of a window or glazed door are nominated to have a sill height of 1.7m above finished floor levels</p> <p>There are no balconies or decks within 6m of a window or private open space area.</p>	
	<p>A2 A window or glazed door, to a habitable room of a dwelling that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b):</p> <p>(a) The window or glazed door:</p> <p>(i) is to have a setback of not less than 3m from a side boundary;</p> <p>(ii) is to have a setback of not less than 4m from a rear boundary;</p> <p>(iii) if the dwelling is a multiple dwelling, is to be not less than 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</p> <p>(iv) if the dwelling is a multiple dwelling, is to be not less than 6m from the private open space of another dwelling on the same site.</p> <p>(b) The window or glazed door:</p>	<p>Windows and glazed doors of dwellings within the side and rear boundary setback are either not more than 1m above natural ground level or have sill heights above 1.7m:</p> <ul style="list-style-type: none"> • Unit 14 is 0.9m from the side boundary but less than 1m above existing ground level • Unit 20 is 2.5m from the side boundary but less than 1m above existing ground level • Unit 21 is 2.5 from the side and less than 1m above existing ground level (0.79m) • Unit 42 is 0.9m from the side but upper level windows have a sill height of not less than 1.7m above the floor level • Rear setback Unit 16 is 9.535m 	<p>No – see report for assessment</p>

Standard	Acceptable Solution	Proposed	Complies?
	<p>(i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling;</p> <p>(ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of at least 1.7m above the floor level; or</p> <p>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%.</p>	<p>Habitable room windows or glazed doors of dwellings with finished floor levels more than 1m above existing ground level and within 6m of another window or open space area have minimum sill heights of 1.7m above the finished floor level except for:</p> <p>Northern elevation windows of Units 39 and 40 which have potential to overlook adjoining dwellings open space from the respective upper levels.</p> <p>[Upper levels within 6m of pos of other dwelling are:</p> <ul style="list-style-type: none"> • Unit 5 to pos of Unit 3, 4.4m (but non-habitable room) • Unit 7 to pos of Unit 6 is 2.01m – no widows on that elevation • Unit 28 to pos of Unit 27 is 2.5m but windows are highlight • Unit 17 to pos of Unit 18 is 4.5m but no habitable rooms • Unit 25 to pos of unit 26 is 3m but single storey & non habitable room • Unit 29 to pos of Unit 6 is 2.8m – upper level windows are highlight • Unit 37 to pos of 38 is 2m, however due to the recessed nature of the window along the common wall with Unit 38 the view line to Unit 38 pos is restricted.] 	

Standard	Acceptable Solution	Proposed	Complies?
	<p>A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than:</p> <ul style="list-style-type: none"> (a) 2.5m; or (b) 1m if: <ul style="list-style-type: none"> (i) it is separated by a screen of not less than 1.7m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level. 	<p>The plans show the shared driveway a minimum of 2.5m from windows of the dwellings, or if less than 2.5m, a 1.7m high timber slat screen with a 30% transparency between any window and shared driveway.</p>	Yes
<p>8.4.7 Frontage fences for all dwellings</p>	<p>A1 No Acceptable Solution. [S8]</p>	<p>The plans provide for a 1.2m high slat screen fence along the southern side of the access in the front boundary and a 1m high solid masonry wall along the northern side of the access.</p> <p>However the side boundary fence is designated as 1.8m high and this extends into the 4.5m front setback</p> <p>It is noted that the private open space of Unit 1 is located in line with the front of the building and that it would be only 3.7m from the frontage at the side boundary.</p>	No
<p>8.4.8 Waste storage for multiple dwellings</p>	<p>A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of not less than 1.5m² per dwelling and is within one of the following locations:</p> <ul style="list-style-type: none"> (a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or 	<p>As 42 units are proposed a minimum area of 63m² is required</p> <p>Approximate 120m² common storage area is located at the front of the site, 4.5m from the front setback, and screened by a 1.9m high slat screen fence.</p>	No

Standard	Acceptable Solution	Proposed	Complies?
	(b) in a common storage area with an impervious surface that: <ul style="list-style-type: none"> (i) has a setback of not less than 4.5m from a frontage; (ii) is not less than 5.5m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of not less than 1.2m above the finished surface level of the storage area. 	However, the storage area is 3.8m from Unit 42 (with the private open space area of the unit located between the storage area and the dwelling)	

Pump station upgrades

The works to the existing pump station are underground and do not trigger any applicable standards within the Open Space or Utilities zones.

23.0 Environmental Management

Standard	Acceptable Solution	Proposed	Complies?
23.3 Use Standards			
There are no applicable use standards for this development			
23.4 Development Standards for Buildings and Works			
23.4.1 Development area	A1 The development area must: <ul style="list-style-type: none"> (a) be not more than 500m²; (b) be in accordance with an authority under the National Parks and Reserved Land Regulations 2009 granted by the Managing Authority or the Nature Conservation Act 2002; or (c) be in accordance with an approval of the Director-General of Lands under the Crown Lands Act 1976. 	The proposed works to create an additional 6.1m ³ of storage capacity for additional sewerage flows are underground.	Yes
23.4.2 Building Height, setback and siting	A1 Building height must: <ul style="list-style-type: none"> (a) be not more than 6m; (b) be in accordance with an authority under the National Parks and Reserved Land Regulations 2009 granted by the Managing Authority or Nature Conservation Act 2002; or (c) be in accordance with an approval of the Director-General of Lands under the Crown Lands Act 1976. 	The proposed works are underground.	N/A
	A2 Buildings must have a setback from all boundaries: <ul style="list-style-type: none"> (a) not less than 10m; (b) not less than the existing building for an extension; 	The proposed works are underground.	N/A

Standard	Acceptable Solution	Proposed	Complies?
	<p>(c) in accordance with an authority under the National Parks and Reserved Land Regulations 2009 granted by the Managing Authority and/or Nature Conservation Act 2002; or</p> <p>(d) be in accordance with an approval of the Director-General of Lands under the Crown Lands Act 1976.</p>		
	<p>A3 Buildings for a sensitive use must be separated from an adjoining Rural Zone or Agriculture Zone:</p> <p>(a) not less than 200m; or</p> <p>(b) where an existing building for a sensitive use on the site is within 200m of that boundary, not less than the existing building.</p>	Development is more than 200m from these zones.	N/A
<p>23.4.3 Exterior finish</p>	<p>A1 Exterior building finishes must:</p> <p>(a) be coloured using colours with a light reflectance value not more than 40% in dark natural tones of grey, green or brown;</p> <p>(b) be in accordance with an authority under National Parks and Reserved Land Regulations 2009 granted by the Managing Authority or the Nature Conservation Act 2002; or</p> <p>(c) be in accordance with an approval of the Director-General of Lands under the Crown Lands Act 1976.</p>	Works are underground.	N/A
<p>23.4.4 Vegetation management</p>	<p>A1 Building and works must:</p> <p>(a) be located on land where the native vegetation cover has been lawfully removed; or</p>	No native vegetation is located on the development site.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(b) be in accordance with an authority under National Parks and Reserved Land Regulations 2009 granted by the Managing Authority or the Nature Conservation Act 2002.		

C2.0 Parking and Sustainable Transport Code

Standard	Acceptable Solution	Proposed	Complies?
C2.5 Use Standards			
<p>C2.5.1 Car parking numbers</p>	<p>A1 The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if:</p> <ul style="list-style-type: none"> (a) 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; (b) the site is contained within a parking precinct plan and subject to Clause C2.7; (c) the site is subject to Clause C2.5.5; or (d) it relates to an intensification of an existing use or development or a change of use where: <ul style="list-style-type: none"> (i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or (ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows: <p style="text-align: center;">$N = A + (C - B)$</p>	<p>2 spaces each dwelling plus 14 visitor spaces throughout the site.</p>	<p>Yes</p>

Standard	Acceptable Solution	Proposed	Complies?
	<p>N = Number of on-site car parking spaces required</p> <p>A = Number of existing on site car parking spaces</p> <p>B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1</p> <p>C= Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.</p>		
<p>C2.5.2 Bicycle parking numbers</p>	<p>A1 Bicycle parking spaces must: (a) be provided on the site or within 50m of the site; and (b) be no less than the number specified in Table C2.1.</p>	Not required	NA
<p>C2.5.3 Motorcycle parking numbers <i>This applies to:</i> <i>Business and Professional Services;</i> <i>Community Meeting and Entertainment;</i> <i>Custodial Facility;</i> <i>Crematoria and Cemeteries;</i> <i>Educational and Occasional Care;</i> <i>Food Services;</i> <i>General Retail and Hire;</i> <i>Hospital Services;</i> <i>Hotel Industry;</i></p>	<p>A1 The number of on-site motorcycle parking spaces for all uses must: (a) be no less than the number specified in Table C2.4; and (b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained.</p>	Not required	N/A

Standard	Acceptable Solution	Proposed	Complies?
<p><i>Pleasure Boat Facility;</i></p> <p>Residential if for a communal residence, multiple dwellings or hostel use;</p> <p><i>Sports and Recreation; and Tourist Operation.</i></p>			
<p>C2.5.4</p> <p>Loading bays</p> <p><i>This applies to:</i></p> <p><i>Bulky Goods Sales;</i></p> <p><i>General Retail and Hire;</i></p> <p><i>Manufacturing and Processing; and Storage.</i></p>	<p>A1</p> <p>A loading bay must be provided for uses with a floor area of more than 1000m² in a single occupancy.</p>	Not required	NA
<p>C2.5.5</p> <p>Number of car parking spaces within the General Residential Zone and Inner Residential Zone</p> <p><i>This applies to:</i></p> <p><i>Business and Professional Services;</i></p> <p><i>Community Meeting and Entertainment;</i></p> <p><i>Educational and Occasional Care;</i></p> <p><i>Emergency Services;</i></p> <p><i>Food Services;</i></p> <p><i>General Retail and Hire;</i></p> <p><i>Sports and Recreation; and</i></p>	<p>A1</p> <p>Within existing non-residential buildings in the General Residential Zone and Inner Residential Zone, on-site car parking is not required for:</p> <p>(a) Food Services uses up to 100m² floor area or 30 seats, whichever is the greater; and</p> <p>(b) General Retail and Hire uses up to 100m² floor area, provided the use complies with the hours of operation specified in the relevant Acceptable Solution for the relevant zone.</p>	Not required	NA

Standard	Acceptable Solution	Proposed	Complies?
<i>Utilities, if not for minor utilities.</i>			
C2.6 Development Standards for Building Works			
C2.6.1 Construction of parking areas	A1 All parking, access ways, manoeuvring and circulation spaces must: (a) be constructed with a durable all weather pavement; (b) be drained to the public stormwater system, or contain stormwater on the site; and (c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.	Parking and driveway area proposed to be paved surface and surfaced water are to be drained to the stormwater connection	Yes
C2.6.2 Design and layout of parking areas	A1.1 Parking, access ways, manoeuvring and circulation spaces must either: (a) comply with the following: (i) have a gradient in accordance with <i>Australian Standard AS 2890 - Parking facilities, Parts 1-6</i> ; (ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces; (iii) have an access width not less than the requirements in Table C2.2;	Layout and gradients are provided in accordance with the AS2890.1	Yes

Standard	Acceptable Solution	Proposed	Complies?
	<p>(iv) have car parking space dimensions which satisfy the requirements in Table C2.3;</p> <p>(v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces;</p> <p>(vi) have a vertical clearance of not less than 2.1m above the parking surface level; and</p> <p>(vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or</p> <p>(b) comply with <i>Australian Standard AS 2890- Parking facilities, Parts 1-6.</i></p> <p>A1.2 Parking spaces provided for use by persons with a disability must satisfy the following:</p> <p>(a) be located as close as practicable to the main entry point to the building;</p> <p>(b) be incorporated into the overall car park design; and</p> <p>(c) be designed and constructed in accordance with <i>Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities.</i> [S35]</p>		
<p>C2.6.3 Number of accesses for vehicles</p>	<p>A1 The number of accesses provided for each frontage must:</p> <p>(a) be no more than 1; or</p> <p>(b) no more than the existing number of accesses, whichever is the greater.</p>	<p>One access</p>	<p>Yes</p>
	<p>A2</p>		<p>N/A</p>

Standard	Acceptable Solution	Proposed	Complies?
	Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.		
C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone	A1 In car parks within the General Business Zone and Central Business Zone, parking and vehicle circulation roads and pedestrian paths serving 5 or more car parking spaces, which are 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 <i>Australian Standard/New Zealand Standard AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting – Performance and design requirements.</i>		N/A
C2.6.5 Pedestrian access	A1.1 Uses that require 10 or more car parking spaces must: <ul style="list-style-type: none"> (a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by: <ul style="list-style-type: none"> (i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or (ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and (b) be signed and line marked at points where pedestrians cross access ways or parking aisles. A1.2 In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is	1 m wide pedestrian access with be provided	N/A

Standard	Acceptable Solution	Proposed	Complies?
	required from those spaces to the main entry point to the building.		
C2.6.6 Loading bays	A1 The area and dimensions of loading bays and access way areas must be designed in accordance with <i>Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Off-street commercial vehicle facilities</i> , for the type of vehicles likely to use the site.		N/A
	A2 The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward direction in accordance with <i>Australian Standard AS 2890.2 – 2002, Parking Facilities, Part 2: Parking facilities Offstreet commercial vehicle facilities</i> .		N/A
C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone	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.		N/A
	A2 Bicycle parking spaces must: (a) have dimensions not less than: (i) 1.7m in length; (ii) 1.2m in height; and (iii) 0.7m in width at the handlebars; (b) have unobstructed access with a width of not less than 2m and a gradient not steeper than 5% from a road, cycle path, bicycle lane, shared path or access way; and		N/A

Standard	Acceptable Solution	Proposed	Complies?
	(c) include a rail or hoop to lock a bicycle that satisfies <i>Australian Standard AS 2890.3-2015 Parking facilities - Part 3: Bicycle parking.</i>		
C2.6.8 Siting of parking and turning areas	A1 Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas must be located behind the building line of buildings, excluding if a parking area is already provided in front of the building line.		N/A
	A2 Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must: (a) have no new vehicle accesses, unless an existing access is removed; (b) retain an active street frontage; and (c) not result in parked cars being visible from public places in the adjacent roads.		N/A
C2.7 Parking Precinct Plan			
C2.7.1 Parking Precinct Plan	A1 Within a parking precinct plan, onsite parking must: (a) not be provided; or (b) not be increased above existing parking numbers.		N/A

Footnotes

[S35] Requirements for the number of accessible car parking spaces are specified in part D3 of the National Construction Code 2016.

C3 Road and Railway Assets Code

Standard	Acceptable Solution	Proposed	Complies?
C3.5 Use Standards			
<p>C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction</p>	<p>A1.1 For a category 1 road or a limited access road, vehicular traffic to and from the site will not require: (a) a new junction; (b) a new vehicle crossing; or (c) a new level crossing.</p> <p>A1.2 For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority.</p> <p>A1.3 For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.</p> <p>A1.4 Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than: (a) the amounts in Table C3.1; or (b) allowed by a licence issued under Part IVA of the <i>Roads and Jetties Act 1935</i> in respect to a limited access road.</p>	<p>Vehicular traffic is expected to increase over 40 vpd</p>	<p>No – TIA addresses the traffic generation and concludes the performance criteria are satisfied.</p>

Standard	Acceptable Solution	Proposed	Complies?
	<p>A1.5 Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>		
C3.6 Development Standards for Buildings and Works			
<p>C3.6.1 Habitable buildings for sensitive uses within a road or railway attenuation area</p>	<p>A1 Unless within a building area on a sealed plan approved under this planning scheme, habitable buildings for a sensitive use within a road or railway attenuation area, must be:</p> <ul style="list-style-type: none"> (a) within a row of existing habitable buildings for sensitive uses and no closer to the existing or future major road or rail network than the adjoining habitable building; (b) an extension which extends no closer to the existing or future major road or rail network than: <ul style="list-style-type: none"> (i) the existing habitable building; or (ii) an adjoining habitable building for a sensitive use; or (c) located or designed so that external noise levels are not more than the level in Table C3.2 measured in accordance with Part D of the <i>Noise Measurement Procedures Manual, 2nd edition, July 2008</i>. 		N/A

Standard	Acceptable Solution	Proposed	Complies?
C3.7 Development Standards for Subdivision			
C3.7.1 Subdivision for sensitive uses within a road or railway attenuation area	A1 A lot, or a lot proposed in a plan of subdivision, intended for a sensitive use must have a building area for the sensitive use that is not within a road or railway attenuation area.		N/A

C7.0 Natural Assets Code

Standard	Acceptable Solution	Proposed	Complies?
C7.6 Development Standards for buildings and works			
C7.6.1 Buildings and works within a waterway and coastal protection area or future coastal refugia area	A1 Buildings and works within a waterway and coastal protection area must: (a) be within a building area on a sealed plan approved under this planning scheme; (b) in relation to a Class 4 watercourse, be for a crossing or bridge not more than 5m in width; or (c) if within the spatial extent of tidal waters, be an extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway that is not more than 20% of the area of the facility existing at the effective date.	The works are underground however they do not satisfy any of the options	No
	A2 Buildings and works within a future coastal refugia area must be located within a building area on a sealed plan approved under this planning scheme.		N/A
	A3 Development within a waterway and coastal protection area or a future coastal refugia area must not involve a new stormwater point discharge into a watercourse, wetland or lake.	No stormwater discharge is proposed	
	A4 Dredging or reclamation must not occur within a waterway and coastal protection area or a future coastal refugia area.		N/A
	A5		N/A

Standard	Acceptable Solution	Proposed	Complies?
	Coastal protection works or watercourse erosion or inundation protection works must not occur within a waterway and coastal protection area or a future coastal refugia area.		
C7.6.2 Clearance within a priority vegetation area	A1 Clearance of native vegetation within a priority vegetation area must be within a building area on a sealed plan approved under this planning scheme		N/A
C7.7 Development Standards for subdivision			
The proposal does not involve subdivision			

C9.0 Attenuation Code

Standard	Acceptable Solution	Proposed	Complies?
C9.5 Use Standards			
C9.5.1 Activities with Potential to Cause emissions	A1 The attenuation area of an activity listed in Tables C9.1 or C9.2 must not include: (a) a site used for a sensitive use which is existing; (b) a site that has a planning permit for a sensitive use; or (c) land within the General Residential Zone, Inner Residential Zone, Low Density Residential Zone, Rural Living Zone A, Rural Living Zone B, Village Zone or Urban Mixed Use Zone		N/A
C9.5.2 Sensitive use within an attenuation area	A1 No acceptable solution		No
C9.6 Development Standards for subdivision			
C9.6.1 Lot design	A1 Each lot, or a lot proposed in a plan of subdivision, within an attenuation area must: (a) be for the creation of separate lots for existing buildings; (b) be for the creation of a lot where a building for a sensitive use can be located entirely outside the attenuation area; or (c) not be for the creation of a lot intended for a sensitive use.		N/A

Standard	Acceptable Solution	Proposed	Complies?
GLE-S13.0 263, 271 and 293 Main Road, Austins Ferry Specific Area Plan			
<i>Development standards for sensitive use</i>			
<p>GLE-S13.6.1 Development for sensitive use</p>	<p>A1.1 For new dwellings at 271 or 263 Main Road, Austins Ferry an acoustic fence constructed from a panel system that provides a contiguous mass barrier with a sound transmission loss of 20 dB or more at frequencies from the 125 Hz 1/1-octave band and above must be constructed at the height and location shown in Figure GLE-S13.1.</p> <p>A1.2 For new dwellings at 295 Main Road, Austins Ferry there is no acceptable solution.</p>	<p>The plans for 271 Main Road provide for an acoustic fence as a contiguous mass barrier with a sound transmission loss of 20dB or more at frequencies from the 125 Hz 1/1-octave and above as follows:</p> <ul style="list-style-type: none"> ▪ To a height of 2.1m and a length of 8.5 m along the north western boundary ▪ To a height of 2.5m along the north eastern boundary ▪ To a height of 2.5m for a length of 30m from the eastern boundary. <p>However portion of the fence along the north west and north eastern boundary does not cut the corner at the correct height as required in Figure GLE13.1 of the SAP.</p> <p>The applicant has indicated this could be achieved via a condition, which would ensure the proposal meets the AS</p>	<p>Yes</p> <p>subject to a condition for noise audit on the fence and realignment of the fence to satisfy the extent identified in the Noise Assessment report</p> <p>Realignment of the fence will not reduce the open space area or have an impact on solar access to open space for Unit 14.</p>

Standard	Acceptable Solution	Proposed	Complies?
	<p>A2 For new dwellings of two or more storey in the area shown in Figure GLE-S13.2 an assessment by a suitably qualified acoustic engineer is required to demonstrate all habitable rooms are designed to meet <i>AS2107:2016 – Acoustics (Recommended Design Sound Levels and Reverberation Times for Building Interiors)</i>.</p>	<p>A statement has been provided by the applicant that the three 2 storey dwellings (17, 18 & 19) which are within the area identified in GLE-S13.2 will meet the standard</p>	<p>Yes Condition for noise audit to be undertaken following construction required.</p>
	<p>A3 Second storey and above deck and balcony spaces of new dwelling located in the area shown in Figure GLE-S13.2 are to be located on the southern or western side of the dwelling.</p>	<p>Units 17, 18 & 19 have balconies on the eastern and northern elevations. The applicant has indicated that they are amenable to a condition to delete these deck and balcony spaces to meet the AS.</p>	<p>Yes Subject to a condition to delete balconies and decks on northern and eastern side of the second storey of Units 17, 18 & 19</p>
<i>Development standards for subdivision</i>			
<p><i>GLE-S13.7.1 Development standards for subdivision</i></p>	<p>A1 Each lot, or a lot proposed lot must:</p> <ul style="list-style-type: none"> (a) be for the creation of separate lots for existing buildings; (b) be for the creation of a lot where a building for a sensitive use can be located entirely outside the 	<p>N/A</p>	<p>N/A</p>

Standard	Acceptable Solution	Proposed	Complies?
	attenuation area shown in Figure GLE-S13.2; or (c) not be for the creation of a lot intended for a sensitive use		

Appendix 3 – Comments from Referral bodies

INTERNAL REFERRALS

Traffic Engineer

Introduction

The developer proposes to rezone the land to general residential and apply a Specific Area Plan, along with an application to construct 42 units. Most of the units proposed are three bedrooms with only five of the units being two bedrooms. All the units have two parking spaces and there will be 14 visitor car parking spaces provided on site.

The assessment below is based on the Traffic Impact Assessment (TIA) undertaken by Hubble Traffic dated December 2021. The TIA addresses performance criteria C3.5.1 P1 traffic generation at a vehicle crossing, level crossing or new junction; along with the acceptable solution for C2.5.1 A1 for car parking numbers and C2.6.5 A1.1 pedestrian access.

Traffic Generation

The traffic generated by the development is expected to be 265 daily trips with 27 trips in peak hour based on medium density residential units as per the Roads and Maritime Services, Road Traffic Authority (RTA) NSW Guide to Traffic Generation Development.

Based on the above the Acceptable Solution is not met for C3.5.1 and the performance criteria P1 is addressed in the TIA.

The crash data reported to the Police over the last 5 years was assessed in the TIA on Main Road 250m either side of the proposed driveway access. In this period there have been two property damage crashes being loss of control and a car rolling back, and one minor injury crash due to a rear-end. These crashes are not considered significant or represents an issue in the road network.

The TIA undertook a peak hour traffic survey in Main Road on Tuesday 1 June 2021. This showed that the morning peak was between 7.45am and 8.45 with a total of 403 vehicles, of which 137 were travelling north and 266 were travelling south. In the afternoon, the peak was between 4pm to 5pm with a total of 582 vehicles, of which 395 were travelling north and 187 were travelling south. Based on the survey, Main Road likely carries around 5,000 vehicles per day as peak hour represents 10% of the total volume, which is acceptable for an arterial road that can carry up to 10,000 vehicles per day.

The impact of the increase in traffic during peak hours from the development was modelled in the TIA. The TIA concluded from the modelling that traffic entering and leaving Main Road will not adversely impact other drivers. In the morning peak motorist leaving the site are not expected to incur any notable delays. In the evening peak there are sufficient gaps in the southbound traffic on Main Road to enable motorists to turn into the site without queuing or experiencing a delay, thus a right turn lane on Main Road is not required.

Based on the level of service from the RTA guide and modelling undertaken, the additional vehicle movements along Main Road generate by the development is not expected to cause any adverse deterioration in level of service now or in 10 years' time based on a traffic growth rate of 2%.

Sight distance at the driveway with Main Road was assessed in the TIA. Main Road has a posted speed limit of 60km/h. Sight lines to the south of the driveway is 175m and to the north of the driveway 200m. This is above the safe intersection sight distance required of 127m based on Austroads Guide to Road Design. Sight distances at the junctions within the internal roadway of the site were assessed in the TIA and meet the required safe intersection sight distance of 42m for the low-speed environment of 30km/h.

The developer proposes to have waste collection area located just within the development site and collected by Council. The waste collection vehicle will reverse a short distance into the driveway to collect the waste. The TIA notes that this reversing movement is not expected to cause any adverse safety or traffic efficiency impacts due to the low frequency of this, suitable road widths, adequate sight lines and suitable gradients.

The TIA is accepted, and it can be concluded that the additional traffic should not unreasonably impact on the safety or efficiency of the road network. The performance criteria for C3.5.1 P1 is met.

Parking Supply

The development is proposing two parking spaces per unit and 14 visitor parking spaces spread through the development site. The planning scheme requires 2 spaces per dwelling for 2 or more bedrooms and 1 visitor park per 3 dwellings as an internal lot. This equates to 14 visitor parks.

The development complies with the acceptable solution for parking, being C2.5.1. Based on the parking being supplied by the development it is not envisaged that parking will be an issue. However, if there is overflow parking there on-street parking on both sides of Main Road.

Internal Road Layout

The developer is proposing one driveway access for the 42 units off Main Road which will be 6m wide for two-way traffic flow. There is then one main internal loop roadway wide enough for two-way traffic. Off the main roadway there is a minor road that will accommodate access to seven of the units.

The minor road has been designed with passing areas and for cars to be able to turn around at either end of the road. A service vehicle will need to reverse to leave the site which is acceptable for the low volume and speed environment of the area.

A pedestrian path 1m wide is located around the main internal loop and minor road, as required under the acceptable solution C2.6.5 A1.1.

Based on the TIA it is accepted that the proposed driveway access and internal road layout is safe.

Conclusion

As the proposed development is not expected to have any significant detrimental impacts on the surrounding road network in terms of traffic efficiency, parking, or road safety, I have no objection to the development on traffic engineering or road safety grounds.

Development Engineer

The development application seeks an approval for a planning scheme amendment to rezone the subject sites to general residential and to construct 42 -unit multi-residential dwellings with a total of 98 car parking spaces. The works are proposed to be completed in 3 stages. Each dwelling is provided with two (2) car parking spaces and there will be 14 visitor car parking spaces spread throughout the development site.

The development is also referred to Council's senior Civil Engineer who provided comments and recommended conditions in the Hydraulics Referral documents. These conditions will be part of the General Manager's consent under the Section 14 Urban Drainage Act 2013 and shall be met prior to the occupancy of the dwellings. The General Manager's consent to interfere with stormwater infrastructure can be granted.

The requirement to provide stormwater quality treatment under Council's Stormwater Management Policy, a Part 5 agreement is required to be entered into to maintain stormwater quality treatment measures to achieve the objectives of the Objectives of the Resource Management and Planning System of Tasmania and to satisfy the objectives of the State Policy on Water Quality Management 1997.

The Traffic Impact Assessment (TIA) undertaken by Hubble Traffic dated December 2021 addresses codes C2.5.1 Car Parking Numbers, C2.6.5 A1.1 pedestrian access and C3.5.1 Traffic Generated at Vehicle Crossing, Level Crossings and New Junctions, is submitted as a supporting document. The TIA have been referred to Council's Transport Engineer to review, provide comments and recommend the conditions as required. Please refer to a Traffic Engineer referral for a detailed discussion on Traffic Generations and parking supply.

The layout of unit development can be seen in the extract of the master plan in the figure below.



C3.0 Road and Railway Assets Code

The development complies with the Code.

According to the TIA the proposed development is expected to increase vehicular traffic to and from the site to 265 vehicle movements per day which exceeds the amount of acceptable increase in Table C3.1. Therefore, the development is unable to comply with the acceptable solution and hence triggers the assessment against the performance criteria C3.5.1 P1. The TIA assesses the existing traffic conditions, traffic efficiency and traffic safety of the surrounding networks, using the parking survey, the speed limit, operating speed, and crash data for the last 5 years, to evaluate the impact from traffic generated by the proposed development. The local networks studied are Main Road 250m both sides of the proposed access.

Based on the assessment, the TIA concludes that the additional vehicle movements along Main Road generate by the development is not expected to cause any adverse impact in level of service now or in 10 years' time based on a traffic growth rate of 2% and there is sufficient capacity within the Main Road to absorb additional traffic movement without adversely impact on the local road network. Therefore, the performance criteria for C3.5.1 P1 is met. Sight distance at the driveway with Main Road was assessed in the TIA and meets the required safe intersection sight distance.

C2.0 Parking and Sustainable Transport Code

The development complies with the Code and is considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected.

The site can be accessed off the existing vehicle crossing which will be widened to 6m wide for two-way traffic, onto the driveway and parking areas. The motorists leaving or entering the site will have sufficient sight distance. The requirement under the C2.5.1 and table C2.1, A1 requires the total of two (2) car parking spaces for each residential dwelling and 1 dedicated visitor space per every 4 dwellings. The applicant proposes to comply with the requirements providing a total of 98 spaces for the entire site which comprises of 2 spaces for each unit and 11 visitor parking spaces. There are no requirements for accessible car parking, bicycle parking spaces and commercial vehicle applicable to the development application.

The layout of all parking, access ways, manoeuvring and turning area are in accordance with the Australian Standard AS2890.1:2004 and will be constructed to a sealed surface where surface runoff will be collected and discharged to the approved outlet. The gradient of parking, driveway and turning areas are in accordance with Standard and will be clearly line-marked. A turning facility sufficient to accommodate an 8.8 metre medium rigid vehicle. The 35 units will be served by one main internal loop roadway that will accommodate two-way vehicle movements, while other 7 units will be served by a short cul-de-sac roadway.

Pedestrian access within parking areas will be provided with a one metre wide concrete pathways, that will be separated from the vehicle access ways by 140mm high kerbing, and this kerbing is expected to provide adequate separation. A pedestrian pathway will be line marked with a pedestrian crossing and with appropriate traffic signage.

The development complies with the acceptable solution for parking, being C2.5.1. Based on the parking being supplied by the development it is not envisaged that parking will be an issue. However, if there is overflow parking there on-street parking on both sides of Main Road.

Internal Road Layout

The developer is proposing one driveway access for the 42 units off Main Road which will be 6m wide for two-way traffic flow. There is then one main internal loop roadway wide enough for two-way traffic. Off the main roadway there is a minor road that will accommodate access to seven of the units.

The minor road has been designed with passing areas and for cars to be able to turn around at either end of the road. A service vehicle will need to reverse to leave the site which is acceptable for the low volume and speed environment of the area.

A pedestrian path 1m wide is located around the main internal loop and minor road, as required under the acceptable solution C2.6.5 A1.1.

Based on the TIA it is accepted that the proposed driveway access and internal road layout is safe.

Other

C15.0 Landslide Code

There are no landslide issues identified through Council's records that affect the application.

C7.0 Natural Assets Code

There are no Natural assets issues identified through Council's records that affect the application.

C12.0 Flood-Prone Areas Hazard Code

There are no Flooding issues identified through Council's records that affect the application.

Waste Management

Waste Services to the proposed multiple dwelling development at 271 Main Rd Austins Ferry would be Councils **shared** bin service, **collected weekly**. The wheelie bins should be stored in three bin enclosures, one each for waste, recycling, and FOGO, within the property boundary and are not to be taken to individual units.

Open Space

Council have undertaken an assessment of the land and deemed the provision of open space is not required in this location due to Hestercombe Road Reserve, Whitestone Drive Reserve and Goulds Lagoon being located within 500m. Public open space and/or a cash contribution is not required in this instance as this is not a subdivision.

Environment

No comments

*Environmental Health***Report: (to be included in Planner's Report):**

The application is for the re-zoning of 263, 271 & 293 Main Road, Austins Ferry. The application refers to 293 but the title reference is for 295 Main Road, Austins Ferry. The application incorporates the demolition of the current dwelling and the construction of 42 new multiple dwellings located at 271 Main Road Austins Ferry. The application includes a proposed Specific Area Plan (SAP) for 263, 271 & 293(295) Main Road, Austins Ferry. This report will be divided into sections addressing each aspect of the application concluding with recommended conditions for the permit.

Attenuation Code:

A metal fabrication business located at 1 Whitestone Drive, Austins Ferry, triggers the Attenuation Code (C 9.0) under the Tasmania Planning Scheme – Glenorchy (TPSG). Metal fabrication is a listed activity under Table C9.1 Attenuation Distances (M-Q) of the TSPG. The attenuation distance associated with this Level 1 activity is 500m. The 500m distance incorporates the whole of the site proposed to be rezoned.

Re-zoning:

263, 271 & 293(295) Main Road, Austins Ferry are proposed to be rezoned to General Residential from Rural Living. All sites share a rear boundary with land zoned as Light Industrial.

The proposed re-zoning provides for a light industrial and general residential interface. The close proximity requires mitigation measures, with specific requirements in relation to noise emissions, to be implemented to ensure the land use compatibility. The Light Industrial and proposed General Residential interface is considered in depth within this report.

To consider the rezoning of the land, the interface between the proposed General Residential and Light Industrial needs to be adequately mitigated to ensure noise from the current and future operations located within the Light Industrial zone does not unreasonably impact on the proposed residential use of the land. Consideration also needs to be given to the impact of the encroachment of residential dwellings upon the industrial use of the Light Industrial Zone.

The objectives of planning outlined in Schedule 1, Part 2 of the *Land Use Planning and Approvals Act 1993* (LUPAA) include (f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation and (i) to provide a planning framework which fully considers land capability. To further the objectives of LUPAA, specific considerations has been given to the potential from noise emissions from current and future uses impacting on the residential amenity of the proposed future general residential zone.

An Environmental Noise Assessment (ENA) by Tarkarri Engineering (dated 20th May 2021) was submitted as part of the application. Further information was required to support the rezoning and to address the TPSG in relation to the construction of the new dwellings. The final ENA was submitted on 13th January 2022 by Tarkarri Engineering.

The ENA was prepared by a qualified acoustic engineer. The ENA is deemed to satisfy the methodology anticipated to support the application. The ENA provides professional acoustic assistance in determining if the land is suitable for general residential, what mitigation measures are required for the rezone, design mechanisms to support appropriate residential development and how this is to be achieved.

The ENA recommends two (2) alternative mitigation measures. The measures are discussed in further detail in the ENA in section 6.1 *Mitigation Measures*. The noise mitigations measures proposed include:

“6.1.1 - Barrier wall and fence:

A 7 m tall barrier wall was modelled along boundary of the Light Industrial Zone and 293 Main Rd, Austins Ferry. A 2.1 to 2.5 m high barrier fence was also modelled along a section of the boundary between 293 and 271 Main Rd and along the boundary between the Light Industrial Zone and 271 and 263 Main Rd” (pp. 11 of the ENA).

Or

“6.1.2 - Barrier fence:

To allow residential development across the entire area of land at 271 Main Rd where no barrier wall is in place along the northern boundary of 293 Main Rd, Tarkarri Engineering recommends a barrier fence along the shared boundary between 271 and 293 Main Rd (along approx. 85 m of the boundary from the north corner of 271 Main Rd and along the boundary

between the Light Industrial Zone and 271 and 263 Main Rd.” (pp. 13 of the ENA)

The SAP contains aspects of the later recommendations (6.1.2) of the ENA and additional noise recommendations as stated in section 6.1.3 which are presumed to support both residential and light industrial use within all sites included in the re-zoning proposal.

It is noted, the Light Industrial zone purpose is:

18.1.1: 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 with, or unreasonable loss of amenity to, any other uses.

18.1.2: To provide for use or development that supports and does not adversely impact on industrial activity.

Therefore, the activities located within the light industrial zone are expected to have less off-site impacts in comparison to a General Industrial Zone. With the off-site impacts assumed to be minimal and/or manageable, the land use conflicts are expected to be reduced to an acceptable level for residential amenity with the inclusion of the noise mitigation measures implemented proposed in the ENA.

Attenuation Code:

Section 7 of the ENA, prepared by an appropriately qualified acoustic engineer, considers the Attenuation Code (C9.0) of the TPSG. There is no Acceptable Solution for sensitive use within an attenuation area. The sensitive use must not interfere with or constrain an existing activity having regard to the nature of the activity with potential to cause emissions, the nature of the sensitive use, the extent of encroachment, measures in the design, layout and construction of the development for the sensitive use to eliminate, mitigate or manage effects of emissions of the activity and any advice provided by the Environment Protection Authority Director, and Director of Mines.

The ENA considered the metal fabrication activity (the only activity known to trigger the Attenuation Code in the area) where it is noted noise from the activity was unlikely to impact of the proposed residential amenity nor would the sensitive use interfere with the activity. The mitigation measure proposed (acoustic fence), the distance between the activity and the proposed sensitive use, the design mechanisms recommended for specific two-story buildings and the audibility of the fabrication activity were all considered factors in determining the very unlikely nature of the proposed sensitive use conflicting or constraining the metal fabrication activity.

Specific Area Plan (SAP):

The proposed SAP carries forward the recommendations identified in the ENA. The Acceptable Solutions of the proposed SAP mirror the recommendation stated in section 6.12 and 6.1.3 of the ENA.

The SAP provides for additional control mechanisms under the TPSG to support land capability and residential/light industrial use.

The proposed SAP is deemed to be appropriate with a proposed amendment to Acceptable Solution A2 (13.6.1 Development for Sensitive Use) to incorporate the need for an appropriately qualified acoustic engineer to complete an assessment to ensure two or more story dwellings comply with AS/NZS 2107:2016 as per the ENA recommendations. The amendment would read:

A2

For new dwellings of two or more storeys located in the area shown in Figure GLE-S13.2, an assessment by a suitably qualified acoustic engineer is required to demonstrate all habitable rooms are designed to meet AS2107:2016 –Acoustics (Recommended Design Sound Levels and Reverberation Times for Building Interiors).

Acceptable Solution A1.1 (13.6.1 Development Standards – Development for Sensitive Use) of the proposed SAP shows a discrepancy with the recommended acoustic fence shown in *Figure 6.3 Model scenario $L_{Aeq, 10min}$ contours, with barrier fence* with the barrier fence creating a sharp corner at the rear boundary of 271 Main Road. The ENA recommends the fence cuts the corner at 26m above ground height. It is recommended, Figure GLE-S13.1 is amended to reflect the recommendation within the ENA and a condition placed on the permit to ensure the realignment is shown on the building plans before approval.

The SAP provides for additional measures to be taken for future dwellings located on 295 Main Road, Austins Ferry as this site has been identified in the ENA as the site likely to experience higher noise levels and due to the topography of the land. There is no Acceptable Solution proposed for new dwellings located on 295 Main Road (A1.2). Further site-specific investigations are recommended to develop a suitable design to accommodate mitigation measures and design mechanisms. The ENA provided an indication the site is suitable to be rezoned, however, the 7m noise barrier identified in section 6.1.1 of the ENA has not been carried forward into the SAP. Rather a Performance Criteria allowing for the assessment by a suitable qualified acoustic engineer to be undertaken to therefore allow for the consideration a wider range of suitable options for development.

Attenuation Code:

The SAP does not override the Attenuation Code (C9.0) of the TPSG but provides for additional safeguards in relation to noise emissions that may impact on residential use. The additional requirements in the SAP allow for additional protection for the metal fabrication industrial as the design standards for the dwellings to provides further barriers for any potential impacts.

Demolition:

The demolition of the dwelling located at 271 has been assessed against the TPSG. Environmental Health do not have any recommended conditions or comments for this aspect of the application.

42 Multiple Dwellings:

The proposed 42 dwelling have been assessed against the TPSG and proposed amended SAP.

The proposed dwellings comply with 13.6.1 Development Standards – Development for Sensitive Use A1.1 and A2 of the proposed amended SAP for which incorporates the recommendations of the ENA. The proposed amendment of the SAP (13.6.1 A1.1) and condition of the correct fence location would therefore incorporate the recommendations for the acoustic barrier to mitigate noise impacts. The recommendations include the construction methodology of the acoustic barrier as stated in section 6.1.3 of the ENA.

The dwellings of particular interest in relation to potential noise impacts as identified in the ENA are the double story dwellings located along the light industrial interface. The Appendix of the ENA provides construction materials for units 17-19 that trigger 13.6.1(3) of the SAP as they are double story. Tarkarri Engineering provides construction upgrade recommendations with a view to maintaining internal noise levels within the design ranges provided AS/NZS 2107:2016. The ranges relevant to the internal. The construction upgrades are recommended as conditions for the permit.

Units 17-19 however have balconies on the north east face of the buildings – it is recommended as a condition to delete these balconies prior to building approval aligning the application with A3. This condition is supported by the applicant as stated within the Planning Report, by All Urban Planning, dated 14 January 2022, pp.33.

It is recommended, a condition be place on the permit for the requirement of a noise verification report to be submitted to Council to confirm the noise mitigation measures proposed are achieving the desired effect. It is recommended as part of the condition that if any further mitigation measures are required to achieve the desired sound levels, these measures must be installed within eight weeks of the date of the report.

Attenuation Code:

As discussed initially within the report, section 7 of the ENA, prepared by an appropriately qualified acoustic engineer, considers the Attenuation Code (C9.0) of the TPSG. There is no Acceptable Solution for sensitive use within an attenuation area. Therefore, under the Performance Criteria (P1), the sensitive use must not interfere with or constrain an existing activity having regard to the nature of the activity with potential to cause emissions, the nature of the sensitive use, the extent of encroachment, measures in the design, layout and construction of the development for the sensitive use to eliminate, mitigate or manage effects of emissions of the activity and any advice provided by the Environment Protection Authority Director, and Director of Mines.

The ENA considered the metal fabrication activity where it was noted noise from the activity was unlikely to impact of the proposed residential amenity nor would the sensitive use interfere with the activity. The mitigation measures proposed (acoustic fence), the distance between the activity and the proposed sensitive use, the design mechanisms recommended for specific two-story buildings and the audibility of the fabrication activity were all consider factors in determining the very unlikely nature of the proposed sensitive use conflicting or constraining the metal fabrication activity.

As stated within the Planning Report, by All Urban Planning, dated 14 January 2022 pp.33 “there are not considered to be any other potential amenity impacts such as light, air or dust emissions that would not otherwise be adequately mitigated by the significant elevation of the proposed residential above the industrial land, the proposed siting and boundary fencing” – this statement is deemed satisfactory in relation to the metal fabrication business given the location and activity. The application is deemed to comply with the requirements of P1 (C9.5.2).

Conclusion:

The re-zoning of the Rural Living land to General Residential, the proposed (amended) SAP, the demolition and the construction of 42 multiple dwellings has been considered in depth by Councils Environmental Health Officer - with a specific focus on potential noise impacts. The noise impacts have been sufficiently assessed and mitigation measures put forward to ensure the application is compatible with the current environment. The application is recommended for approval subject to the below conditions.

Conditions:

- The acoustic fence at the corner of the rear boundary and the north eastern side boundary of 271 Main Road must be aligned to reflect the location identified in Figure 6-5 of the Tarkarri Engineering technical Memo - Environmental Noise Assessment 13 January 2022, to the satisfaction of the Senior Statutory Planner. The realignment must be shown on the building plans.
- The second storey balconies and decks on the northern and eastern elevations of Units 17, 18 and 19 must be deleted to the satisfaction of the Senior Statutory Planner. The modification must be shown on the building plans.
- Material and finishes identified in the Appendix of the Tarkarri Engineering Technical Memo - Environmental Noise Assessment 13 January 2022 for units 17, 18 & 19 must be used and identified in the building plans.
- A Noise Verification Report must be submitted to the satisfaction of Council's Senior Environmental Health Officer within:
 - four weeks of an occupancy permit being issued for any of the units in Stage 2 in respect to the acoustic fence, and
 - four weeks of the occupancy permit being issued for Units 17, 18 or 19.
 - The report must assess the noise in the habitable rooms of the second storeys of Units 17, 18 & 19 and the noise received within the acoustic boundary fence.
- The report must demonstrate and certify that:
 - the acoustic fence provides a contiguous mass barrier with a sound transmission loss of 20 dB or more at frequencies from the 125 Hz 1/1-octave band and above; and
 - second storey habitable room of Units 17, 18 and 19 meet AS2107:2016 –Acoustics - (Recommended Design Sound Levels and Reverberation Times for Building Interiors).

Should further noise mitigation measures be required to achieve the stated sound levels (as per Tarkarri Engineering technical Memo – Environmental Noise Assessment, 13 January 2022) these measures must be installed within eight weeks of the date of the report. A further noise verification check must be undertaken and submitted to the satisfaction of Council's Senior Environmental Health Officer. Noise mitigation treatments must be shown to be effective.

EXTERNAL REFERRALS

TasWater

Pursuant to the Water and Sewerage Industry Act 2008 (TAS) Section 56P(1) TasWater makes the following submission(s):

TasWater does not object to the draft amendment to planning scheme and has no formal comments for the Tasmanian Planning Commission in relation to this matter and does not require to be notified of nor attend any subsequent hearings.

*Conditions pursuant to the Water and Sewerage Industry Act 2008 (TAS) Section 56P(1) are imposed and outlined in TWDA 2021/01418-GCC dated 26 November 2021. A copy of the referral is included in **Attachment 2**.*

TasNetworks

Based on the information provided, the development is not likely to adversely affect TasNetworks' operations.

As with any multiple dwellings of this magnitude, consideration should be given to the electrical infrastructure works that will be required to ensure a supply of electricity can be provided to each lot. To understand what these requirements may entail, it is recommended you advise the proponent to contact TasNetworks Early Engagement team at early.engagement@tasnetworks.com.au at their earliest convenience.

8. SNAPSHOT OF STATUTORY PLANNING ACTIVITY IN 2021

Author: Coordinator Planning Services (Trevor Boheim)
Qualified Person: Coordinator Planning Services (Trevor Boheim)
Property ID: N/A

REPORT SUMMARY

During 2021 a total of 580 planning applications were determined including 458 applications for planning permits and 122 applications for confirmation of No Permit Required status. 228 planning permits were granted for single dwellings and associated development and 68 planning permits were granted for multiple dwellings which approved 662 new multiple dwelling units. A further 125 permits were granted during 2021 for non-residential development.

REPORT IN DETAIL

The level of development activity in 2021 surpassed that of all previous years with 580 planning applications being determined during the year.

Total number of planning applications determined

During 2021 a total of 580 planning applications were determined of which 56 were determined by the Glenorchy Planning Authority and 524 were determined under delegated authority.

In addition, a further 8 planning applications were cancelled due to lack of progress and 29 planning applications were withdrawn, bringing the total number of planning applications that were finalised in 2021 to 617.

No planning applications were refused in 2021, with this largely being a result of applications that could not be recommended for approval by statutory planning officers being either withdrawn by applicants or the proposals amended so they could be approved.

Planning Permits and No Permit Required Certification

Of the 580 planning applications determined during 2021, a total of 458 were applications for planning permits and 122 were applications for confirmation of No Permit Required Status. The outcome of the 122 No Permit Required applications was that 108 were issued with a No Permit Required Certification and 16 were determined to require a planning permit.

Residential approvals for Single dwellings

A total of 147 applications for planning permits were granted for single dwellings during 2021. The locations of these dwellings are as follows:

- Austins Ferry – 103
- Berriedale – 6
- Claremont – 9
- Glenlusk – 1
- Glenorchy – 4
- Granton – 12
- Lenah Valley – 5
- Moonah – 3
- Rosetta – 1
- West Moonah – 3

The large number of approvals in Austins Ferry is a result of the release of land in the Whitestone Point estate which is the largest residential subdivision in the municipality. A further six planning permits were granted for Ancillary Dwellings, with one being granted in each of the following locations: Austins Ferry, Claremont, Collinsvale, Glenlusk, Moonah and Rosetta.

Planning permits were granted for 38 additions or alterations to single dwelling in 2021 with the locations being as follows:

- Austins Ferry – 2
- Berriedale – 3
- Chigwell – 1
- Claremont – 2
- Collinsvale – 4
- Derwent Park – 1
- Glenorchy – 4
- Granton – 3
- Lutana – 6
- Montrose – 4
- Moonah – 3

- Rosetta – 3
- West Moonah – 2

Planning permits were also granted for 37 residential outbuildings (sheds, garages, gazebos etc.) with the locations as follows:

- Austins Ferry – 3
- Berriedale – 2
- Chigwell – 3
- Claremont – 11
- Collinsvale – 1
- Derwent Park – 1
- Glenlusk – 1
- Glenorchy – 5
- Granton – 5
- Lutana – 1
- Montrose – 2
- Moonah – 1
- Rosetta – 1

As not all single dwellings, ancillary dwellings additions and alterations to single dwellings and residential outbuildings require a planning permit the above should not be taken as a measure of overall activity.

Residential approvals for Multiple dwellings

A total of 68 applications for planning permits were granted in 2021 for multiple dwelling developments during 2021. This mix of these was as follows:

- 32 permits approved one new dwelling on a lot with an existing dwelling
- 7 permits approved two new dwellings on a lot with an existing dwelling
- 2 permits approved three new dwellings on a lot with an existing dwelling
- 27 permits approved multiple dwellings on lots without an existing dwelling

Of the 27 planning permits that approved multiple dwellings on lots without an existing dwelling:

- 10 were for two multiple dwellings
- 5 were for between three and five multiple dwellings

- 4 were for between six and ten multiple dwellings
- 1 was for 15 multiple dwellings
- 2 were for 20 multiple dwellings
- 1 was for 21 multiple dwellings
- 1 was for 37 multiple dwellings
- 2 were for 55 multiple dwellings
- 1 was for 315 multiple dwellings

The total of new dwellings approved as multiple dwellings in 2021 was 662 dwellings. The locations of these 662 multiple dwellings are as follows:

- Austins Ferry – 9
- Chigwell – 55
- Claremont – 436 (with 315 in the Cadbury Road development)
- Glenorchy – 77
- Goodwood – 2
- Lutana – 4
- Montrose – 1
- Moonah – 44
- Rosetta – 23
- West Moonah – 11

Even without the Cadbury Road mixed use development, the suburb with the greatest number of multiple dwelling approvals was Claremont. When allowance is made for the total for Chigwell being for a single development, the other focusses of multiple dwelling activity in the municipality are Glenorchy and Moonah.

To complete the picture for residential development, a further 10 permits were granted for alterations and additions for existing multiple dwellings and four permits were granted for visitor accommodation.

Non-Residential approvals

A total of 125 applications for planning permits were granted in 2021 for non-residential development. This mix of the Use Classes for these was as follows:

- 1 permit for Bulky Goods Sales
- 12 permits for Business and Professional Services

- 8 permits for Community Meeting and Entertainment
- 12 permits for Educational and Occasional Care
- 1 permit for Equipment and Machinery Sales and Hire
- 21 permits for Food Services
- 15 permits for General Retail and Hire
- 6 permits for Manufacturing and Processing
- 3 permits for Passive Recreation
- 1 permit for Recycling and Waste Disposal
- 1 permit for Resource Development
- 7 permits for Resource Processing
- 5 permits for Service Industry
- 12 permits for Sports and Recreation
- 14 permits for Storage
- 5 permits for Utilities
- 1 permit for Vehicle Fuel, Sales and Service

The locations of these 125 permits are as follows:

- Austins Ferry – 6
- Berriedale – 5
- Claremont – 8
- Collinsvale – 2
- Derwent Park – 16
- Glenorchy – 34
- Goodwood – 5
- Granton – 2
- Lutana – 3
- Montrose – 1
- Moonah – 41
- West Moonah – 2

Almost three-quarters of planning permits granted for non-residential development were in Derwent Park, Glenorchy and Moonah.

Subdivision

A total of 15 applications for planning permits for subdivision or boundary adjustment were granted in 2021. These consisted of:

- 6 permits for boundary adjustment
- 5 permits to create one new lot
- 1 permit to create two new lots
- 1 permit to create three new lots
- 1 permit to create four new lots
- 1 permit to create 16 new lots.

Significant and notable developments approved in 2021

The following planning permits were granted in 2021:

- Redevelopment of the Derwent Entertainment Centre (now MyState Arena)
- A mixed-use retail, educational, community and residential development comprising 315 multiple dwellings in Cadbury Road, Claremont
- Further development of the Museum of Old and New Art (MONA) in Berriedale.
- A mixed-use commercial and residential redevelopment comprising 21 multiple dwellings in Hopkins Street, Moonah
- New library building, maintenance facility and extensions to school buildings at St Virgils College in Austins Ferry
- Alterations and additions to the Guilford Young College in Glenorchy
- Alterations to Northgate shopping centre in Glenorchy
- Upgrading works at the Nyrstar zinc smelter in Lutana
- 55 multiple dwellings in Allunga Road, Chigwell
- 55 multiple dwellings in Abbotsfield Road, Claremont
- 37 multiple dwellings in Branscombe Road, Claremont

CONCLUSION

The number of planning permits determined in 2021 was 580 which is the highest in any year. The focus of new dwelling activity in Austins Ferry is reflective of the development of the Whitestone Point estate, which is the largest new residential

subdivision in the municipality. The number of new multiple dwellings (662) is indicative of the increasing importance of this form of housing to accommodate the growing population with Claremont followed by Glenorchy and Moonah being the focuses of this form of housing. Non-residential development activity is an outcome of the growth and change of individual businesses and service providers and is focussed in Derwent Park, Glenorchy and Moonah.

Recommendation:

That the snapshot of statutory planning activity in 2021 is noted.

Attachments/Annexures

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